



California Department of Consumer Affairs
1997–1998 Annual Report



STATE OF CALIFORNIA

Department of Consumer Affairs



Confident Consumers

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State of California

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December 1998

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Are You a Confident Consumer?

TRUE OR FALSE

- _____ 1. A confident consumer checks for a license before doing business.
- _____ 2. The manufacturer's warranty for my new car states that I can return my car in three days if I change my mind.
- _____ 3. An appliance repair shop is required by law to give you a written estimate and an invoice (or bill) only on request.
- _____ 4. If upholstered furniture is labeled "fire retardant," it is also fireproof.
- _____ 5. A confident consumer always does business with whoever offers the lowest price.

For more information on how you can become a confident consumer, visit the Department of Consumer Affairs website at www.dca.ca.gov.

Answers

1. **TRUE.** The most important thing you can do to protect yourself as a consumer is to make sure the person you hire has a license (if one is required).
2. **FALSE.** Your new car warranty tells you how to have repairs made, exactly what repairs the manufacturer will make, and how long your vehicle is covered. The law does not entitle you to return a car you've purchased!
3. **FALSE.** You must always be given a written estimate and invoice. Be sure to ask for them if they're not offered.
4. **FALSE.** Under certain circumstances, products with labels that say "fire retardant" or "cigarette resistant" will ignite and burn.
5. **FALSE.** Comparing costs is important, but the lowest cost isn't always the best deal!



GOVERNOR PETE WILSON

Confident consumers know their rights and remedies.

Confident consumers are good for consumer protection because they are educated consumers.

Confident consumers are good for California's productivity because when consumer confidence is up, consumer spending is up.

The California Department of Consumer Affairs has helped to create confident consumers by protecting consumers while promoting fair and ethical business practices. Consumers benefit most from a free enterprise market economy where innovation and competition are encouraged. Regulations, red tape, and rigamarole are not what consumers need to make their way in the marketplace. Rather, education, examination, and enforcement are what make California consumers confident.

Confident consumers are educated. The Department employs an aggressive and proactive education and information campaign using the latest technology as well as old-fashioned person-to-person and face-to-face communication.

Confident consumers benefit from enforcement against the unscrupulous and unqualified. The Department employs a range of tools, including mediation, arbitration, and legal proceedings, to ensure that problems are solved. Confident consumers know their remedies and that problems will be handled fairly and in a timely manner. The Department has strived for tougher enforcement actions against those who break the laws that hurt consumers and the state's economy.

Confident consumers know that licensees in various occupations are qualified, as established through examination and licensing. Licensing only those professionals who pass specialized examinations and meet experience and education requirements not only ensures that qualified individuals are legally permitted to provide services, but also ensures confident consumers.

The Department of Consumers Affairs has made great inroads with the uneducated, the unqualified, and the unscrupulous. I am grateful to the Department staff for helping create confident consumers in the Golden State.

Sincerely,

PETE WILSON

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STATE AND CONSUMER SERVICES AGENCY
CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS



California leads the nation when it comes to innovative ideas, competitive market approaches, and the use of advanced technology. For more than 28 years, the Department of Consumer Affairs has helped create confident consumers, serving as a leading consumer advocate in California government.

The Department has established standards of competency for more than 200 professions and occupations and administered the regulatory functions of licensing, examination, and enforcement for those professions and occupations. The Department is responsible for issuing more than two-and-a-half million licenses and last year renewed licenses for more than 780,000 professionals and businesses.

The Department promotes a free and competitive marketplace in which consumers are treated fairly. During fiscal year 1997-98, thousands of complaints were mediated by Department specialists, and \$35 million was recovered for consumers. In addition, disciplinary action was taken against more than 33,000 licensees for fraud, incompetence, negligence, and health and safety violations.

The Department employed an aggressive and proactive education and information campaign that reached millions of consumers. The website has more than doubled the information available. California consumers can now check licenses, browse more than 130 publications, and even file complaints via the Information Highway. More than one million phone calls were answered by the Department's information specialists.

The ongoing efforts and dedication of the Department's employees are to be commended. The following report highlights the work of the Department in fulfilling its obligation to consumers and licensees during fiscal year 1997-98.

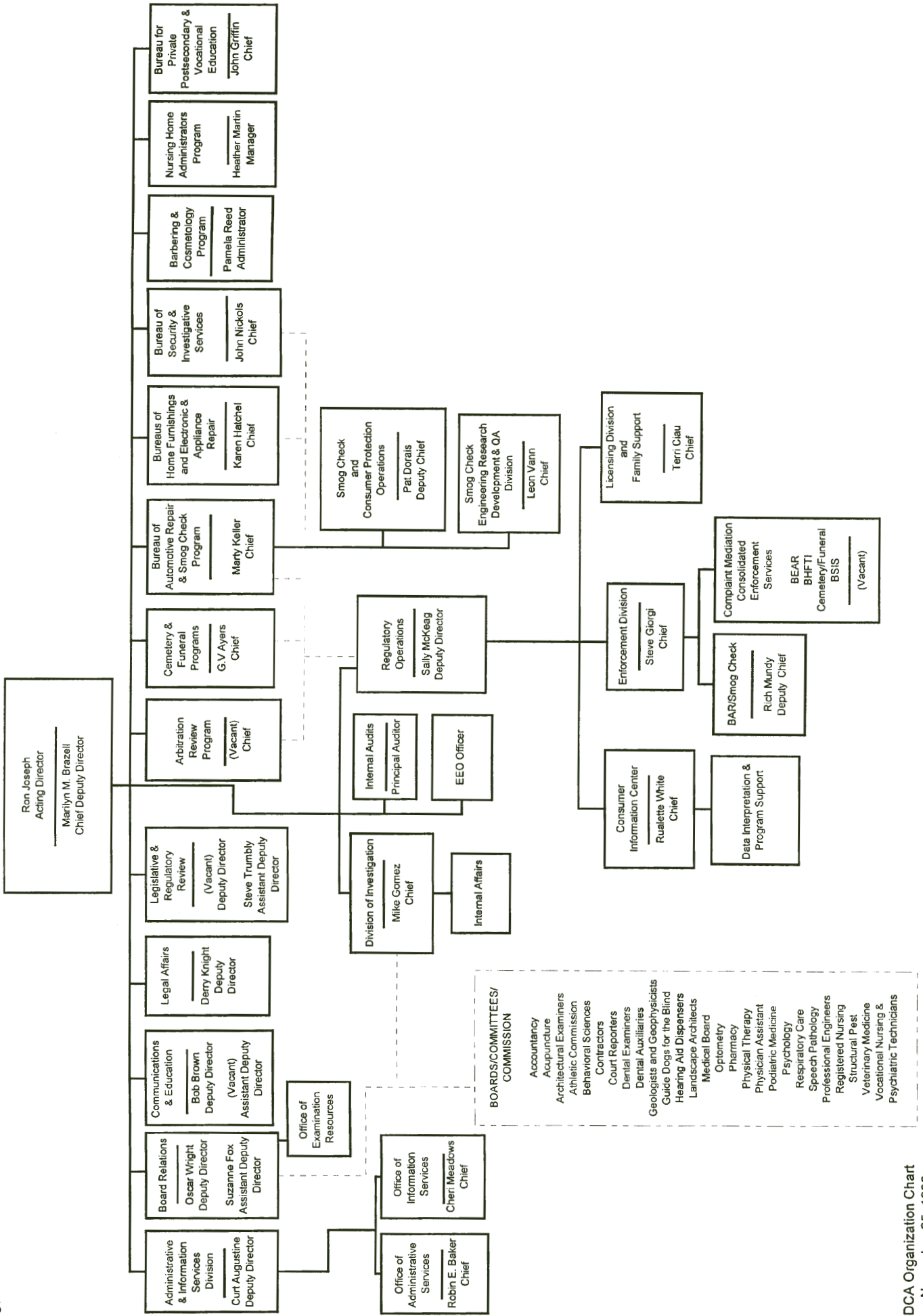

ANNE E. SHEEHAN

Secretary, State & Consumer Services Agency


RON JOSEPH

Acting Director, Department of Consumer Affairs

DEPARTMENT OF CONSUMER AFFAIRS



Department Mission

To foster and support competitiveness in a free enterprise market economy.

To actively serve as the advocate for California consumers in order to vigorously represent and protect their interests.

To educate and inform consumers to equip them to make informed decisions in the market.

To promote high standards of competence, quality, service, and ethical behavior by businesses, professions, and occupations.

To combat business practices that are fraudulent, deceptive, or unlawful, or that otherwise undermine the competitive market.

To promote effective representation of consumers in all forums where decisions affecting their interests are made.

To promote compliance with the Smog Check program, thereby reducing vehicle emissions and improving air quality.



STATE OF CALIFORNIA

Department of Consumer Affairs

CREATING CONFIDENT CONSUMERS

The California Department of Consumer Affairs exists to help Californians be confident consumers and to protect them from unscrupulous and unqualified individuals. The Department's role is also to protect licensees from unfair competition from unlicensed practitioners.

As of January 1, 1999, the Department comprises 34 entities—8 bureaus/programs, 22 boards, 3 committees, and 1 commission that issue more than 2 million licenses in more than 200 different professions and occupations. These entities establish minimum qualifications and levels of competency for licensure; license, register, or certify practitioners; investigate complaints; and discipline violators.

Boards, committees, and the commission are semiautonomous bodies whose members are appointed by the Governor and the Legislature. The Department provides administrative support in various areas, all funded exclusively by license fees.

Sunset

In 1995, the State Legislature began the three-year process of reviewing the Department's boards, committees, bureaus, programs, and commission to determine which of them should be retained, which should be "sunsetting," and which functions should be incorporated into the Department.

As a result of this process, the following entities were sunsetted effective July 1, 1997:

- Board of Landscape Architects (combined with Architectural Examiners).
- Board of Barbering and Cosmetology (changed to a Department program).
- Board of Guide Dogs for the Blind (legislation later "sunrised" this Board).

- Tax Preparer Program (changed to private sector control).

Also sunsetted effective July 1, 1998, was the Nursing Home Administrators Board (changed to a Department program and delegated to the Department of Health Services via an interagency agreement through June 30, 1999).

In a separate legislative process, the Council for Private Postsecondary and Vocational Education was sunsetted in December 1997. On January 1, 1998, Assembly Bill 71 established the authority for the Department of Consumer Affairs Bureau for Private Postsecondary and

(See SUNSET, on page 9)

Confident Consumers Are Educated Consumers.

The Department helps consumers make wise purchasing decisions by informing them about the laws that protect them, explaining what they should know about a business and letting them know what their responsibilities are to protect themselves. The Department also helps licensees maintain high standards of competence, quality, service, and ethical behavior through licensee education programs. Knowledgeable consumers are confident consumers who discourage the activities of unlicensed, negligent, or unethical practitioners and encourage licensees to be more competitive. Educating licensees and consumers also reduces fraud and lessens the need for enforcement actions, such as investigation and prosecution of violators.

The Department believes that combining education with enforcement is the most effective approach to making the marketplace safe for consumers. Toward that end, the Department maintains a comprehensive website at www.dca.ca.gov, answers more than one million toll-free phone calls a year via its Consumer Information Center, conducts proactive media campaigns on various consumer-oriented topics, and has more than 180 publications available at little cost or for free. In addition to consumer outreach, a variety of information is available on the website and within newsletters and publications for licensees.

SUNSET, *continued from page 8*)

Vocational Education to regulate private postsecondary institutions.

The Bureau inherited a backlog of 856 school applications, 1,054 required school site reviews, and 1,296 complaints. In addition to the backlog, during the last nine months of the Council's existence, 64 employees sought employment elsewhere, leaving 15 employees. From January to June 1998, the Bureau has performed in an outstanding manner, managing to begin operations while developing the Bureau's strategic goals, budget, and infrastructure.

Consumer Education

The Department implements a proactive and aggressive outreach and education campaign for consumers and licensees—using media outreach, a comprehensive website, presentations, publications, and partnership opportunities. More than 426 million consumers were reached last fiscal year.

...media outreach

- News conferences were held on a variety of consumer topics, including holiday tips, Bureau of Automotive Repair enforcement actions, Contractor State License Board enforcement stings, and various Smog Check-related topics. In addition, more than 100 news releases were distributed on the various actions of the 34 Department entities.
- The Barbering and Cosmetology Program conducted four media ride-alongs last fiscal year. Reporters accompanied a program inspector while health and safety inspections of nail salons were conducted. All the media outlets featured stories on the potential health risks to consumers in nail salons. Following one story, the Program received more than 500 telephone calls from viewers who wanted to know if their salons had been cited for health and safety violations.

...partnerships

- In the fall of 1997, the Bureau of Automotive Repair joined forces with Californians for Clean Air Progress, a partnership of government and industry entities, to launch the "Success Is in the Air" advertising campaign. The campaign, which included print ads in the *Los Angeles Times*, *The Sacramento Bee*, and *San Francisco Chronicle*, celebrated California's significant progress in cleaning the air, while underscoring continuing challenges in the quest for clean air.
- In the wake of El Niño, the Contractors State License Board partnered with the Department of Insurance to hold four news conferences around the state to alert consumers to the pitfalls of insurance and contractor fraud.

...publications

- Six new publications were added to the roster of more than 180 fact sheets, brochures, and booklets, including a comprehensive guide for landlords and tenants, a brochure with general information about the Department, and an updated list of publications available from the Department.

(See *EDUCATED CONSUMERS*, on page 10)

- The Board of Registration for Professional Engineers and Land Surveyors developed the *Guide for Building Officials* to help those working in city and county offices answer questions about engineering and land surveying.
- The Board of Optometry completed a new rulings and regulations law book and placed it on the website. The book provides additions and amendments to the laws relating to the practice of optometry through March 1998.
- The Board of Registration for Geologists and Geophysicists strengthened its public outreach program by increasing the number and frequency of newsletters, information bulletins, and consumer guides published and by expanding the Board's mailing list to include academic, commercial, and professional organizations and individuals who use geological and geophysical services.

...presentations

- The Mediation Division continues to conduct public outreach presentations for senior citizen and business groups, private clubs, and public forums. In addition, the Program has continued to maintain its Information Services Promoters displays, which have proven to be an effective method of public outreach. The displays are set up statewide at libraries, senior centers, community centers, and offices of small claims court advisors.
- The Legal Affairs Division was an active participant in the Judicial Council's Civil and Small Claims Court Committee and played a key role in producing a video for training small claims judges. The Division also presented substantive training at statewide conferences of the California Consumer Affairs Association and the California Alliance for Consumer Education.
- The Contractors State License Board performed consumer outreach at numerous home and remodeling exhibitions throughout California, reaching a record-breaking audience of 1.1 million people.
- A tabletop public awareness display was developed by the Court Reporters Board that illustrated the history of court reporting and the contributions of the court reporting profession. It debuted at the Kern County Courthouse in August 1997.



- The Board of Registered Nursing pursued an aggressive public education agenda through presentations by board members and staff at over 75 events. To enhance the impact of outreach efforts, the Board developed professional videos, brochures, and PowerPoint materials. In addition to public presentations, the Board also promotes regular communication on nursing issues with other health-related agencies and professional organizations.

- In March 1998 the Structural Pest Control Board assisted the Department of Pesticide Regulation in conducting a statewide training program for County Agricultural Commission investigators who investigate pesticide-related issues as agents of the Board.

- The staff of the Board of Registration for Professional

Engineers and Land Surveyors is

continuing its outreach presentations to city and county officials as well as to colleges and professional society meetings in order to inform the public and registrants fully of changes in the law or in Board policy.

- The Smog Check program continues to address its consumer issues through presentations conducted by field staff. During the fiscal year, local field offices and headquarters staff conducted 200 presentations to educate consumers and industry groups about the Enhanced Smog Check program.
- The Speech-Language Pathology and Audiology Board established a more proactive outreach program, which included staff members routinely visiting various California universities to speak to communication disorders classes about California's license requirements, changes in law, and Board policy. The Board has also increased its outreach presentations to professional associations.

Licensee Education

...training

- The Court Reporters Board of California received approval from the Bar Association of California to conduct a continuing education seminar on the role and responsibilities of court reporters.
- The California State Athletic Commission began an intensive training clinic for new boxing referees, judges, and ringside physicians.

(See EDUCATED CONSUMERS, on page 11)

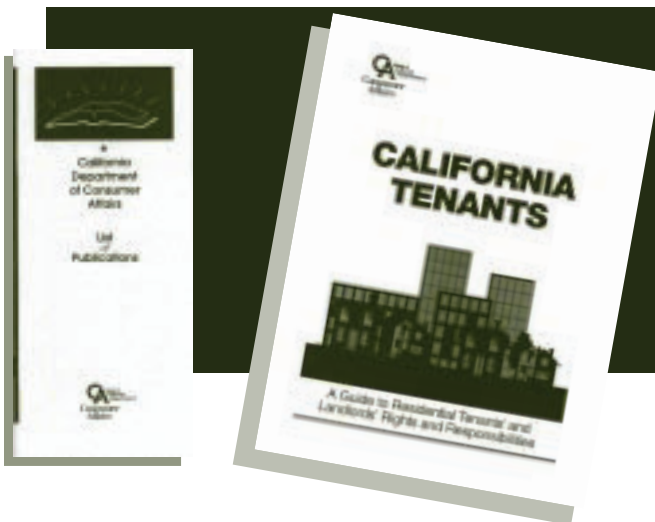
- A continuing education program for funeral directors and embalmers was developed by the Cemetery and Funeral Programs with the aid of an advisory Continuing Education Committee composed of members from the industry and the two mortuary colleges.
- In September 1997 the Structural Pest Control Board awarded five grants to provide research to the Board on various topics related to the following field urban pests: termites, wood-destroying beetles, and the Argentine ant.

...standards strengthened

- The educational standards for acupuncture tutorial programs have been raised within the profession to bring them in line with those of the Acupuncture Committee-approved schools.
- In February 1998, the Board of Architectural Examiners released the first set of rules of professional conduct for California architects, which cover competency, misconduct, conflict of interest, and full disclosure. The Board adopted these rules to protect the public by defining areas of behavior for which an architect risks being disciplined.

...publications

- The Board of Pharmacy continued its public education program by publishing and distributing to all California pharmacists and pharmacies the second in a series of continuing education monographs titled *Health Notes*. This one was devoted to women's health issues. Monographs such as these help pharmacists counsel patients about medications, thus increasing patient awareness and understanding of their medical conditions and encouraging medication compliance. Continuing education credits are awarded to those who submit and pass a written exam on the topic.



Full Speed Ahead on the Information Highway

The Department of Consumer Affairs website, www.dca.ca.gov, was launched in February 1997 and has been very well received. Consumers can now check various license statuses, file complaints, browse publications, and learn about the latest scams. The Department has 131 publications on the site that can be viewed, downloaded, and printed. An additional 77 publications are listed with ordering information.

Over the last fiscal year, the website has grown from approximately 260 web pages and an average of 35,000 daily requests to 777 pages of information and 75,000 average daily requests.

- The Medical Board of California continues to offer one of the broadest information disclosure policies in the nation. As of January 1, 1998, new information became available on the website and via the toll-free telephone number. Physician profiles now include additional information on any malpractice judgment or arbitration award reported to the Board after January 1, 1993, and any hospital disciplinary action reported to the Board after January 1, 1995, that resulted in the termination or revocation of a physician's hospital staff privileges for a reason related to patient harm.

Internet Inductees

The following Department entities added websites during the fiscal year. All can be accessed through the Department's website at www.dca.ca.gov.

- Board of Accountancy
- Barbering and Cosmetology Program
- Cemetery and Funeral Programs
- Court Reporters Board of California
- Board of Registration for Geologists and Geophysicists
- Board of Podiatric Medicine
- Bureau for Private Postsecondary and Vocational Education
- Board of Psychology
- Board of Registration for Professional Engineers & Land Surveyors
- Bureau of Security and Investigative Services

Seminars & Summits

Besides attending events sponsored by others, the Department frequently hosts its own events. Following are just a few of the highlights.

- The Contractors State License Board conducted consumer forums in Sacramento, San Diego, Pasadena, and Palm Desert. Partnering with various Department of Consumer Affairs entities, other government agencies, and consumer reporters throughout the state, CSLB also sponsored four “Schemes, Scams, and Rip-Offs” forums.
- In August 1997, the Medical Board hosted a “Colloquium on Alternative Medicine” in San Diego. In light of increasing use of unconventional therapies by consumers, the Board wishes to stay current with recent trends in complementary medicine. The Colloquium was heavily oriented toward structured research programs taking place. The commentators supported the position that if alternative medicine holds any promise, it will be most useful once proven by scientific research. Public comment also was taken; most speakers were either consumers or medical care practitioners interested in various alternative medicine therapies.
- In October 1997, the Physical Therapy Board of California held its annual public forum, “Strategic Plan, Complaint Process, and Disciplinary Process.”
- In April 1998, the Board of Pharmacy organized a Summit of Health Care Payers (employers/purchasers) and providers (pharmacists). Presenters demonstrated that cost-effective pharmaceutical care improves patient medication outcomes; results in fewer visits to the doctor’s office; decreases the number of emergency room visits, laboratory tests, and hospitalizations; and improves patients’ quality of life. A guide was also developed for use by other states wishing to convene similar summits across America.
- In May 1998, the Legal Affairs Division presented the first four of a series of statewide Consumer Law Training Seminars, attended by more than 200 small claims judges pro tem, consumer representatives, and mediators. The Division also presented training to more than 400 attorneys who sit as small claims judges pro tem. In addition, the Division cosponsored a statewide conference for coordinators of County Dispute Resolution Programs.
- In June 1998, the Board of Registered Nursing presented two Expert Witness Workshops attended by 120 participants. The workshops served as a recruitment tool for new experts in Board disciplinary cases and educated both new and continuing experts on the legal aspects of being an expert witness. Topics included discussion of Board standards, general qualifications of an expert witness, how to write an expert report, and how to testify at a hearing as an expert.
- In January 1998, the Board of Registered Nursing co-sponsored a “Nursing Summit on Differentiated Practice” for 600 registered nurses, licensed vocational nurses, and nursing students. The Board of Vocational Nursing and Psychiatric Technicians and the California Strategic Planning Committee for Nursing were co-sponsors. In response to changing health care, differentiated practice models are being deliberated among nursing professionals to distinguish and recognize such factors as experience, education, competency, specialty expertise, and credentials.



Confident Consumers Know That Only Qualified Individuals Are Licensed.

Licensing only those professionals who pass specialized examinations and meet experience and education requirements ensures that only qualified individuals are legally permitted to provide services. Last year, the Department gave 177,000 examinations. Licensing examinations are given by the Department's Licensing Division and by some boards, such as the Contractors State License Board, the Board of Accountancy, and the Hearing Aid Dispensers Examining Committee.

...examinations strengthened

- The Board of Dental Examiners has begun a major revision of its licensure examination. The Board conducted a successful field test of proposed additions to the licensure examination last year. The new examination will include demonstrations of a candidate's knowledge of endodontics, California law, dental ethics, and removable prosthodontics.
- The Board of Optometry now gives the licensure examination twice a year, in January and in June. The Board completed developmental stages of an occupational analysis study.
- The Physical Therapy Board aggressively worked in concert with the Professional Examination Service and the Federation of State Physical Therapy Boards to implement computer-based testing. Computer-based testing protects the public by expediting the process of qualifying therapists and identifying unqualified individuals earlier than is possible with paper-and-pencil tests.
- The Landscape Architects Technical Committee worked with the Office of Examination Resources to address California-specific issues that are not covered in the national exam. The exam content was revised to reflect current aspects of practice, as well as current state laws. The first administration occurred in June 1998.
- The Department's Licensing Division designed and developed an applicant tracking database to facilitate tracking, accountability, examination processing, and licensing of Cemetery and Funeral Program applicants.
- The Office of Examination Resources conducted occupational analyses of the following professions to validate the content of their licensing programs: licensed clinical social worker; registered dental assistant/hygienist in extended functions; speech-language pathologist; optometrist; and structural pest field representative, operator, and applicator.

- The Office of Examination Resources facilitated the development of numerous multiple-choice and oral examinations for a wide variety of professions, including barber, bar pilot, cosmetologist, educational psychologist, electrologist, engineer, hearing aid dispenser, landscape architect, licensed clinical social worker, manicurist, pest control operator, pest control applicator, psychiatric technician, and marriage, family, and child counselor. The oral examinations for licensed clinical social worker, psychologist, and marriage, family, and child counselor were extensively revised.

...pass rates rise

- The pass rate for first-time court reporting test takers rose significantly on the May 1998 exam compared to 1997.
- The Board of Accountancy administered the Uniform Certified Public Accountant Examination in November 1997 and May 1998 at six California sites. Approximately 7,000 candidates sat for the exam both in November and May. For the fourteenth consecutive year, California has qualified as a National Association of State Boards of Accountancy honor roll state for having pass rates above the national average for all parts of the exam.

...new examinations

- The Licensed Midwifery Practice Act of 1993 was implemented by the Medical Board of California on January 1, 1998. Licensed midwives are nonnurse midwives who have been issued a license to practice midwifery. The examination was given in August, October, and February.
- The Board of Behavioral Sciences performed an occupational analysis for licensed clinical social workers and, based on the results, determined a need for a state-written examination. The Board is in the process of creating this examination and anticipates implementation in January 1999.

...special recognition

- The Board of Psychology received the President's Award from the Association of State and Provincial Psychology Boards for innovative, exemplary, and unusual contributions to psychology regulation; for being a leader in the development of defensible oral examination procedures; and for its efforts to protect citizens of California through active participation in the ASPPB Disciplinary Data Bank.

Confident Consumers Are Protected by Enforcement Against the Unscrupulous and Unqualified.

Enforcement of consumer laws is one of the Department's primary responsibilities. Last year, the Department took disciplinary action against more than 33,000 licensees for fraud, incompetence, negligence, and health and safety violations. Thousands of complaints were mediated by Department specialists, and \$35 million was recovered for consumers.

The Department partnered with various state and local agencies, employed the latest technology, and continuously improved various procedures in order to strengthen and streamline enforcement, including alternative dispute resolution services.

...partnered with various state and local agencies

The Department's Enforcement Division works with the Office of the Attorney General and local district attorneys, along with other state and local agencies, to reduce fraud in the marketplace. Various legal tools, including the ability to issue citations and fines, are part of the Department's arsenal against consumer fraud.

- In finding new and better ways to enforce the Automotive Repair Act, the Bureau of Automotive Repair is cooperating with more state agencies than ever before. As an example, information received from the Franchise Tax Board resulted in the invalidation of the registrations of 17 corporate repair facilities. In addition, a task force made up of industry and regulating agencies was put together to deal with the many issues surrounding freon and the automotive air conditioning industry. The task force includes representatives from the Bureau, United States Environmental Protection Agency, South Coast Air Quality Management District, and the automotive air-conditioning industry.
- A futon manufacturing plant was shut down because of joint efforts by the Bureau of Home Furnishings and Thermal Insulation and the United States Consumer Product Safety Commission. Failure of futons sold in California to comply with flammability

standards resulted in four statewide "Withholds from Sale." More than 1,500 unsafe futons being sold by a major discount retailer were pulled off the market.

- The Cemetery and Funeral Programs provided technical assistance to the local district attorney's office following the discovery of unscattered and improperly stored cremated human remains at the Vieira Flying Service in Contra Costa County.
- The Department's Licensing Division is working with the Department of Justice to implement "live scan" fingerprinting of license applicants—the "on-line" scanning of an applicant's fingerprints, with results transmitted electronically to the Department in approximately three days. Currently, clearances take from 30 to 45 days.

... employed the latest technology

The Department employs the latest technology to enforce consumer laws, from laptop computers to innovative uses of the Internet.

- The Department is one of three California enforcement agencies to obtain direct access to the California Law Enforcement Telecommunications System (CLETS), which provides access to nationwide and statewide criminal justice databases.
- An interactive complaint form that can be filed electronically, the first of its kind in the Department, was developed by the Board of Psychology and placed on its website.
- Assembly Bill 3042 (Takasugi, Chapter 738, Statutes of 1996) was implemented by the Pharmacy Board to require all California pharmacies that dispense Schedule II controlled substances to submit prescription data electronically each month. Approximately 77 percent of California's pharmacies were in compliance with CURES within four months, and nearly 425,000 electronic records were submitted during that period. For those pharmacies in compliance with CURES within the first two months, a license renewal rebate of \$75 was issued by the Board, amounting to \$167,850 distributed to 2,232 pharmacies.

(See PROTECTED, on page 15)

...strengthened and streamlined

The numerous entities under Department's umbrella strengthened and/or streamlined their enforcement efforts in a variety of ways:

- During the fiscal year, Contractors State License Board enforcement staff investigated approximately 30,000 complaints, conducted 88 unlicensed contractor stings and 135 construction site sweeps, issued more than 1,400 citations to licensed (and 2,080 citations to unlicensed) contractors, and revoked 1,027 licenses. Savings to the public as a result of Board actions totaled \$25 million.
- The Physician Assistant Examining Committee implemented a new citation and fine program.
- The State Board of Registration for Geologists and Geophysicists strengthened its enforcement program by hiring an enforcement manager, increasing the use of the Executive Officer's cite and fine authority, and doubling the number of enforcement cases investigated by Board staff.
- The Respiratory Care Board strengthened the monitoring system for probationers with a history of substance abuse. In addition to biological fluid testing, the Board now utilizes Breathalyzer and hair follicle testing. These enhancements will better protect respiratory patients from impaired practitioners.
- The Board of Vocational Nursing and Psychiatric Technicians enforcement staff began preparing accusations and statements of issues, improving timeliness of disciplinary actions and reducing enforcement costs.
- Several citations were issued as a result of surprise audits of Private Patrol Operators conducted by the Bureau of Security and Investigative Services. The industry was put on notice that the Bureau will continue to monitor and audit activities aggressively to curtail future abuses pertaining to employees' registration fees.
- The Board of Accountancy's average number of disciplinary actions increased roughly 150% this fiscal year. A noteworthy element was discipline administered to candidates found to have cheated on the CPA exam. The determination that cheating had occurred was based on statistical analysis and similarity reports.
- The Board of Dental Examiners experienced a 20-percent increase in administrative actions.

- The Court Reporters Board of California began fingerprinting applicants and now requires licensees to notify the Board of any convictions and disciplinary actions taken against them by any other licensing agency.
- The Barbering and Cosmetology Program established a 24-member Advisory Council that held six meetings throughout the year. The group was established to provide the Department with input on standards of practice, minimum qualifications for licensure, curricula, health and safety standards, and enhancements to consumer protection. The Program also set up "task forces" on issues such as laser hair removal, apprenticeship, curricula, and barber-related areas. Eight task force meetings were held.
- The Smog Check program initiated covert audit runs in order to establish a baseline level of integrity for the Smog Check inspections performed statewide.
- The Board of Pharmacy implemented enactment of SB 1349 (Committee on Business and Professions, Chapter 549, Statutes of 1997), which included major provisions to strengthen pharmacists' care, to discipline licensees, and to increase enforcement options.

...and provided alternative dispute resolution.

The Department's Mediation Division handles the vast majority of the complaints received against occupations regulated by the Department's bureaus and programs. Mediation of disputes is faster and less costly for both the consumer and the business than taking the matter to the courts. During the fiscal year, the timeliness of the Department's mediation services was improved by 31%, a reduction of 15.5 days. In addition:

- The Contractors State License Board's in-house mediation program mediated approximately 40% of its 30,000 yearly complaint caseload.
- The Board of Guide Dogs for the Blind effectively initiated the first action under a Board-sponsored statute that requires arbitration when custody of a guide dog is disputed by guide dog users and schools.

(See PROTECTED, on page 16)

In addition to the more routine aspects of enforcement, the Department conducted the following high-profile enforcement actions:

- In March 1998, the California Supreme Court ruled that the California Board of Architectural Examiners had the authority to discipline licensed architects for prelicensure misconduct. The case involved an architect who was disciplined by the Board in 1993 for deceptive acts committed before receiving a California license.
- Bureau of Automotive Repair field staff uncovered fraudulent oversell practices on the part of a nationwide tune-up chain, Econo Lube N’ Tune. A story on the resulting disciplinary actions was featured on *NBC Dateline*, as well as on numerous media outlets statewide. The successful case filing seeks the license revocation of all corporate stores in California.
- Within 24 hours of notification by police, the Respiratory Care Board obtained an Interim Order of Suspension against a respiratory care practitioner, dubbed by the media “the Angel of Death,” who confessed to killing as many as 50 patients in a Glendale facility. The license was later revoked.
- A two-day enforcement sweep by the Bureau of Home Furnishings and Thermal Insulation in Los Angeles County resulted in “Withholds from Sale” against four renovated mattress manufacturers. The manufacturers were found to have “rewrapped” old mattresses without following proper sanitation procedures, exposing consumers to potential health risks. Criminal action was taken against one manufacturer, resulting in both a jail sentence and fine.
- The Department’s Cemetery and Funeral Programs took the following significant actions:
 - ◆ On January 28, 1998, the Cemetery and Funeral Programs conservatorship of Abbey Funeral Center’s endowment care funds ended when a license to operate the center was issued to Loewen Group International.
 - ◆ The Programs assisted in and facilitated the sale

of Hollywood Memorial Park Cemetery to Hollywood Forever, Inc. and issued a license to the new owner on April 8, 1998.

- ◆ The licenses of Heritage Crematory and the Neptune Societies of Los Angeles, San Pedro, and Burbank were suspended after an investigation by program inspectors revealed 24 unrefrigerated, unembalmed human bodies. Charges filed included negligence, unprofessional conduct and misrepresentation. Settlement with all four businesses allowed them to temporarily resume operations under new management and strict Program monitoring while sale of the businesses was being negotiated. A sale was expected to be finalized by early December 1998.
- ◆ The Department’s Internal Audits Office assumed the challenging oversight of the Department’s Funeral Program preneed trust fund reporting. The Office eliminated the backlog of pending statutory audits, significantly reduced processing times for licensees wishing to transfer ownership of funeral homes, collected data from licensees in order to update the information tracked for the Department’s universe of funeral establishments and their licensees, and identified new areas of financial risk for program management.
- ◆ During the 1997-98 fiscal year, the Department’s Division of Investigations identified \$841,223 in cemetery trust funds that have subsequently been re-endowed by licensed cemeteries in California.
- At the request of the Structural Pest Control Board, the state Attorney General filed lawsuits against Ecola Services, Inc. and The Termite Inspector for engaging in misleading advertising and unfair business practices in their use of alternative methods of pest control. The Board won both lawsuits; the companies were fined a combined \$1.2 million in civil penalties and ordered to cease engaging in fraudulent and deceptive advertising.
- The Barbering and Cosmetology Program took disciplinary action against two schools of cosmetology. The action resulted in permanent closure of one school and two years’ probation for the other. Both schools currently remain closed.
- Bureau of Automotive Repair field staff continued to focus on auto body and insurance fraud issues. One of the more notable cases involves an ongoing conspiracy investigation, which so far has resulted in the arrest of seven autobody shop owners.

TOTAL SAVINGS ACHIEVED FOR CONSUMERS

Business Services	5,392,150
Healing Arts	176,768
Design/Construction	30,163,663
TOTAL	\$35,732,581

Helping Californians Breathe Easier

Cleaning California's air is one of the primary goals of the Department.

The Smog Check program continued to help Californians breathe easier by removing thousands of tons of pollutants from the air while also preparing to remove even more pollution and becoming more consumer-friendly.

New legislation, program improvements, and the expansion of the Consumer Repair and Education Workforce (CREW) all contributed to making Smog Check more consumer-friendly. Legislation effective January 1, 1998, exempted certain vehicles from the program, established a state-funded Repair Assistance Program, and eliminated the requirement that gross polluters be recertified every year instead of on a biennial basis. For those consumers whose vehicles failed as gross polluters, CREW was substantially expanded. Many gross polluters that had received repairs were failing the required retests and were sent back for additional repairs. The CREW team assists consumers in such situations by working with stations to ensure their repairs are effective. Of the 449 CREW interventions conducted, 82% of the vehicles successfully passed the retest.

Throughout the year, the major components necessary to implement the new Enhanced Smog Check program were put in place. Smog Check field office staff assisted more than 3,500 Smog Check stations with the installation and implementation of the new BAR-97 Emissions Inspection System. This system uses a dynamometer, a treadmill-like machine that simulates actual driving conditions and, for the first time, makes it possible to test for oxides of nitrogen, or NO_x, a major component of smog. The exclusive use of dynamometers in the state's smoggiest regions, or Enhanced Areas, began in early June 1998, and BAR field staff began working with Smog Check stations to ensure that vehicles that fail Smog Checks are accurately diagnosed and repaired right the first time.

The Department as Consumer Advocate

The Department promotes effective representation of consumers in all forums where decisions affecting their interests are made. While consumer concerns are addressed in all of the Department's bureaus, boards, and committees as they make policy and give advice, the following items offer additional advocacy highlights:

- The Board of Guide Dogs for the Blind continued to advocate for guide dog users in the field of access, assisting in guide dog user efforts to gain admittance to places of public accommodation, as prescribed by law. A recent success involved a physician who refused to admit a blind man and his guide dog to a medical office. This case was heard in criminal court and was well publicized. Another instance was the Board's support for legislation expanding small claims court jurisdiction to include access violations.
- The Department's Legal Services Division provided analysis and advocacy to the Little Hoover Commission, contributing to a generally favorable report providing constructive comment on the Department's role for consumers and licensees.
- The Department's Legal Services Division also provided legal and economic analysis and advocacy relating to a modern competitive local telecommunications market, and legal analysis and advocacy to combat identity theft.

LEGISLATION

A sampling of the more significant consumer protection legislation from the 1997-98 legislative session is highlighted below. Unless otherwise indicated, the following listed bills become law on January 1, 1999.

SPAMMING: *AB 1676, Chapter 865 (Debra Bowen, D–Marina del Rey)* requires senders of unsolicited e-mail advertisements (“spam”) to provide a toll-free telephone number or e-mail address and prohibits senders from sending additional spam if asked by recipients to stop.

SWEEPSTAKES: *Senate Bill 1476, Chapter 354 (Jim Costa, D–Fresno)* prohibits sweepstakes companies from using information-access service numbers (such as “900” or “976” numbers) in their sweepstakes solicitations. The new law addresses the problem of unsuspecting consumers running up charges of \$4 to \$6 per minute to find they have not actually won anything. *Senate Bill 1780, Chapter 280 (Steve Peace, D–El Cajun)* prohibits a variety of misleading sweepstakes mailings. Recipients may not be told they have won a prize unless they actually have won a prize; the message “no purchase necessary” must be prominently displayed; and entries must be given equal treatment, whether or not they are accompanied by orders for products or services.

LEMON LAW: *AB 1848, Chapter 352 (Susan Davis, D–San Diego)* extends to certain small business owners “Lemon Law” protections formerly available only to consumers. Beginning January 1, 1999, business owners who buy or lease up to five new motor vehicles for business or personal use will be eligible to receive replacements or compensation from dealers under certain circumstances.

AB 2410, Chapter 1063 (Kevin Shelley, D–San Francisco) prevents auto manufacturers who take back “lemons” from requiring consumers to sign “gag clauses” agreeing not to talk about the vehicle’s problems.

PHONE FACTS: *AB 284, Chapter 672 (Joe Baca, D–Rialto)* requires telephone companies to mail a notice to a customer confirming the customer’s decision to switch telephone companies. Companies that engage in “slamming,” i.e., changing a customer’s telephone company without approval, or that fail to properly verify

the switch, must credit the customer with the amount in excess of charges assessed by the customer’s valid telephone company.

AB 1424, Chapter 799 (Diane Martinez, D–Monterey Park) requires the California Public Utilities Commission to register companies that issue or sell prepaid telephone debit cards. The purpose of the new law is to curb abuses by screening these companies and holding them accountable.

AB 1994, Chapter 802 (Debra Bowen, D–Marina del Rey) establishes business standards and disclosure requirements for the advertisement and sale of prepaid calling cards effective July 1, 1999. This statute requires sellers to disclose all card usage costs and charges and provide a 24-hour, toll-free number for obtaining information and registering complaints.

AB 1051, Chapter 38 (Tom Bordonaro, R–Paso Robles) authorizes a hearing aid dispenser to certify an individual to receive telecommunications assistance at no additional charge if the dispenser has fitted the individual with an amplification device and has the individual’s hearing records on file. The telecommunications assistance program was designed by the Public Utilities Commission to assist deaf and hearing-impaired persons; equipment and services are provided by California telephone companies.

SMALL CLAIMS COURT: *AB 2702, Chapter 195 (Dion Aroner, D–Berkeley)* extends the jurisdiction of the small claims court to include actions for damages for specified acts of discrimination, provided that the demand does not exceed \$5,000.

CREMATION AND CASKETS: *AB 1705, Chapter 614 (Tom Torlakson, D–Antioch)* permits the scattering of cremated remains over land and inland waters with written permission from the landowner or governing body and establishes additional requirements for funeral directors, cremated remains disposers, and the Department of Consumer Affairs.

AB 1314, Chapter 168 (Lynne Leach, R–Walnut Creek) makes it a misdemeanor punishable by a fine, jail sentence, or both for cremated remains disposers

(See LEGISLATION, on page 19)

LEGISLATION, continued from page 18

(CRDs) to store remains in a reckless manner that results in the loss of all or part of the remains. CRDs must dispose of cremated remains within 60 days of their receipt or explain the delay in writing to the person authorizing the disposal.

AB 1709, Chapter 286 (Elaine Alquist, D-Santa Clara) requires funeral establishments and cemetery authorities to display and make available a copy of the Department's pamphlet, *Consumer Guide to Funeral & Cemetery Purchases*. It also requires retail casket sellers to display the price of every casket for sale, as well as to disclose information regarding the construction and composition of the casket.

RENTING: SB 2166, Chapter 739 (Jim Costa, D-Fresno) prohibits municipally owned utilities and municipal utility districts from refusing to furnish services to a tenant in the tenant's name, based upon the nonpayment of charges by a previous tenant.

SB 1989, Chapter 645 (Richard Polanco, D-Los Angeles) requires rental agreements and leases for real property and real property sales contracts to include a notice concerning the availability of the statewide database containing locations of registered sex offenders.

DENTAL SEDATION: AB 2006, Chapter 513 (Fred Keeley, D-Boulder Creek) takes effect on January 1, 2000; prohibits a dentist who does not hold a general anesthesia or conscious sedation permit or a Board of Dental Examiners certificate from performing the procedure known as "oral conscious sedation" on dental patients under 13 years of age.

MILITARY EXPERIENCE: SB 1959, Chapter 405 (Adam Schiff, D-Burbank) allows an applicant for licensure as a barber, security guard, private patrol operator, or smog check technician to substitute military experience for otherwise required education or training.

SECURITY GUARDS: SB 2044, Chapter 830 (Richard Rainey, R-Walnut Creek) authorizes use of new fingerprint technology and requires private patrol operators to disclose to clients that security guards may not have completed background checks prior to reporting for work.

COLLECTIBLE SALES: SB 2024, Chapter 494 (Richard Rainey, R-Walnut Creek) tightens the laws governing sales of collectible autographed sports items by requiring (1) regulation of items priced at \$5 (rather than the current \$25); (2) collectibles to bear a sequence number and the total quantity produced; (3) dealers to specify the date of sale on a certificate of authenticity and to retain it for a minimum of seven years; (4) certificates to include the date, location, and name of a witness to the autograph signing, as well as the identification number which corresponds to the number on the collectible; and (5) inclusion of the serial number on the sales receipt. This statute also allows consumers who prevail in court against a dealer to recover interest, witness fees, and additional damages.

A major trend impacting consumer protection is the aging of the baby boomer population. As this occurs, consumer issues regarding health care and death care are coming to the forefront. More and more Californians are dealing with medical issues—their own and their parents’—and a wide range of health care personnel and are having to make decisions on death care. The California State Legislature and Department entities have been taking a closer look at these issues. A related issue is the growing population of seniors, who historically have been targets of scam artists.

HEALTH CARE

The Department of Consumer Affairs has various entities that regulate health personnel, including the Medical Board of California, the Acupuncture Committee, the Board of Registered Nursing, and the Physician Assistant Examining Committee. Californians increasingly want a larger range of options for their medical treatment and more information on the personnel who provide it. In addition, health care personnel shortages are increasing.

Alternative Medicine

- In light of increasing consumer use of unconventional therapies, and in order to stay current on recent trends in complementary medicine, the Medical Board hosted a Colloquium on Alternative Medicine. The Colloquium was heavily oriented toward structured research programs that are taking place.
- Acupuncture and other oriental medicine are being increasingly recognized as viable forms of health care, and both are in ever-greater demand by consumers. Other health care providers, such as health maintenance organizations, are recognizing acupuncture as integrated and complementary to mainstream health care and are more frequently referring patients for acupuncture treatment or hiring their own acupuncturists.

Health Care Personnel Shortages

- Physician assistants are playing a greater role in providing health care for areas of California with a shortage of health care providers. An emerging issue is whether physician assistants should be granted prescriptive privileges as has occurred in other states. The Physician Assistant Examining Committee continues to monitor and evaluate the role of physician assistants.
- California’s nursing shortage is particularly significant in specialized nursing practice arenas such as emergency and intensive care. At the same time, access to

and funding for specialized nursing education is inadequate to meet the future needs of California’s population. The Board of Registered Nursing continues to work with the legislature, nursing organizations, and educational institutions to evaluate and address the problem.

Information Disclosure

- To satisfy growing interest in the license history of doctors, the Medical Board continues to offer one of the broadest information disclosure policies in the nation. As of January 1, 1998, new information became available on the website and via the toll-free telephone number. Physician profiles now include additional information on any malpractice judgment or arbitration award reported to the Board after January 1, 1993, as well as any hospital disciplinary actions reported to the Board after January 1, 1995, that resulted in the termination or revocation of a physician’s hospital staff privileges for a reason related to patient harm.

DEATH CARE

The Department’s Cemetery and Funeral Programs are responsible for regulating the funeral industry and California’s private cemeteries. Californians must make informed choices regarding an ever-expanding range of death care services and options. For example, caskets can now be purchased at stores, as well as at funeral homes. And starting January 1, 1999, Californians will be able to scatter cremated remains legally. The Department will continue to provide information to the public on making appropriate choices and to ensure compliance by the funeral industry with various consumer protection requirements.

Cremation

- Californians are increasingly opting for cremation services, at a rate of approximately double the national average. The factors leading to this trend include Californians’ concerns about ecology and land use, ability to scatter cremated remains, different cultures where cremation is the choice, and cost.
- The interest in scattering cremated remains has led to legislation, effective January 1, 1999, that permits the scattering of cremated remains over land and inland waters, with written permission from the landowner or governing body.
- While regulations allowing scattering of cremated remains will be loosened, overall regulation of the industry has tightened to ensure that Californians are not taken advantage of by fraudulent operators as they make decisions for their loved ones or themselves regarding death care.

Assistance Provided and Businesses & Professions Licensed and Regulated by the Department of Consumer Affairs

BOARD RELATIONS

400 R Street, Suite 3000
Sacramento, CA 95814
(916) 323-2191

Liaison between the Department and its boards, committees, and commission.

CONSUMER INFORMATION & ANALYSIS DIVISION

400 R Street, Suite 1080
Sacramento, CA 95814
(916) 445-1254
(800) 952-5210
TDD (916) 322-1700
TDD (800) 326-2297

Response to inquiries on various consumer issues, referrals to appropriate government or private agencies for nonjurisdictional issues, distribution of publications, and assistance with filing complaints. Assistance available in English, Spanish, and 133 different languages.

DISPUTE RESOLUTION OFFICE

400 R Street, Suite 3090
Sacramento, CA 95814
(916) 322-5254

Guidance and assistance to county dispute resolution programs.

COMMUNICATIONS & EDUCATION DIVISION

400 R Street, Suite 3060
Sacramento, CA 95814
(916) 324-1691

Assistance with media, public, legislative, and governmental inquiries.

ACCOUNTANCY, BOARD OF

Carol Sigmann, Executive Officer
2000 Evergreen Street, Suite 250
Sacramento, CA 95815
(916) 263-3680

Diane M. Rubin, CPA, President; Harry E. Mikkelsen, CPA, Vice President; Baxter Rice, Secretary-Treasurer; Robert E. Badham; Avedick B. Poladian, CPA; Robert Shackleton, CPA; Walter F. Finch, PA; Michael S. Schneider, CPA; and Joseph C. Tambe

The Board's legal mandate is to regulate the accounting profession for the public interest by establishing and maintaining entry standards of qualification and conduct within the accounting profession, primarily through its authority to license.

- Certified Public Accountants (CPA)
- Public Accountants (PA)
- CPA or PA corporations and partnerships

ACUPUNCTURE COMMITTEE

Marilyn Nielsen, Executive Officer
1424 Howe Avenue, Suite 37
Sacramento, CA 95825

(Known as Acupuncture Board effective January 1, 1999)

Jung Min Kim, LAc, OMD, Chair; Sophie C. Wong, Vice-Chair; Shari Asplund; Stephen W. Doggett, MD; Marguerite M. Hung, LAc, OMD; Shawn Steel, Esq.; Edmund Y. Tong; Charlis Tsai, LAc, OMD; Lloyd Wright, LAc; and Benjamin Yang, LAc, OMD

Acupuncture is a theory and method for treatment of illness and disability and for strengthening and invigorating the body. Because acupuncture affects the public health, safety, and welfare, individuals practicing it are subject to state regulation and control.

- Certified acupuncturists

ARBITRATION REVIEW PROGRAM

Rachel Chavez, Manager
400 R Street
Sacramento, CA 95814
(916) 323-3406

Certification and monitoring of arbitration programs established to resolve vehicle warranty disputes.

ARCHITECTURAL EXAMINERS, BOARD OF

Stephen P. Sands, Executive Officer
400 R Street, Suite 4000
Sacramento, CA 95814
(916) 445-3393

Christine Lampert, President; Marc Sandstrom, Vice President; Gordon Carrier, Secretary; John Canestro; Raymond Cheng; Whitey Littlefield; L. Kirk Miller; Lynn Morris; Edward L. Oremen; and Frank Williams. Landscape Architects Technical Committee Members: Sandra Gonzalez, Chair; Richard Zweifel, Vice Chair; Linda Gates; Dennis Otsuji; and David Tatsumi

The Board protects the public health, safety, and welfare through the regulation of the practice of architecture and landscape architecture services by ensuring that all licensees meet the required threshold of competency and that those who engage in fraudulent business practices are disciplined.

- Architects
- Landscape architects

ATHLETIC COMMISSION

Rob Lynch, Executive Officer
1424 Howe Avenue, Suite 33
Sacramento, CA 95825
(916) 263-2195

5757 West Century Blvd, Suite 16
Los Angeles, CA 90045
(310) 641-8668

(See ASSISTANCE, on page 22)

ASSISTANCE, *continued from page 21*

Ernest H. Weiner, Chairman; Tirso del Junco, Jr., MD, Vice Chairman; Elmer Costa; H. Andrew Kim; and Manuel "Cal" Soto

The Commission regulates professional and amateur boxing and full-contact martial arts throughout the state by licensing all parties involved in an event and by maintaining full control over the administration of each event.

- Assistant matchmakers
- Boxers (professional and amateur)
- Full contact martial arts and kickboxing (professional and amateur)
- Gyms
- Judges (professional and amateur)
- Managers
- Promoters and matchmakers
- Referees (professional and amateur)
- Sparring permits
- Timekeepers
- Trainers/seconds

AUTOMOTIVE REPAIR, BUREAU OF

K. Martin Keller, Chief
400 R Street, Suite 3000
Sacramento, CA 95814
(916) 445-7964

The Bureau registers and regulates approximately 32,000 California automotive repair facilities and licenses lamp and brake inspection stations, smog inspection stations, and smog check technicians.

- Automotive repair facilities
- Lamp and brake inspection stations
- Smog check stations and technicians

BARBERING & COSMETOLOGY PROGRAM

Pamela Reed, Program Administrator
400 R Street, Suite 4080
Sacramento, CA 95814
(916) 445-7061

The Program protects the consumers and providers of barbering, cosmetology, electrology, and related services.

- Apprentices (barber, cosmetology, electrology)
- Barber instructors
- Barbers
- Program-licensed establishments
- Cosmetologists

- Cosmetology instructors
- Electrologists
- Estheticians
- Manicurists
- Mobile Units

(The Program no longer licenses schools but does approve curriculum.)

BEHAVIORAL SCIENCES, BOARD OF

Sherry Mehl, Executive Officer
400 R Street, Suite 3150
Sacramento, CA 95814
(916) 445-4933

Lorie Rice, Chair; Selma Fields, MFCC, Vice Chair; Judy Brislain, LEP; Marsena Buck, LCSW; Stephanie Carter; Christine Chen; Michael Johnson, LCSW; and Nancy Livingston

The Board regulates marriage, family, and child counselors; licensed clinical social workers; licensed educational psychologists; marriage, family, and child counselor interns; and associate clinical social workers.

- Licensed educational psychologists
- Licensed clinical social worker corporations
- Licensed clinical social workers
- Associate clinical social workers
- Licensed marriage, family, and child counselor corporations
- Marriage, family, and child counselor interns
- Marriage, family, and child counselors

CEMETERY & FUNERAL PROGRAMS

G.V. Ayers, Chief
400 R Street, Suite 3040
Sacramento, CA 95814
(916) 322-7737

The Programs protect the public's interest by educating consumers about their rights and options related to cemetery and funeral needs.

- Cemeteries, cemetery sales agents, cemetery brokers
- Crematories
- Cremated remains disposers
- Apprentice embalmers
- Embalmers
- Funeral directors
- Funeral establishments

CONTRACTORS STATE LICENSE BOARD

Dr. C. Lance Barnett, Registrar
9835 Goethe Road
Sacramento, CA 95827
(916) 255-3985
(800) 321-2752

Robert H. Alvarado, Public Member, Labor; Douglas E. Barnhart, A-Contractor; John Chalker, Public Member; Marilyn J. Dailey, Public Member; Sharon J. Kowitz, Specialty Contractor; Minerva Lopez-Baffo, Public Member; David Lucchetti, Specialty Contractor; Mrs. Phil Moore, Public Member; Donald L. Schultze, Building Official; Hacob "Jake" Shirvanian, Public Member; Timothy Strader, Public Member; Nina S. Tate, B-Contractor; and Joe Tavaglione, B-Contractor.

The Board licenses and regulates the more than 270,000 contractors in the building trades professions in California and promotes the general welfare of the public in matters relating to building construction.

- General engineering contractors—Class A
- General building contractors—Class B
- Specialty contractors—Class C:
 - Boiler, hot water, heating, and steam fitting
 - Building moving/demolition
 - Cabinet and mill work
 - Carpentry
 - Concrete
 - Drywall
 - Electrical (general)
 - Electrical sign
 - Elevator
 - Earthwork and paving
 - Fencing
 - Fire protection
 - Flooring and floor covering
 - General manufactured housing
 - Glazing
 - Insulation and acoustical
 - Landscaping
 - Lathing
 - Lock and security equipment
 - Low voltage systems
 - Masonry
 - Metal roofing

- Ornamental metal
- Painting and decorating
- Parking and highway improvement
- Pipeline
- Plastering
- Plumbing
- Reinforcing steel
- Refrigeration
- Roofing
- Sanitation systems
- Sheet metal
- Solar
- Structural steel
- Swimming pool
- Tile (ceramic and mosaic)
- Warm-air heating, ventilating, and air conditioning
- Water conditioning
- Welding
- Well drilling (water)
- Limited specialty (29 sublicenses)

COURT REPORTERS BOARD OF CALIFORNIA

Rick Black, Executive Officer
2535 Capitol Oaks Dr., Suite 230
Sacramento, CA 95833
(916) 263-3660

John Hilbert, Chair; Peggy Porter, CSR, Vice Chair; Lorraine Koster, Public Member; Lillian Maloney, Public Member; and Julie Peak, CSR.

The Board protects consumers of court reporting services by establishing and maintaining high qualifications, performance, and ethical behavior standards for court reporters.

- Court reporters

DENTAL EXAMINERS, BOARD OF

Georgetta Coleman, Executive Officer
1432 Howe Avenue, Suite 85-B
Sacramento, CA 95825
(916) 263-2300

John Berry, DDS, President; Robert Christoffersen, DDS, Vice President; Genevieve Klugman, RDH, Secretary; Richard Benveniste, DDS; Victoria Camilli, Public Member; Peter Hartmann, DDS; Sandra Laderas, RDA; Michael Moran, Public Member; Sylvia Muscia, Public Member; Kit Neacy, DDS; Roger Simonian, DDS; Joel Strom, DDS; and Stephen Yuen, DDS

The Board protects consumers of dental services in California, administers a license examination that thoroughly tests graduates' fitness to safely practice dentistry, and enforces the laws and standards governing the practice of dentistry.

- Dentists

DENTAL AUXILIARIES, COMMITTEE ON

Karen Wyant, Executive Officer
1428 Howe Avenue, Suite 58
Sacramento, CA 95825
(916) 263-2595

Stephanie Lemos, RDH, Chair; Bobbi d'Arc, RDA, Vice Chair; Kristy Landgren, RDH, Secretary; Wayne Del Carlo, DDS; Liza Karamardian, DDS; Kit Neacy, DDS; Diane Owen, RDA; and Rhona Lee, RDHEF

The Committee administers the examination, qualification, and licensing processes related to five main license classifications of dental auxiliaries for the Board of Dental Examiners.

- Registered dental hygienists in alternative practice
- Registered dental hygienists in extended functions
- Registered dental hygienists
- Registered dental assistants in extended functions
- Registered dental assistants

ELECTRONIC AND APPLIANCE REPAIR, BUREAU OF

Karen Hatchel, Chief
400 R Street, Suite 3040
Sacramento, CA 95814
(916) 445-4752

The Bureau protects consumers from fraud, economic loss, and unsafe electronic and appliance repairs by combining education with a progressive enforcement program.

Registration of businesses engaged in:

- Automotive radio and stereo installation and repair
- Automotive security system installation and repair
- Cellular phone installation and repair
- Combination electronic and appliance repair
- Home entertainment electronics repair

- Home office electronics repair
- Major home appliance repair
- Residential antenna installation and repair (includes satellite antennas)
- Service contract sales
- Service contract administration

ENGINEERS AND LAND SURVEYORS, BOARD OF REGISTRATION FOR PROFESSIONAL

Cindi Christenson, Executive Officer
2535 Capitol Oaks Dr., Ste. 300
Sacramento, CA 95833
(916) 263-2230

Quang D. Vu, PE; Myrna Powell, Public Member; Vincent Di Tomaso, PE; Ted C. Fairfield, PE; Kathryn Hoffman, Public Member; Andrew Hopwood, Public Member; Stephen Lazarian, Jr., Public Member; Marilyn Lyon, Public Member; Chip Mamiya, Public Member; Millicent Safran, Public Member; and George Shambeck, PLS.

The Board safeguards the life, health, property, and public welfare by regulating the practice of professional engineering and professional land surveying.

The Board registers the following:

- Agricultural engineers
- Chemical engineers
- Civil engineers
- Control system engineers
- Corrosion engineers
- Electrical engineers
- Fire protection engineers
- Geotechnical engineers
- Industrial engineers
- Land surveyors
- Manufacturing engineers
- Mechanical engineers
- Metallurgical engineers
- Nuclear engineers
- Petroleum engineers
- Photogrammetric engineers
- Quality engineers
- Safety engineers
- Structural engineers
- Traffic engineers

The Board certifies the following:

(See ASSISTANCE, on page 24)

- Engineers-in-training
- Land surveyors-in-training

**GEOLOGISTS AND
GEOPHYSICISTS, BOARD OF
REGISTRATION FOR**

Paul Sweeney, Executive Officer
2535 Capitol Oaks Drive, Suite 300A
Sacramento, CA 95833
(916) 263-2113

Seena N. Hoose, President; Karen Melikian, Vice President; David Cummings; Dorene Dominguez; Robert Lindblom; Sharon Jasek Reid; and Paul R. Russ

The Board protects the health, safety, and welfare of the public by examining and licensing geologists and geophysicists and certifying engineering geologists and hydrogeologists in California.

- Engineering geologists
- Geologists
- Geophysicists
- Hydrogeologists

**GUIDE DOGS FOR THE BLIND,
BOARD OF (AS OF 1-1-98)**

Pat Urena, Executive Officer
830 K Street
Sacramento, CA 95814
(916) 445-9041

Harry L. Thomas, President; Hugh Lytleton, Vice President; Manual Urena, Secretary; Audrey Hebner; June Shockency; and Melita Waters

The Board is responsible for regulation of guide dog schools, instructors, and fundraising.

- Instructors
- Training schools
- Fundraising to establish training schools

**HEARING AID DISPENSERS
EXAMINING COMMITTEE**

Dianne Tincher, Executive Officer
1420 Howe Avenue, Suite 12
Sacramento, CA 95825
(916) 263-2288

Deborah Kelly, Chairperson; Marilyn Havens, Vice Chairperson; Betty Cordoba; Keld T. Helmuth; and Fay Sorenson, PhD

The Committee protects hearing-impaired citizens from fraudulent or incompetent fitting and selling of hearing aids; prepares, administers, and grades an examination to evaluate competence; and enforces the Hearing Aid Dispensers Licensing Law.

- Hearing aid dispensers

**HOME FURNISHINGS AND
THERMAL INSULATION,
BUREAU OF**

Karen E. Hatchel, Chief
3485 Orange Grove Avenue
North Highlands, CA 95660
(916) 574-2041

The Bureau protects the public from health, safety, and economic hazards associated with upholstered furniture, bedding products, and thermal insulation sold in California.

- Bedding manufacturers
- Bedding renovators
- Bedding retailers
- Bedding wholesalers
- Custom upholsterers
- Furniture and bedding manufacturers
- Furniture and bedding retailers
- Furniture and bedding wholesalers
- Furniture manufacturers
- Furniture retailers
- Furniture wholesalers
- Importers
- Insulation manufacturers
- Supply dealers
- Sanitizers

**MEDICAL BOARD OF
CALIFORNIA**

Ron Joseph, Executive Director
1430 Howe Avenue
Sacramento, CA 95825
Executive Office:
(916) 263-2389

Application inquiries:
(916) 263-2499

Complaints:
(916) 263-2424;
(800) 633-2322

Division of Licensing:
(916) 263-2344

Thomas A. Joas, MD, President; Karen McElliott, Vice President; and Bernard S. Alpert, MD, Secretary. Division of

Licensing: Bruce H. Hasenkamp, JD, President; Bernard S. Alpert, MD, Vice President; Thomas A. Joas, MD, Secretary; Stewart Hsein, JD; Michael I. Sidley, JD; and Raja Toke, MD. Division of Medical Quality: Ira Lubell, MD, MPH, President; Carole Hurvitz, MD, Vice President; Anabel Anderson Imbert, MD; Raquel Arias, MD; Klea D. Bertakis, MD, MPH; Jack G. Bruner, MD; Robert Del Junco, MD; Daniel M. Livingston, JD; Karen McElliott; Phillip Pace; Alan E. Schumacher, MD; and Kip S. Skidmore

The Board protects consumers through proper licensing of physicians and surgeons and certain allied health professions and through the vigorous, objective enforcement of the Medical Practice Act.

- Fictitious name permits
- Medical assistants
- Midwives
- Physicians and surgeons
- Registered dispensing opticians
- Research psychoanalysts

**NURSING HOME
ADMINISTRATORS, BOARD OF**

Heather Martin, Executive Officer
1420 Howe Avenue, Suite 2
Sacramento, CA 95825
(916) 263-2685

Orrin S. Cook, MD, Chairperson; Sheldon Blumenthal, Vice Chairperson; Diana Fortune; Marilyn Jesswein; Brian Johnston; Barbara McClung; Jon Pynoos, PhD; and Madale Watson

The Board protects health, safety, and public welfare by regulating the practice of nursing home administrators.

- Nursing home administrators

OPTOMETRY, BOARD OF

Karen L. Ollinger, Executive Officer
400 R Street, Suite 1070
Sacramento, CA 95814
(916) 323-8720

Steven S. Grant, OD, FAAO, President; Gerald J. Easton, OD, Vice President; Patricia L. Gee, Ed.D., Secretary; Sunil "Sunny" Aghi, MBA; John R. Anthony, OD, FAAO; Robert W. Dager, OD; Jennifer H.W. Kao, OD; Sheila S. Titus, OD; and Jane R. Vogel, MA

The Board administers the Optometry Practice Act, conducting licensing examinations, issuing licenses for the practice of optometry, and issuing fictitious name permits, as well as statements of licensure.

- Branch offices
- Fictitious name permits
- Optometric corporations
- Optometrists

PHARMACY, BOARD OF

Patricia F. Harris, Executive Officer
400 R Street, Suite 4070
Sacramento, CA 95814
(916) 445-5014

Thomas S. Nelson, RPh, President;
Sandra Bauer, Public Member, Vice
President; Caleb Zia, Public Member,
Treasurer; Gary Dreyfus, PharmD;
Robert Elsner, Public Member; Darlene
Fujimoto, PharmD; Richard B.
Mazzoni, RPh; M. Standifer Shreve,
RPh; Raffi Simonian, PharmD; Holly
Strom, RPh; and Kenneth Tait, Public
Member

The Board serves the public by protecting the health, safety, and welfare of the people of California by ensuring the highest quality of affordable pharmacist care by qualified pharmacists who adhere to state and federal requirements of practice.

- Free/nonprofit/surgical clinics
- Hypodermic needle and syringe distributors
- Interns
- Medical device retailers and exemptees
- Nonresident pharmacies
- Out-of-state distributors
- Pharmaceutical wholesalers and exemptees
- Pharmacies
- Pharmacists
- Pharmacy technicians
- Veterinary food-animal drug retailers and exemptees

PHYSICAL THERAPY BOARD

Steven Hartzell, Executive Officer
1434 Howe Avenue, Suite 92
Sacramento, CA 95825
(916) 263-2550

Jerry Kaufman, PT, President; Valerie Sinkus, PT, Vice President; Louis

Garcia; June Koefeld; John Nativo, PT; and Virginia Zlaket

The Board protects the consumer by administering and enforcing the Physical Therapy Practice Act and by ensuring that physical therapy is provided by qualified, competent physical therapists and their supportive personnel.

- Electroneuromyographers
- Kinesiological electromyographers
- Physical therapist assistants
- Physical therapists

PHYSICIAN ASSISTANT EXAMINING COMMITTEE

Ray E. Dale, Executive Officer
1424 Howe Avenue, Suite 35
Sacramento, CA 95825
(916) 263-2670

Steven D. Johnson, PA, Chairman;
Robert E. Sachs, PA, Vice Chairman;
Holly Ferguson, PA; Carole Hurvitz,
MD; Carolyn Lytle, MD; Stephan
Morey, PA; and Sandra Navarro, PhD

The Committee protects consumers by licensing physician assistants, processing applications for approval of supervising physicians, and approving physician assistant training programs.

- Educational training programs
- Physician assistants
- Supervising physicians

PODIATRIC MEDICINE, BOARD OF

Jim Rathlesberger, Executive Officer
1420 Howe Avenue, Suite 8
Sacramento, CA 95825
(916) 263-2647

Jon H. Williams, DPM, President; Iva
Greene, MA, Vice President; Senator
Robert Presley, Past President; Elaine
S. Davis, DPM; Michael A.
DiGiacomo, DPM; and Kenneth K.
Phillips, Jr., DPM

The Board is the unit of the Medical Board that protects consumers by licensing, setting education standards and approving schools and postgraduate programs, and enforcing the Medical Practice Act in regards to podiatric medical doctors.

- Doctors of podiatric medicine

PRIVATE POSTSECONDARY AND VOCATIONAL EDUCATION, BUREAU OF

John Griffin, Chief
1027 10th Street, 4th Floor
Sacramento, CA 95814-3517
(916) 445-3427

The Bureau is responsible for regulating approximately 3,000 privately operated postsecondary institutions that operate in California.

- Private postsecondary schools

BOARD OF PSYCHOLOGY

Thomas O'Connor, Executive Officer
1422 Howe Avenue, Suite 22
Sacramento, CA 95825
(916) 263-2699

Bruce Ebert, PhD, JD, President;
Judith Janaro Fabian, PhD, Vice
President; Mary McMillan, Secretary;
Mary Ellen Early; Martin Greenberg,
PhD; Linda Hee, PhD; Marilyn
Palarea; and Emil Rodaolfa, PhD

The Board protects the health, safety, and welfare of consumers of psychological services through licensure, enforcement, consumer education, and dissemination of regulatory information.

- Psychological assistants
- Psychologists
- Registered psychologists

REGISTERED NURSING, BOARD OF

Ruth Ann Terry, Executive Officer
400 R Street, Suite 4030
Sacramento, CA 95814
(916) 322-3350

Mary Jo Gorney-Moreno, PhD, RN,
President; Genevieve D.R. Deutsch,
RNC, OGNP, Vice President; Sharon
Ecker, RN; Kim D. Enomoto, MD,
MPH; Monta Huber; Judith M.
Jonilonis, RN, BBA, CNOR; Seth
Liebman; Anne Panush; and Kay
Schroer, RN, MSN

The Board acts as an advocate for health care consumers by setting and enforcing safe nursing practice standards and by educating the public.

- Continuing education providers
- Nurse anesthetists

(See ASSISTANCE, on page 26)

- Nurse midwives
- Nurse midwives with furnishing number
- Nurse practitioners with furnishing number
- Psychiatric mental health nurses
- Public health nurses
- Registered nurses

RESPIRATORY CARE BOARD

Cathleen A. McCoy, BS, MA, Executive Officer

1426 Howe Avenue, Suite 48
Sacramento, CA 95825

(916) 263-2626

Kim Kruser, MBA, RCP, President;
Barry Winn, EdD, RCP, Vice
President; Louise Leigh; Peter M.S.
Margand, MD; Gary N. Stern, Esq.;
and J. Michael Thompson, BS, RCP

The Board protects and serves the consumer by administering and enforcing the Respiratory Care Practice Act and its regulations in the interest of the safe practice of respiratory care.

- Respiratory care practitioners

SECURITY AND INVESTIGATIVE SERVICES, BUREAU OF

John A. Nickols, Chief
400 R Street, Suite 3040
Sacramento, CA 95814

(916) 322-7530

The Bureau licenses and regulates businesses and personnel that provide security-related services for a fee.

- Burglar alarm company operators and managers
- Burglar alarm agents
- Firearms/baton permits
- Firearms/baton training facilities and instructors
- Locksmiths
- Locksmith employees
- Private investigators
- Private patrol operators
- Repossession companies/managers
- Repossessor employees
- Security guards/armored car guards

SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY BOARD

Marilee Monagan, Executive Officer
1434 Howe Avenue, Suite 86
Sacramento, CA 95825-3240
(916) 263-2666

Rebecca J. Leonard, PhD, Chair;
J. Stephen Sinclair, PhD, Vice Chair;
David M. Alessi, MD; Li-Rong (Lilly)
Cheng, PhD; Cydney M. Fox, MA;
Mary Ruth Pinson; and Donald Regan,
PhD

The Board protects the public health, safety, and welfare through the appropriate regulation of the practices of speech-language pathology and audiology in California.

- Audiologists
- Speech-language pathologists
- Speech-language pathology aides

STRUCTURAL PEST CONTROL BOARD

Donna J. Kingwell, Executive Officer
2418 Howe Avenue, Suite 1418
Sacramento, CA 95825
(916) 263-2540

Carl Doucette, President; Glenn Hellyer, Vice President; Theodora Poloynis-Engen; Nicholas Papadakis; Kenneth Moore; Kenneth Tronog; and Dell Alice Yelverton

The Board examines, licenses, and regulates persons practicing structural pest control and ensures that they have the necessary skills and knowledge to properly inspect structures.

- Branch office registrations
- Company registrations
- Field representatives: Branch 1, 2, 3, and wood roof cleaning/treatment
- Operators: Branch 1, 2, 3, and wood roof cleaning/treatment
- Pesticide applicators:
Branch 2—general pest control (nonwood type pests), and
Branch 3—termite control (wood type pests)
- Wood roof cleaning/treatment (roof restoration)

VETERINARY MEDICAL BOARD

Susan Geranen, Executive Officer
1420 Howe Avenue, Suite 6
Sacramento, CA 95825

(916) 263-2610

Alberto Aldrete, DVM, Chair; Ellen O'Connor, Vice Chair; Michael Clark, DVM; Nancy Collins, DVM; Vern Goehring; and Robert Weber, DVM

The Board regulates the practice of veterinary medicine through licensing, examination, and enforcement of the rules and regulations governing veterinary medicine.

- Veterinarians

REGISTERED VETERINARY TECHNICIAN EXAMINING COMMITTEE

Susan Geranen, Executive Officer
1420 Howe Avenue, Suite 6
Sacramento, CA 95825
(916) 263-2610

Gerald Ross, RVT, Chair; Harold Davis, Jr., RVT, Vice Chair; Nancy Ehrlich, RVT; Alex Henderson, RVT; and Marty Roberts, JD

The Committee is mandated to ensure the competency of registered veterinary technicians through examination and to inspect and approve all private schools or institutions that train veterinary technicians.

- Registered veterinary technicians

VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS, BOARD OF

Teresa Bello-Jones, Executive Officer
2535 Capitol Oaks Dr., Suite 205
Sacramento, CA 95833
(916) 263-7800

Charles L. Bennett, LVN, President; Carolyn Duncan, PT, Vice President; Sister Marie de Porres Taylor; Holly Donn, PT; Cecelia Estrada, RN; Karen Feller, LVN; Mary Humphrey; Mary Petersen; Bridget Robins; and June Shockency

The mission of the Board is to protect the public's health, safety, and welfare by ensuring that only qualified persons become licensed vocational nurses and psychiatric technicians and that required education, competency, and practice standards are established and enforced.

- Vocational nurses
- Psychiatric technicians

California Department of Consumer Affairs
1997–1998 Annual Report

Statistical Profile
Fiscal Year 1997/98



Readers of this report...

This report is not intended to represent the entire workload performed by the boards, committees, commission, bureaus, and programs within the Department of Consumer Affairs. This information highlights some of the activities performed; however, individual boards, committees, commission, bureaus, and programs should be contacted for additional or more detailed information.

The Department compiled the statistical profile from data collected from the Boards, Committees, Commission, Bureaus, and Programs, as well as the Office of Administrative Services and the Licensing, Consumer Information, and Analysis, Complaint Mediation, Enforcement, and Communications and Education Divisions.

DEPARTMENT OVERVIEW

FISCAL YEAR 1997/98	No. of Board Members	Authorized Civil Service Positions	Exempt Employees	No. of Field Offices	No. of License Classes	Annual Budget FY 1998/99	Expenditures FY 1997/98
BUSINESS SERVICES AGENCIES							
Accountancy	10	60.4	1	1	5	\$ 9,498,000	\$ 9,115,511
Athletic Commission	7	10.4	1	1	17	936,000	836,193
Court Reporters	5	3.5	1	0	1	859,000	640,580
Guide Dogs for the Blind*	-	-	-	-	-	93,000	-
DIVISIONS, BUREAUS, AND PROGRAMS UNDER THE DIRECTOR'S AUTHORITY							
Divisions, Bureaus, and Programs *	78*	1386.0	21	24	77	\$ 210,532.00	\$ 130,447,521
HEALING ARTS AGENCIES							
Acupuncture	11	6.0	1	0	1	\$ 1,473,000	\$ 1,218,618
Behavioral Sciences	11	31.0	1	0	5	4,323,000	4,352,135
Dental Auxiliaries	9	7.5	1	0	4	1,445,000	1,211,620
Dental Examiners	14	46.8	1	1	1	5,851,000	5,672,719
Dispensing Opticians **	0	1.0	0	0	1	280,000	160,591
Hearing Aid Dispensers	7	2.7	1	0	3	439,000	537,532
Midwifery **	0	0.5	0	0	1	-	4,504
Nursing Home Administrators *	9	3.0	1	0	1	-	387,413
Optometry	9	6.0	1	0	3	1,053,000	897,336
Outpatient Settings**	0	0.0	0	0	1	26,000	3,563
Pharmacy	11	47.5	1	0	12	5,864,000	6,147,891*
Physical Therapy	6	5.5	1	0	4	1,884,000	2,190,977
Physician Assistant	9	3.7	1	0	3	800,000	764,519
Physicians and Surgeons**	19	276.8	1	13	1	33,829,000	31,935,649
Podiatric Medicine	6	4.2	1	0	2	1,009,000	952,697
Psychology	8	10.0	1	0	3	2,830,000	2,709,693
Registered Nursing	9	94.0	1	1	1	12,862,000	12,134,059
Respiratory Care	9	12.9	1	0	1	1,803,000	1,992,208
Speech-Language Pathology and Audiology	9	2.0	1	0	2	359,000	312,457
Veterinary Medical *	7	6.4	1	0	3	1,380,000	1,210,565
Registered Veterinary Technicians *	8	1.0	0	0	1	0	105,358
Vocational Nursing	11	31.0	1	1*	1	3,679,000	3,308,687
Psychiatric Technicians	0	4.8	0	0	1	989,000	861,005
DESIGN / CONSTRUCTION AGENCIES							
Architectural Examiners	10	21.5	1	0	1	\$ 3,003,000	\$ 2,600,493
Landscape Architect Technical Committee *	-	-	-	-	-	572,000	-
Contractors	13	472.0	1	23	44	42,179,000	41,091,611
Engineers and Land Surveyors	13	36.0	2	0	21	6,918,000	6,356,225
Geologists and Geophysicists	7	4.0	1	0	4	934,000	626,687
Structural Pest Control	7	28.5	1	0	3	3,580,000	3,818,702
Department TOTALS	332	2626.6	48.0	65	229	\$ 361,282,000	\$ 274,605,319

* Endnote appears at the end of the report.

** Programs overseen by the Medical Board of California. Midwifery budget discontinued effective FY 1998/99

Business Services Agencies

	LICENSES AND REGISTRATIONS										EXAMINATIONS		
	ACTIVITY										P RATE		
FISCAL YEAR 1997/98	Applications Received	Applications Denied	Licenses/ Registrations Issued	Total Active Licenses/ Registrations	Total Inactive Licenses/ Registrations	Licenses/ Registrations Renewed	Total Number Of Exams Scheduled	Written	Oral	Clinical/ Practical			
Accountancy	2,281	0	2,094	41,227	23,248	28,232	15,175	*	n/a	n/a			
Athletic Commission	1,772	87*	1,685	1,685	n/a	1,010	85*	n/a	99%	n/a			
Automotive Repair and Smog Check	15,148*	158	16,885	59,691	56,351	41,108	10,628	*	n/a	n/a			
Barbering and Cosmetology	36,794	1,262*	15,416	330,734	89,370	152,730	32,319	68%	n/a	77%			
Cemetery and Funeral	2,827	0	2,750*	7,455	2,500	5,924	620*	*	n/a	n/a			
Court Reporters	949	1	282	8,174	1,444	7,892	1,671	67%	n/a	33%			
Electronic and Appliance Repair	1,428	3	1,241	11,093	959	10,268	n/a	n/a	n/a	n/a			
Guide Dogs for the Blind	5	0	5	61	1	56	17	100%	100%	100%			
Home Furnishings and Thermal Insulation	3,329	0	3,265	18,588	1,994	7,033	n/a	n/a	n/a	n/a			
Private Postsecondary and Vocational Education *	570	0	104	3,013	n/a	n/a	n/a	n/a	n/a	n/a			
Security and Investigative Services	58,683	2,532	48,789	194,941	336,489*	49,509	1,550	70%	n/a	n/a			
TOTALS	123,786	4,043	92,516	676,662	512,356	303,762	62,065						

	CERTIFICATES AND PERMITS										EXAMINATIONS		
	ACTIVITY										PASS RATE %		
FISCAL YEAR 1997/98	Applications Received	Applications Denied	Certificates/ Permits Issued	Total Active Certificates/ Permits	Total Inactive Certificates/ Permits	Certificates/ Permits Renewed	Total Number Of Exams Scheduled	Written	Oral	Clinical/ Practical			
Athletic Commission	253*	0	253*	253*	n/a	n/a	n/a	n/a	n/a	n/a			
Automotive Repair and Smog Check	2,132*	80	2,026*	2,026*	n/a	n/a	n/a	n/a	n/a	n/a			
Cemetery and Funeral	343	0	113	467	896	n/a*	n/a*	n/a*	n/a	n/a			
Private Postsecondary and Vocational Education *	3,692	0	2,272	NDA	n/a	NDA	n/a	n/a	n/a	n/a			
Security and Investigative Services	11,565*	107	6,775*	84,114	46,320	8,651*	270	47%	n/a	n/a			
TOTALS	17,985	187	11,439	86,860	47,216	8,651	270						

* Endnote appears at the end of the report.
n/a - Not applicable
NDA - Due to the nature of the tracking system, data can not be displayed in this format.

Business Services Agencies

FINGERPRINTS		APPROVALS / ACCREDITATION AND CONTINUING EDUCATION			
FISCAL YEAR 1997/98	Number Of Criminal Records Received	FISCAL YEAR 1997/98	SCHOOLS Number Of Approvals/ Accreditation	CONTINUING EDUCATION Number Of Providers	Number Of Audits
Accountancy	7*	Accountancy	11	7*	269
Athletic Commission	2*	Automotive Repair and Smog Check	108	n/a	n/a
Cemetery and Funeral	16*	Barbering and Cosmetology	220	19	0
Court Reporters	4*	Court Reporters	4	n/a	n/a
Electronic and Appliance Repair	NDA	Private Postsecondary and Vocational Education *	2,984	n/a	n/a
Guide Dogs for the Blind	0	TOTALS	3,327	26	269
Private Postsecondary and Vocational Education	2*				
Security & Investigative Services	5,500				
TOTALS	5,531				

COMPLAINTS RECEIVED, BY SOURCE						
FISCAL YEAR 1997/98	Public	Government/ Law Enforcement	B & P Code Section 800	Profession	Internal/ Other	Total Complaints Received
Accountancy	378	21	n/a	66*	180*	645
Athletic Commission	150*	0	0	0	5*	155
Automotive Repair/Smog Check	25,476	259	1	17	616	26,369
Barbering and Cosmetology	897	1	n/a	8	2,609*	3,515
Cemetery and Funeral	450	6	0	17	158	631
Court Reporters	29	37	0	14	35	115
Electronic and Appliance Repair	1,075*	3	0	1	58*	1,137
Guide Dogs for the Blind	187	0	n/a	0	0	187
Home Furnishings and Thermal Insulation	302*	0	0	1	216*	519
Private Postsecondary & Vocational Education *	NDA	NDA	NDA	NDA	NDA	415
Security & Investigative Services	636	589	0	114	3,897	5,236
TOTALS	29,580	916	1	238	7,774	38,924

* Endnote appears at the end of the report.
n/a - Not Applicable
NDA - Due to the nature of the tracking system, data can not be displayed in this format.

Business Services Agencies

COMPLAINTS CLOSED WITHOUT GOING TO INVESTIGATION

	COMPLAINTS CLOSED, BY CATEGORY															Total Complaints Pending
	Contractual	Fraud	Incompetence/ Negligence	Product/ Service Quality	Unprofessional Conduct	Personal Conduct	Health & Safety	Misconduct	Sexual Unregistered	Unlicensed/ Unregistered	Jurisdictional	Non- Jurisdictional	Other	Total Complaints Closed		
FISCAL YEAR 1997/98																
Accountancy	0	3	33	2	102	3	0	0	0	0	265	76	64	548	240	
Athletic Commission	8	0	0	0	30	0	150	0	0	0	0	0	5	193	4	
Automotive Repair and Smog Check	3,276	2,479	14,496	416	1	5	3,973	1	2,265	5	2,265	5	121	27,038	2,904	
Barbering and Cosmetology	1	160	58	132	6	1,406*	812	6	853	47	853	47	53	3,534	1,242	
Cemetery and Funeral	273	27	152	2	112	15	84	0	9	8	9	8	24	706	151	
Court Reporters	9	1	2	2	63	0	0	0	29	2	29	2	0	108	15	
Electronic and Appliance Repair	346	33	548	30	10	0	3	0	139*	14*	139*	14*	10	1,133	152	
Guide Dogs for the Blind	0	0	3	21	9	0	17	0	11	126	11	126	0	187	0	
Home Furnishings and Thermal Insulation	143	29	15	105	0	0	13	0	313*	0*	313*	0*	0	618	87	
Private Postsecondary and Vocational Education *	NDA	NDA	NDA	NDA	NDA	NDA	NDA	NDA	NDA	NDA	NDA	NDA	NDA	165	440	
Security and Investigative Services	249	126	68	8	591	2,345	84	0	1,779	48	1,779	48	3	5,301	993	
TOTALS	4,305	2,858	15,375	718	924	3,774	5,136	7	5,663	326	5,663	326	280	39,531	6,228	

INFORMAL ACTIONS

FISCAL YEAR 1997/98	Warning / Cease & Desist Letters Issued	Office Conference/ Informal Hearing	Reprimand / Violation/ Education Letters Issued	Total Informal Actions
	Accountancy	175	59	40
Athletic Commission	35	0	0	35
Automotive Repair and Smog Check	1,062*	871	8,019	9,952
Barbering and Cosmetology	426	0	1,040	1,466
Cemetery and Funeral	37	5	1	43
Court Reporters	6	1	0	7
Electronic and Appliance Repair	NDA*	4	961*	965
Home Furnishings and Thermal Insulation	649	4	29*	682
Private Postsecondary and Vocational Education *	41	0	57	98
Security and Investigative Services	1,833	335*	418	2,586
TOTALS	4,264	1,279	10,565	16,108

* Endnote appears at the end of the report.
 n/a - Not Applicable
 NDA - Due to the nature of the tracking system, data can not be displayed in this format.

Business Services Agencies

COMPLAINTS REFERRED TO SWORN INVESTIGATORS FOR FORMAL INVESTIGATION

FISCAL YEAR 1997/98	Investigations Opened	INVESTIGATIONS CLOSED, BY CATEGORY											Total Investigations Closed	Total Investigations Pending	REFERRED	
		INVESTIGATIONS CLOSED, BY CATEGORY													Referred To AG	Referred To DA/CA
		Contractual	Fraud	Incompetence/ Negligence	Product/ Service/ Quality	Unprofessional Conduct	Personal Conduct	Health & Safety	Sexual Misconduct	Unlicensed/ Unregistered	Other					
Accountancy	58	0	*	*	*	*	*	0	0	0	*	*	*	27	*	13
Athletic Commission	3	0	0	0	0	0	0	0	0	0	0	0	0	3	1	3
Barbering and Cosmetology	233	0	4	65	16	2	2	16	0	0	69	8	182	232*	60	54
Cemetery and Funeral	1	0	0	1	0	0	0	0	0	0	0	0	1	0	0	1
Court Reporters	8*	0	1	0	0	0	1	0	0	1	1	0	3	6	4	0
Private Postsecondary and Vocational Education *	16	0	0	0	0	0	0	0	0	0	0	0	0	16	0	0
Security and Investigative Services	227	NDA	NDA	NDA	NDA	NDA	NDA	NDA	NDA	NDA	NDA	NDA	NDA	113	9	54
TOTALS	546	0	5	66	16	2	3	16	0	70	8	186	397	74	125	

COMPLAINTS REFERRED TO NON-SWORN INVESTIGATORS FOR FORMAL INVESTIGATION

FISCAL YEAR 1997/98	Investigations Opened	INVESTIGATIONS CLOSED, BY CATEGORY											Total Investigations Closed	Total Investigations Pending	REFERRED	
		INVESTIGATIONS CLOSED, BY CATEGORY													Referred To AG	Referred To DA/CA
		Contractual	Fraud	Incompetence/ Negligence	Product/ Service/ Quality	Unprofessional Conduct	Personal Conduct	Health & Safety	Sexual Misconduct	Unlicensed/ Unregistered	Other					
Accountancy	121	0	13	38	5	70	8	0	0	55	13	202*	107	37*	0	
Automotive Repair and Smog Check *	1,152	18	953	3	0	0	1	1	0	286	15	1,277	283	244	173	
Cemetery and Funeral	263	110	18	42	0	36	14	82	0	9	29	340	68	7	1	
Court Reporters	3	0	0	1	2	0	0	0	0	0	0	3	0	0	0	
Electronic and Appliance Repair *	58	0	4	1	0	0	0	0	0	46	0	51	7	0	0	
Home Furnishings and Thermal Insulation *	91	3	7	0	1	0	0	7	0	36	11	65	45	1	6	
Private Postsecondary and Vocational Education *	1	0	0	0	0	0	0	0	0	0	0	0	1	0	1	
Security and Investigative Services	2,752	NDA	NDA	NDA	NDA	NDA	NDA	NDA	NDA	NDA	73	3,115	709	323	184	
TOTALS	4,431	131	995	85	8	106	23	90	0	505	3,183	5,126	1,220	612	365	

* Endnote appears at the end of the report.
 NDA - Due to the nature of the tracking systems, the data cannot be displayed in this format.

Business Services Agencies

FISCAL YEAR 1997/98	ACTIONS FILED									
	Accusations/ Petitions To Revoke Probation Filed	Statement Of Issues Filed	Citations Issued	Criminal Actions Filed	Civil Actions Filed	Restraining Orders/ Interim Suspension Orders Issued				
Accountancy	34	2	68	15	0	0				
Athletic Commission	0	0	0	2	1	0				
Automotive Repair and Smog Check *	472	61	510	256	16	24				
Barbering and Cosmetology	32	10	n/a	28	0	0				
Cemetery and Funeral	4	0	95	1	0	3				
Court Reporters	0	0	38	0	0	0				
Electronic and Appliance Repair	2	2	33*	2	0	0				
Home Furnishings and Thermal Insulation	0	0	27*	1	6	0				
Private Postsecondary and Vocational Education *	0	0	0	0	0	0				
Security and Investigative Services	1,466	14	123	54	0	0				
TOTALS	2,010	89	894	359	23	27				

ADMINISTRATIVE OUTCOMES AGAINST LICENSES / REGISTRATIONS / CERTIFICATES / PERMITS

FISCAL YEAR 1997/98	Revocation	Surrender Of License	Probation With Suspension	Suspension Only	Probation Only	Public Reprimand	Licenses Denied	Other Decisions	Withdrawn/ Dismissed
	Accountancy	25	0	3	0	19	n/a	2	4
Athletic Commission	6*	0	0	315*	0	0	3	0	0
Automotive Repair and Smog Check	342	1	100	1	237	n/a	12	0	17
Barbering and Cosmetology	9	1	10	0	4	0	14	0	9
Cemetery and Funeral	6	0	3	0	0	0	0	0	1
Court Reporters	4	0	0	0	1	n/a	0	0	0
Electronic and Appliance Repair	0	1	0	0	2	n/a	3	0	1
Private Postsecondary and Vocational Education *	0	0	0	0	0	0	0	0	0
Security and Investigative Services	869	0	1	1	9	0	9	106	113
TOTALS	1,261	3	117	317	272	0	43	110	141

* Endnote appears at the end of the report.
n/a - Not applicable

Business Services Agencies

FISCAL YEAR 1997/98	PETITIONS FOR MODIFICATION / TERMINATION OF PROBATION		PETITIONS FOR REINSTATEMENT OF REVOKED LICENSES / REGISTRATIONS	
	Granted	Denied	Granted	Denied
Accountancy	3	0	0	0
Barbering and Cosmetology	0	0	1	0
Cemetery and Funeral	0	0	0	1
Private Postsecondary and Vocational Education*	0*	0*	0	0
Security and Investigative Services	0	0	0	NDA
TOTALS	3	0	1	1

INSPECTION DATA					
FISCAL YEAR 1997/98	Total Number Inspections	Notices Of Violation Issued	Compliance Verified	Inspection Citations Issued	
Athletic Commission	40*	0	40	0	
Automotive Repair and Smog Check	14,901*	498	n/a	n/a	
Barbering and Cosmetology	12,273	See citations	9,025*	10,540*	
Cemetery and Funeral	429	34	NDA	95	
Guide Dogs for the Blind	3	0	0	0	
Home Furnishings and Thermal Insulation	3,688	852	NDA	n/a	
Private Postsecondary and Vocational Education*	*	0	0	0	
Security and Investigative Services	240	NDA	NDA	18	
TOTALS	31,574	1,384	9,065	10,663	

MONETARY SAVINGS / COST RECOVERY / RESTITUTION						
FISCAL YEAR 1997/98	Refunded To Consumers	Rework- No Charge To Consumers	Adjustments In Money Owed/ Product Return/ Exchange	Total Savings Achieved Consumers	Total Cost Recovery Ordered To Board	Total Restitution Ordered To Consumers
Accountancy	\$ n/a	\$ n/a	\$ n/a	\$ n/a	\$ 185,211	\$ 0
Automotive Repair and Smog Check	2,030,654	1,949,370	1,009,222	4,989,246	1,076,532	37,629
Barbering and Cosmetology	1,465	0	0	1,465	35,807	55
Cemetery and Funeral	110,421	3,169	18,354	131,944	309,264	NDA
Court Reporters	730	0	0	730	6,000	0
Electronic and Appliance Repair	43,140	24,235	37,177	104,552*	1,600	0
Home Furnishings and Thermal Insulation	20,347	13,645	17,715	51,707*	0	0
Private Postsecondary and Vocational Education	41,948*	0	NDA	41,948	NDA	NDA
Security and Investigative Services	30,070	7,520	32,968	70,558	16,331	3,434
TOTALS	\$ 2,030,654	\$ 1,949,370	\$ 1,009,222	\$ 4,989,246	\$ 1,630,745	\$ 41,118

* Endnote appears at the end of the report.
n/a - Not applicable
NDA - Due to the nature of the tracking systems, the data cannot be displayed in this format.

Healing Arts Agencies

	LICENSES AND REGISTRATIONS							EXAMINATIONS		
	ACTIVITY							PASS RATE %		
FISCAL YEAR 1997/98	Applications Received	Applications Denied	Registrations Issued	Licenses/ Registrations	Licenses/ Registrations	Registrations Renewed	Of Exams Scheduled	Oral	Clinical/	
Acupuncture	808		448	4,478		1,928	1,244	n/a	61%	
Dental Auxiliaries	5,214	5	3,495	52,022	9,332		5,822	68%	n/a	
Dental Examiners	921*	7	921	28,065	10,110	13,978	1,376	75%	74%	
	364	2		1,389	388		n/a	n/a	n/a	
Hearing Aid Dispensers		2	390		632	1,839	44	68%	n/a	
Midwifery **	44	*	41	81	*	44	*	n/a	n/a	*
Optometry		0	195		1,617	3,908*	1,508	91%	n/a	
Pharmacy	6,056		4,761	49,881		20,620		n/a	n/a	
Physician Assistant	1,536	2	1,938*	19,375	2,841		1,258*	66%*	n/a	
Physicians/Surgeons **	4,491	1	3,684	105,528	1,447*	5,027*	3,872	n/a	n/a	
	98*	1		2,141*	100		117	n/a	n/a	
Psychology*		9	1,490		1,764	7,271		59%	50%	
Registered Nursing	19,340		11,335	242,054		123,559	13,152	n/a	n/a	
	1	0		68	11		n/a	n/a	n/a	
Respiratory Care	1,377	13	701	9,396	2,443	6,310		68%	n/a	
Speech-Language Pathology and Audiology			541		4,232		n/a	n/a	n/a	
	693	0		8,085	1,912	NDA	1,085*	*	n/a	
Veterinary Technicians	4,868	0	229	65,766*	1,068	29,802	5,678	65%	n/a	
Vocational Nursing	249	6	3,663	10,404*	6,763*		412	58%	n/a	
TOTALS		127	39,887		234,004	334,843				

* Endnote appears at the end of the report.

** Programs overseen by the Medical Board of California.

n/a - Not applicable

NDA - Due to the nature of the tracking system, data cannot be displayed in this format.

Healing Arts Agencies

	CERTIFICATES AND PERMITS										EXAMINATIONS			
	ACTIVITY										Total Number of Exams Scheduled	PASS RATE %		
	Applications Received	Applications Denied	Certificates/Permits Issued	Total Active Certificates/Permits	Total Inactive Certificates/Permits	Certificates/Permits Renewed	Written	Oral	Clinical / Practical					
FISCAL YEAR 1997/98														
Acupuncture	17	0	17	40	0	15	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Dental Auxiliaries	5,171	n/a	5,151	41,818	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Dental Examiners	986	43	943	8,682	646*	2,077	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Nursing Home Administrators *	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Optometry	1,743	0	1,002	2,112	n/a	1,559*	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Outpatient Settings **	5*	0*	5*	5*	*0	5*	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Pharmacy	2,009	37	1,511	9,645	n/a	8,046	897	50%	n/a	n/a	n/a	n/a	n/a	n/a
Physician Assistant	194*	0*	194*	174*	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Physicians/Surgeons **	1,096	10	793	7,804	2,595	3,891	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Podiatric Medicine	49*	3	46*	386*	NDA*	173*	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Registered Nursing	12,827	0	12,094	56,420	10,705	3,068	0	0%	n/a	n/a	n/a	n/a	n/a	n/a
Respiratory Care	n/a*	n/a	699	711	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Veterinary Medical	108	0	108	2,444	199	2,403	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Vocational Nursing	3,437	0*	3,320*	NDA	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
TOTALS	27,642	93	25,883	130,241	14,145	21,237	897							

* Endnote appears at the end of the report.

** Programs overseen by the Medical Board of California.

n/a - Not applicable

NDA - Due to the nature of the tracking system, data cannot be displayed in this format.

Healing Arts Agencies

FINGERPRINTS		APPROVALS / ACCREDITATION AND CONTINUING EDUCATION	
FISCAL YEAR 1997/98	Number Of Criminal	SCHOOLS Number Of Approvals/	CONTINUING EDUCATION Number Of Providers
Acupuncture		2	1
Behavioral Sciences		90	0
Dental Auxiliaries		13	n/a
Dental Examiners		112	1
Hearing Aid Dispensers		n/a	1,522
Nursing Home Administrators *		*	*
Optometry		17	715
Pharmacy		73	n/a
Physical Therapy		10	n/a
Physician Assistant		1	791
Physicians/Surgeons **			
Podiatric Medicine		7	0
Psychology		n/a	5,851*
Registered Nursing		30	2,300
Research Psychoanalysts **		722	212
Respiratory Care		2	n/a
Speech-Language Pathology and Audiology		7	1,094
Veterinary Medical		0	203
Vocational Nursing			
Psychiatric Technician		1,086	12,690
TOTALS			

55
1,239

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 n/a - Not applicable
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Healing Arts Agencies

COMPLAINTS RECEIVED, BY SOURCE						
FISCAL YEAR 1997/98	Public	Government / Law Enforcement	B & P Code Section 800	Profession	Internal / Other	Total Complaints Received
Acupuncture	50	37	0	6	39	132
Behavioral Sciences	425	46	3	13	42	529
Dental Examiners	2,070	102	398	198	387	3,155
Dispensing Opticians **	55	3	0	23	27	108
Hearing Aid Dispensers	83	2	0	94	135	314
Midwifery **	0	2	0	1	0	3
Nursing Home Administrators *	*	*	*	*	*	*
Optometry	133	11	2	50	111	307
Pharmacy	420	112	6	142	191	871
Physical Therapy	50	58	n/a	55	58	221
Physician Assistant	68	10	4	10	28	120
Physicians/Surgeons **	7,041	1,265	1,464	260	786	10,816
Podiatric Medicine	137	10	5	21	37	210
Psychology	399	32	6	27	57	521
Registered Nursing	330	256	23	419	647	1,675
Respiratory Care	18	121	0	23	63	225
Speech-Language Pathology and Audiology	8	1	0	9	53*	71
Veterinary Medical	408	17	0	59	60	544
Vocational Nursing *	52	124	0	214	701	1,091
Psychiatric Technician *	9	13	0	156	149	327
TOTALS	11,756	2,222	1,911	1,780	3,571	21,240

* Endnote appears at the end of the report
 ** Programs overseen by the Medical Board of California.
 n/a Not applicable

Healing Arts Agencies

COMPLAINTS CLOSED WITHOUT GOING TO INVESTIGATION

COMPLAINTS CLOSED, BY CATEGORY

FISCAL YEAR 1997/98	COMPLAINTS CLOSED, BY CATEGORY																					Total Complaints Closed	Total Complaints Pending
	Criminal Charges/ Conviction Of A Crime	Fraud	Mental / Physical Impairment	Substance Abuse Or Impairment	Drug Related Offenses	Negligence/ Incompetence	Misconduct	Sexual Misconduct	Unprofessional Conduct	Discipline By Another State Or Agency	Unlicensed/ Unregistered	Unsafe/ Unsanitary Conditions	Jurisdictional	Non- Jurisdictional	Other								
Acupuncture	10	8	0	0	0	5	2	74	0	19	1	3	3	3	75	125							
Behavioral Sciences	31	10	2	1	0	64	16	189	1	38	0	177	11	11	212	539							
Dental Examiners	19	70	10	9	9	1,843	0	328	5	133	118	177	199	199	1,452	2,911							
Dispensing Opticians **	1	3	0	0	0	15	0	52	0	15	0	9	0	0	74	95							
Hearing Aid Dispensers	2	227	1	0	0	12	0	2	0	84	0	0	0	0	43	328							
Midwifery **	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1							
Nursing Home Admin. *	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*							
Optometry	0	13	0	0	0	45	0	67	1	71	0	18	57	57	189	272							
Pharmacy	34	5	0	18	0	27	0	45	0	21	0	24	30	30	236	204							
Physical Therapy	51	11	0	1	1	13	3	17	11	33	0	2	22	22	164	164							
Physician Assistant	7	4	5	8	8	55	6	8	1	23	0	1	1	0	51	118							
Physicians/Surgeons **	59	129	13	139	44	6,417	44	1,214	0	109	7	525	1	1	1,584	8,657							
Podiatric Medicine	6	28	2	2	3	106	3	47	0	21	1	3	1	1	95	220							
Psychology	9	20	2	0	7	84	7	195	0	47	0	35	0	0	272	399							
Registered Nursing	12	9	57	96	1	58	1	124	22	63	1	35	37	37	474	515							
Speech-Language Pathology and Audiology	0	6	0	0	0	2	0	12	0	54	0	6	7	7	13	87							
Veterinary Medical	2	9	0	6	0	205	0	62	8	5	34	5	12	12	457	348							
Vocational Nursing *	35	184	2	2	2	4	0	80	3	6	1	0	412	412	437	729							
Psychiatric Technician *	2	33	0	1	1	1	0	74	0	5	0	0	84	84	140	200							
TOTALS	280	769	94	282	82	8,957	82	2,652	52	747	163	1,020	876	876	15,912	5,968							

* Endnote appears at the end of the report.
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Healing Arts Agencies

	INFORMAL ACTIONS / PETITIONS TO COMPEL EXAMINATIONS						
	INFORMAL ACTIONS, BY TYPE				Total Informal Actions	PETITIONS TO COMPEL EXAMS	
	Warning / Cease & Desist Letters Issued	Office Conference/ Informal Hearing	Violation / Reprimand / Education Letters Issued	Filed		Granted	Denied
FISCAL YEAR 1997/98							
Acupuncture	33	0	0	0	33	0	0
Behavioral Sciences	16	0	3	3	19	0	1
Dispensing Opticians **	2	0	0	0	2	n/a	n/a
Hearing Aid Dispensers	26	0	53	53	79	n/a	n/a
Nursing Home Administrators *	*	*	*	*	*	*	*
Optometry	9	0	3	3	12	1	0
Pharmacy	62	55	84	84	201	0	0
Physical Therapy	NDA	0	NDA	NDA	NDA	0	0
Physician Assistant	7	0	0	0	7	0	0
Physicians/Surgeons **	29	19	0	0	48	28	3
Podiatric Medicine	0	13	5	5	18	0	0
Psychology	18	12	18	18	48	2	0
Registered Nursing	51	0	1	1	52	19	0
Respiratory Care	115	0	104	104	219	0	0
Speech-Language Pathology and Audiology	0	35*	0	0	35	n/a	n/a
Veterinary Medical	43	2	107	107	152	1	0
Vocational Nursing *	141	153*	0	0	294	0	0
Psychiatric Technician *	62	50*	0	0	112	1	0
TOTALS	614	339	378	378	1,431	52	4

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n/a - Not applicable

NDA – Due to the nature of the tracking system, data can not be displayed in this format.

Healing Arts Agencies

COMPLAINTS REFERRED TO SWORN INVESTIGATORS FOR FORMAL INVESTIGATION

	INVESTIGATIONS CLOSED, BY CATEGORY														REFERRED								
	Investigations Opened	INVESTIGATIONS CLOSED, BY CATEGORY													Total Investigations Pending	Total Investigations Closed	Total Investigations Pending	Referred To AG	Referred To DA/CA				
		Criminal Charges/ Conviction Of A Crime	Fraud	Mental/ Physical Impairment	Substance Abuse Or Drug Related Offenses	Negligence/ Incompetence	Sexual Misconduct	Unprofessional Conduct	Discipline By Another State Or Agency	Unlicensed/ Unregistered	Unsafe/ Unsanitary Conditions	Non- Jurisdictional	Other										
FISCAL YEAR 1997/98	58	6	3	0	0	2	2	13	0	0	0	0	0	0	0	0	0	0	33	25	10	1	
Acupuncture	92	0	4	4	0	25	23	30	0	0	12	0	0	0	0	0	0	0	98	72	46	4	
Behavioral Sciences	611	19	28	17	16	243	5	146	3	3	117	8	4	25	0	0	0	0	631	486	106	27	
Dental Examiners	6	0	0	0	0	0	0	0	0	0	4	0	0	0	0	0	0	0	4	5	0	0	
Dispensing Opticians **	16	0	5	1	0	1	0	0	0	0	2	0	0	0	0	0	0	0	9	11	5	4	
Hearing Aid Dispensers	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	
Midwifery **	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Nursing Home Admin. *	42	0	3	1	0	18	0	0	0	0	5	0	0	20	0	0	0	0	47	53	10	1	
Optometry	46	2	7	0	0	4	3	7	0	0	18	0	0	3	0	0	0	0	44	50	3	4	
Physical Therapy	41	4	3	4	6	11	5	2	1	1	18	0	0	0	0	0	0	0	54	22	17	2	
Physician Assistant	2,020	97	100	103	153	955	94	472	1	1	230	1	0	51	0	0	0	0	2,257	1,436	597	81	
Physicians / Surgeons **	59	6	14	2	0	22	2	12	0	0	7	0	1	1	1	0	0	0	67	56	27	1	
Podiatric Medicine	141	13	8	9	0	26	13	42	2	2	45	0	0	13	0	0	0	0	171	111	56	9	
Psychology	1,255	44	20	42	150	123	4	364	5	5	55	0	3	92	0	0	0	0	902	1,144	227	15	
Registered Nursing *	17	1	0	0	0	2	3	3	0	0	6	0	0	0	0	0	0	0	15	16	10	1	
Respiratory Care	4	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	6	0	7	
Speech-Language Pathology and Audiology	58	1	2	1	1	16	0	8	1	1	21	7	0	0	0	0	0	0	58	59	5	6	
Veterinary Medical	193	0	14	1	0	11	0	77	0	0	3	0	0	3	0	0	0	0	109	222	48	11	
Vocational Nursing *	84	0	1	0	0	6	0	30	0	0	0	0	0	0	0	0	0	0	37	87	18	3	
Psychiatric Technician *	4,745	193	212	185	310	1194	124	1017	10	10	408	8	4	184	0	0	0	0	3,762	3,262	1018	141	
TOTALS																							

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Healing Arts Agencies

COMPLAINTS REFERRED TO NON-SWORN INVESTIGATORS FOR FORMAL INVESTIGATION

	INVESTIGATIONS CLOSED, BY CATEGORY														Total Investigations Pending	Total Investigations Closed	Referred To AG	Referred To DA/CA	
	Investigations Opened	Criminal Charges/Conviction Of A Crime	Fraud	Mental / Physical Impairment	Substance Abuse Or Mental / Physical Impairment	Drug Related Offenses	Negligence/ Incompetence	Misconduct	Sexual Misconduct	Unprofessional Conduct	Discipline By Another State Or Agency	Unlicensed/ Unregistered	Unsafe/ Unsanitary Conditions	Non-Jurisdictional					Other
FISCAL YEAR 1997/98	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Nursing Home Admin. *																			
Optometry	32	0	3	1	0	18	0	0	4	0	0	5	0	0	1	32	53	10	1
Pharmacy	639	9	9	1	86	128	0	0	117	0	0	69	1	19	42	481	1,066	73	1
Physicians / Surgeons **	134	3	0	0	0	0	0	0	8	155	0	0	0	0	0	166	28	79	0
Psychology *	11	0	0	0	0	6	0	0	0	0	0	0	0	0	0	6	5	0	0
Respiratory Care	208	103	13	36	46	4	7	5	5	0	0	8	0	0	22	244	143	36	0
TOTALS	1024	115	25	38	132	156	7	134	155	82	1	19	65	929	1,295	198	2		

ACTIONS FILED

FISCAL YEAR 1997/98	Accusations / Petitions To Revoke Probation Filed	Statement Of Issues Filed	Citations Issued	Criminal Actions Filed	Civil Actions Filed	Restraining Orders / Interim Suspension Orders Issued
Acupuncture	6	0	0	3	0	0
Behavioral Sciences	33	6	0	3	0	1
Dental Examiners	68	5	38	15	*	1
Hearing Aid Dispensers	1	1	2	1	0	0
Nursing Home Administrators *	*	*	*	*	*	*
Optometry	1	0	0	0	0	0
Pharmacy	59	9	65	1	0	1
Physical Therapy	11	2	2	8	0	2
Physician Assistant	14	1	3	1	0	0
Physicians/Surgeons **	391	4	288	26	2	43*
Podiatric Medicine	12	1	11	1	0	0
Psychology	20	4	5	8	1	3
Registered Nursing	160	27	36	18	0	1
Respiratory Care	104	5	39	1	0	3
Speech-Language Pathology and Audiology	1	0	50*	0	0	0
Veterinary Medical	15	0	15	4	0	2
Vocational Nursing	94	13	29	17	0	0
Psychiatric Technician	42	5	5	2	0	0
TOTALS	924	71	49	87	3	57

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Healing Arts Agencies

ADMINISTRATIVE OUTCOMES AGAINST LICENSES / REGISTRATIONS / CERTIFICATES / PERMITS

FISCAL YEAR 1997/98	Revocation	Surrender Of License	Probation With Suspension		Suspension Only	Probation Only	Public Reprimand	Licenses Denied	Other Decisions	Withdrawn/ Dismissed
			Suspension	With Suspension						
Acupuncture	3	1	1	1	0	1	0	0	5	11
Behavioral Sciences	9	8	3	3	0	7	0	0	1	6
Dental Examiners	17	7	24	0	0	35	1	5	6	1
Hearing Aid Dispensers	3	1	0	0	0	2	0	0	1	1
Nursing Home Administrators *	*	*	*	*	*	*	*	*	*	*
Optometry	1	1	1	1	0	6	0	0	0	1
Pharmacy	16	3	13	3	3	18	3	5	1	2
Physical Therapy	4	0	5	0	0	1	1	2	0	6
Physician Assistant	3	3	3	3	0	4	0	0	0	3
Physicians/Surgeons**	47	86	19	0	0	112	50	3	69	88
Podiatric Medicine	2	3	1	1	0	1	1	1	0	1
Psychology	10	11	0	0	0	12	0	0	12	8
Registered Nursing	68	17	10	0	0	65	0	5	0	12
Respiratory Care	34	9	0	0	0	52	6	13	0	0
Veterinary Medical	5	1	2	0	0	0	0	0	1	0
Vocational Nursing	54	6	3	3	1	26	0	5	0	4
Psychiatric Technician	28	2	1	0	0	10	0	3	0	3
TOTALS	272	142	58	4	4	307	61	37	83	128

* Endnote appears at the end of the report.

** Programs overseen by the Medical Board of California.

Healing Arts Agencies

FISCAL YEAR 1997/98		PETITIONS FOR PENALTY RELIEF				INSPECTIONS			
		PETITIONS FOR MODIFICATION / TERMINATION OF PROBATION		PETITIONS FOR REINSTATEMENT OF REVOKED LICENSES / REGISTRATIONS		Total Number Inspections	Notices Of Violation Issued	Compliance Verified	Inspection Citations Issued
Acupuncture	2	0	1	1	115	65	99	36	
Behavioral Sciences	0	4	0	1	*	*	*	*	
Dental Examiners	3	5	0	3	757	33	n/a	n/a	
Hearing Aid Dispensers	0	1	0	0	319	511	232	2	
Nursing Home Administrators *	*	*	*	*	1076	544	331	38	
Optometry	0	0	1	2					
Pharmacy	0	1	0	3					
Physical Therapy	1	1	0	1					
Physicians/Surgeons **	24	15	5	5					
Podiatric Medicine	0	0	0	1					
Psychology	5	2	2	1					
Registered Nursing	3	1	6	5					
Respiratory Care	0	0	1	0					
Veterinary Medical	1	0	0	1					
Vocational Nursing	11	9	3	12					
Psychiatric Technician	3	3	0	5					
TOTALS	48	32	18	36					

* Endnote appears at the end of the report.
 ** Programs overseen by the Medical Board of California.
 n/a - Not applicable

Healing Arts Agencies

	DRUG DIVERSION PROGRAMS									
	REFERRALS			CASES CLOSED						
FISCAL YEAR 1997/98	Self- Referrals	Board Referrals	Total No. Of Participants	Successful Completions	Non- Compliance	Withdrawals	Not Eligible/ Not Interested	Total Cases Closed		
Dental Examiners	52	55	107	11	6	3	7	27		
Nursing Home Administrators *	*	*	*	*	*	*	*	*		
Pharmacy	13	9	45	11	6	0	5	22		
Physical Therapy	1	0	1	1	0	0	0	1		
Physician Assistant	1	3	8	1	1	1	0	3		
Physicians/Surgeons **	128	94	222	34	12	8	28	82		
Podiatric Medicine	2	0	4	3	0	0	1	4		
Registered Nursing	32	120	398	56	77	23	2	158		
Veterinary Medical	3	1	4	2	0	0	1	3		
TOTALS	180	227	682	108	96	32	37	273		

* Endnote appears at the end of the report.
 ** Programs overseen by the Medical Board of California.

Healing Arts Agencies

MONETARY SAVINGS / COST RECOVERY / RESTITUTION										
FISCAL YEAR 1997/98	Refunded To Consumers	Rework - No Charge To Consumers	Adjustments In Money Owed / Product Return / Exchange	Savings Achieved Consumers	Total Cost Recovery Ordered To Board	Total Restitution Ordered To Consumers				
	\$	\$	\$	\$	\$	\$				
Acupuncture	n/a	n/a	n/a	n/a	5,000	0				
Behavioral Sciences	n/a	n/a	n/a	n/a	94,738	0				
Dental Examiners	101,871	9,251	28,293	139,415	257,015	0				
Hearing Aid Dispensers	34,053	0	0	34,053	24,889	2,050				
Nursing Home Administrators *	*	*	*	*	*	*				
Optometry	3,300	0	0	3,300	49,270	n/a				
Pharmacy	n/a	n/a	n/a	n/a	130,383	n/a				
Physical Therapy	n/a	n/a	n/a	n/a	27,991	n/a				
Physician Assistant	n/a	n/a	n/a	n/a	41,071	n/a				
Physicians/Surgeons **	n/a	n/a	n/a	n/a	1,715,609	249,137				
Podiatric Medicine	n/a	n/a	n/a	n/a	25,738	n/a				
Psychology	0	n/a	0	0	106,732	0				
Registered Nursing	n/a	n/a	n/a	n/a	289,498	n/a				
Respiratory Care	n/a	n/a	n/a	n/a	293,687	n/a				
Veterinary Medical	n/a	n/a	n/a	n/a	41,123	0				
Vocational Nursing	n/a	n/a	n/a	n/a	128,643	n/a				
Psychiatric Technician	n/a	n/a	n/a	n/a	48,585	n/a				
TOTALS				\$ 176,768	\$ 3,279,972	\$ 251,187				

* Endnote appears at the end of the report.

** Programs overseen by the Medical Board of California.

n/a - Not applicable

Design / Construction Agencies

	LICENSES AND R						EXAMINATIONS			
	ACTIVITY						PASS RATE %			
FISCAL YEAR 1997/98	Applications Received	Applications Denied	Licenses/ Registrations Issued	Total Active Licenses/ Registrations	Total Inactive Licenses/ Registrations	Licenses/ Registrations Renewed	Total Number Of Exams Scheduled	Written	Oral	Clinical/ Practical
Architectural Examiners	387	3	397	20,692	4,477	12,401	3,506	61%	61%	58%
Contractors	27,018	380	17,145	207,422	67,662	103,901	35,590	68%	n/a	n/a
Engineers and Land Surveyors	6,288*	0	2,964*	86,563	9,933	20,737	11,695*	32%*	n/a	n/a
Geologists and Geophysicists	436	10	141	4,442	n/a	2,062	450	37%	n/a	n/a
Landscape Architects	250	2	19*	2,610	417*	1,368	982	72%	n/a	34%
Structural Pest Control	5,136*	4	5,132	26,683	NDA	2,650	11,714	55%	n/a	n/a
TOTALS	39,515	399	25,798	348,412	82,489	143,119	63,937			

	CERTIFICATES AND PERMITS						EXAMINATIONS			
	ACTIVITY						PASS RATE %			
FISCAL YEAR 1997/98	Applications Received	Applications Denied	Certificates/ Permits Issued	Total Active Certificates/ Permits	Total Inactive Certificates/ Permits	Certificates/ Permits Renewed	Total Number Of Exams Scheduled	Written	Oral	Clinical/ Practical
Contractors	314	0	314	3,801	884	n/a	n/a	n/a	n/a	n/a
Engineers and Land Surveyors	5,894*	0	6,843*	112,763	273	1,238	6,059*	40%*	n/a	n/a
Geologists and Geophysicists	173	6	119	2,076	n/a	931	183	64%	n/a	n/a
Landscape Architects	21*	0	21*	n/a	n/a	n/a	n/a	n/a	n/a	n/a
TOTALS	6,402	6	7,297	118,640	1,157	2,169	6,242			

* Endnote appears at the end of the report.

n/a - Not applicable

Design / Construction Agencies

FINGERPRINTS		APPROVALS / ACCREDITATION AND CONTINUING EDUCATION			
FISCAL YEAR 1997/98	Criminal Records Received	SCHOOLS		CONTINUING EDUCATION	
	Number Of	Number Of Approvals/ Accreditation	Number Of Providers	Number Of Audits	
Structural Pest Control	67*	21*	NDA*	n/a*	n/a*

COMPLAINTS RECEIVED, BY SOURCE						
FISCAL YEAR 1997/98	Public	Government/ Law Enforcement	Profession	Internal/ Other	Total Complaints Received	
Architectural Examiners	108	10	60	132	310	
Contractors	20,691	100	1,828	9,244	31,863	
Engineers and Land Surveyors	92	12	23	118	245	
Geologists and Geophysicists	10	1	7	6	24	
Landscape Architects	10	0	2	1	13*	
Structural Pest Control	1,283	3	44	11	1,341	
TOTALS	22,194	126	1,964	9,512	33,796	

Endnote appears at the end of the report.
n/a – Not applicable
NDA – Due to the nature of the tracking system, data can not be displayed in this format.

Design / Construction Agencies

COMPLAINTS CLOSED WITHOUT GOING TO INVESTIGATION

	COMPLAINTS CLOSED, BY CATEGORY											Total Complaints Closed	Total Complaints Pending	
	Contractual	Fraud	Incompetence / Negligence	Product / Service / Quality	Professional Misconduct	Conviction Of A Crime	Health & Safety	Unlicensed / Unregistered	Jurisdictional	Non- Jurisdictional	Other			
FISCAL YEAR 1997/98														
Architectural Examiners	2	3	0	0	41	0	0	0	143	4	0	193	197	
Contractors	322	203	3,999	0	2,987	54	224	2,900	1,708	233	12,630	6,267		
Geologists and Geophysicists	3	3	2	1	0	0	0	10	0	1	20	6		
Landscape Architects *	0	0	0	0	0	0	0	0	0	7	8	4		
Structural Pest Control	577	5	88	0	0	0	6	7	126*	6	815	243		
TOTALS	904	214	4,089	1	3,028	54	230	3,060	1,845	241	13,666	6,717		

INFORMAL ACTIONS

	INFORMAL ACTIONS, BY TYPE					Total Informal Actions
	Warning / Cease and Desist Letters Issued	Office Conference / Informal Hearings	Reprimand / Violation / Education letters Issued			
FISCAL YEAR 1997/98						
Architectural Examiners	169	1	8			178
Contractors	6,232	n/a	n/a			6,232
Engineers and Land Surveyors	15	2	n/a			17
Geologists and Geophysicists	8	0	0			8
Landscape Architects *	3	0	0			3
Structural Pest Control	43	0	0			43
TOTALS	6,470	3	8			6,481

* Endnote appears at the end of the report.
n/a - Not applicable

Design / Construction Agencies

COMPLAINTS REFERRED TO SWORN INVESTIGATORS FOR FORMAL INVESTIGATION																	
	Investigations Opened	INVESTIGATIONS CLOSED, BY CATEGORY										REFERRED					
		Contractual	Fraud	Incompetence / Negligence	Product/ Service/ Quality	Professional Misconduct	Conviction Of A Crime	Health & Safety	Unlicensed/ Unregistered	Jurisdictional	Non-Jurisdictional	Other	Total Investigations Closed	Total Investigations Pending	Referred To AG	Referred To DA/CA	
FISCAL YEAR 1997/98	33	3	2	1	0	4	0	0	1	25	0	0	0	36	22	5	4
Architectural Examiners	18,214	231	193	5,874	0	2,664	124	824	7,571	428	2,043	0	19,952	6,267	3,893	1,034	
Contractors	5	0	0	0	0	0	0	0	0	0	0	0	0	5	0	0	0
Geologists and Geophysicists	2	0	1	0	0	0	0	0	1	1	4	0	6	0	1	0	0
Landscape Architects	22*	5	2	0	0	0	0	1	22	0	5	0	35	25	0	9	0
Structural Pest Control		239	198	5,875	0	2,668	124	825	7,619	428	2,052	0	20,029	6,319	3,899	1,047	0
TOTALS																	

COMPLAINTS REFERRED TO NON-SWORN INVESTIGATORS FOR FORMAL INVESTIGATION																
	Investigations Opened	INVESTIGATIONS CLOSED, BY CATEGORY										REFERRED				
		Contractual	Fraud	Incompetence / Negligence	Product/ Service/ Quality	Professional Misconduct	Conviction Of A Crime	Health & Safety	Unlicensed/ Unregistered	Jurisdictional	Non-Jurisdictional	Other	Total Investigations Closed	Total Investigations Pending	Referred To AG	Referred To DA/CA
FISCAL YEAR 1997/98	99	4	5	18	0	17	0	1	24	5	0	0	74	53	9	0
Architectural Examiners	245*	4	3	127	n/a	n/a	2	n/a	46	0	41	0	223*	142*	21	6*
Engineers and Land Surveyors	2	0	1	1	0	1	0	0	0	0	0	0	3	2	0	0
Landscape Architects	514	371	35	138	0	0	0	1	31	4	0	0	580	236	0	0
Structural Pest Control		379	44	284	0	18	2	2	101	9	41	0	880	433	30	6
TOTALS																

* Endnote appears at the end of the report.
n/a - Not applicable

Design / Construction Agencies

ACTIONS FILED										
	Accusations / Petitions To Revoke Probation Filed	Statement Of Issues Filed	Citations Issued	Criminal Actions Filed	Civil Actions Filed	Restraining Orders/ Interim Suspension Orders Issued				
FISCAL YEAR 1997/98	3	2	23	1	0	0				
Architectural Examiners	199	44	2,914	1,034	0	0				
Contractors	19	0	8	5	n/a	1				
Engineers and Land Surveyors	0	0	1	0	0	0				
Geologists and Geophysicists	0	0	1	1	0	0				
Landscape Architects	31	6	335	0	2	0				
Structural Pest Control										
TOTALS	252	52	3,282	1,041	2	1				

ADMINISTRATIVE OUTCOMES AGAINST LICENSES / REGISTRATIONS / CERTIFICATES / PERMITS										
	Revocation	Surrender Of License	Probation With Suspension	Suspension Only	Probation Only	Public Reprimand	Licenses Denied	Other Decisions	Withdrawn/ Dismissed	
FISCAL YEAR 1997/98	2	0	4	0	0	0	1	1	0	
Architectural Examiners	1,027	n/a	n/a	1,079	n/a	n/a	37	n/a	18	
Contractors	4	1	4	2	5	0	0	1	3	
Engineers and Land Surveyors	19	0	1	0	0	0	2	0	14	
Structural Pest Control										
TOTALS	1,052	1	9	1,081	5	0	40	2	35	

* Endnote appears at the end of the report.
n/a - Not applicable

Design / Construction Agencies

	PETITIONS FOR PENALTY RELIEF				PETITIONS FOR REINSTATEMENT OF REVOKED LICENSES / REGISTRATIONS	
	MODIFICATION / TERMINATION OF PROBATION		DENIED		Granted	Denied
	Granted	Denied	Granted	Denied		
FISCAL YEAR 1997/98						
Architectural Examiners	0	0	1	0		
Engineers and Land Surveyors	1	0	0	1		
Structural Pest Control	0	0	3	5		
TOTALS	1	0	4	6		

	INSPECTION DATA			
	Total Number Inspectors	Notices Of Violation Issued	Compliance Verified	Inspection Citations Issued
FISCAL YEAR 1997/98				
Structural Pest Control	396	277	0	0

	MONETARY SAVINGS / COST RECOVERY / RESTITUTION				
	Refunded To Consumers	Rework- No Charge To Consumers	Adjustments In Money Owed / Product Return/ Exchange	Total Savings Achieved Consumers	Total Restitution Ordered To Consumers
FISCAL YEAR 1997/98					
Architectural Examiners	\$ 5,758	\$ 0	\$ 0	\$ 5,758	\$ 17,975
Contractors	29,496,155	NDA	NDA	29,496,155	375,198
Engineers and Land Surveyors	NDA	NDA	NDA	NDA	34,069
Structural Pest Control	661,750*	0	0	661,750*	32,787*
TOTALS				\$ 30,163,663	\$ 460,029
					\$ 51,000
					NDA
					45,936
					NDA
					\$ 96,936

* Endnote appears at the end of the report.
 NDA - Due to the nature of the tracking systems, the data cannot be displayed in this format.

Statistical Profile

ENDNOTES

Department Overview

Divisions, Bureaus, and Programs under the Director's Authority – Includes the Bureau of Automotive Repair and Smog Check Program; Bureau of Electronic and Appliance Repair; Bureau of Security and Investigative Services; Barbering and Cosmetology Program; Cemetery and Funeral Programs; Arbitration Review Program; Guide Dogs Program; Landscape Architects Program; Bureau for Private Postsecondary and Vocational Education; Divisions of Investigation, Consumer Information and Analysis, Licensing, Complaint Mediation, Enforcement, Communication and Education, and Administrative and Information Services; and the Examination Resources, Internal Audits, Legal Affairs, Legislative and Regulatory Review, and Executive Offices. *Number of Board Members* are members of the Bureau of Security and Investigative Services' Disciplinary Review Committee, Bureau for Private Postsecondary and Vocational Education's Advisory Committee, and the Barbering and Cosmetology Program's Advisory Council and Disciplinary Review Committee.

Guide Dogs – Re-established as a Board effective FY 1998/99.

Landscape Architects – Upon sunset of the Board on July 1, 1997, the Landscape Architects Program was created under the jurisdiction of the Department of Consumer Affairs. The budget for the Program is listed in this report under the Director's authority. On January 1, 1998, the Landscape Architects Technical Committee was established in statute under the aegis of the California Board of Architectural Examiners (CBAE). Throughout these changes, the budget for this regulatory body has remained separate from the Department's and CBAE's budgets.

Nursing Home Administrators – The Board sunsetted effective July 1, 1998. The authority and regulation of the nursing home administrators continues under the auspices of the Nursing Home Administrator Program. Sunset language provided the Department with authority over the program; however, an interagency agreement was entered into with the Department of Health Services (DHS) delegating oversight of the Program's day-to-day operations to DHS through June 30, 1999.

Pharmacy – *FY 1997/98 Expenditures* include \$487,000 for Controlled Substance Utilization Review and Evaluation System.

Veterinary Medical and Veterinary Technicians – Registered Veterinary Technicians will merge with the Veterinary Medical Board effective FY 1998/99.

Vocational Nursing – One *Field Office* used as an exam site.

Licenses & Registrations

Accountancy – Because of the nature of the Board's exams, data for *Written Pass Rate %* cannot be displayed in this format. The CPA exam has four sections, not all of which have to be taken at one time. 15,175 individuals were scheduled to take some portion of the exam, and 12,876 actually sat for it. For the two exams given in FY 1997/98, between 34% and 38% of the candidates passed each of the four exam sections administered.

Athletic Commission – *Applications Denied* includes incomplete applications. Effective October 6, 1997, the Commission no longer schedules examinations; the licensee is responsible for scheduling examinations.

Automotive Repair – *Applications Received* decreased because of the implementation of Smog Check's BAR 97 in the enhanced areas of the state. This required an initial applicant to purchase BAR 97 (ESI) equipment before being issued a license. Additionally, smog technicians in the enhanced areas of the state are required to obtain additional training: BAR 97 transition and the 20-hour update training. *Written Pass Rate %* for the Smog Check Technician exam is 58% and 42% for the Brake/Lamp Adjuster exam.

Barbering and Cosmetology – *Applications Denied* data reflects an increase from FY 1996/97 because of a disciplinary action taken against two schools of cosmetology.

Cemetery and Funeral – The exam exemption of the cemetery salespersons and program constraints of scheduling only two examinations caused a decrease in *Licenses Issued and Exams Scheduled. Written Pass Rate %* for the Cemetery exam is 76% and 64% for the Funeral exam.

Dental Examiners – FY 1996/97 *Applications Received* included examination applications in error.

Engineers and Land Surveyors – *Applications Received* are those received within the time frame of FY 1997/98. Data on actual *Examination* results and *Licenses/Registrations Issued* are based on October 1997 and April 1998 test administrations only. There is no relationship between the number of *Applications Received* and the actual *Pass Rate* within the fiscal year.

Hearing Aid Dispensers – Examination procedures were reviewed and revised in FY 1997/98 as a result of the 32% *Pass Rate %* reported in FY 1996/97 on the new practical examination.

Landscape Architects – The Committee returned to administering the national licensing exam in December 1996. The national exam consists of six sections, whereas the previously administered exam consisted of only three. The resulting transition plan required certain candidates to take additional exam sections, which impacted the number of candidates eligible for licensure (*Issued*). The total *Inactive* licenses for FY 1996/97 was incorrectly reported as 280. The correct number of inactive licenses (as defined by this report) for FY 1996/97 was actually 481.

Nursing Home Administrators – Data are unavailable because of Program sunset, transition, and office relocation.

Optometry – *Renewed* data appears lower compared to data reported in FY 1996/97 because of a transition from annual renewals to biennial renewals in January 1998. *Clinical/Practical Pass Rate %* reflects implementation of a new administration of licensing exam.

Physical Therapy (PTBC) – *Exams Scheduled* and the *Written Pass Rate %* are based on the National Physical Therapist and Physical Therapist Assistant practice exams only. The PTBC also administered 1,642 Laws and Regulations (Jurisprudence) examinations during FY 1997/98: 1,408 applicants passed for a *Written Pass Rate* of 86%.

Physician Assistant – Includes Supervising Physician license data: 1,591 *Applications Received*; 1,613 *Licenses/Registrations Issued*; 9,547 *Active*; 1,285 *Inactive*; and 3,652 *Renewed*.

Physicians and Surgeons – The total number of *Inactive* licenses reported for FY 1996/97 did not include all inactive categories.

Podiatric Medicine – Includes Limited license data: 79 *Applications Received*; 70 *Licenses/Registrations Issued*; and 170 *Active*.

Private Postsecondary and Vocational Education – The Bureau was formed by DCA effective January 1, 1998, as a result of AB 71 (1997 statutes). As a result of the transition, the Bureau acquired a substantial backlog to which it plans to eliminate by June 30, 2000. The figures provided are estimates as a result of data reported for degree granting and non-degree granting approvals and re-approvals, and registered programs from January 1, 1998, to June 30, 1998. Registered programs, established May 1998, have five elements: intensive English language, short-term career, short-term seminar, license examination preparation, and continuing education.

Psychology – Data reflect license and registration activity for Licensed Psychologists, Registered Psychologists, and Registered Psychological Assistants combined except *Renewed*, which are Licensed and Registered Psychological Assistants combined. *Applications Denied* are formal rejections for convictions and denied for not meeting the requirements pursuant to the Business and Professions Code. *Exams Scheduled* and *Pass Rate %* data applies to Licensed Psychologists only. Effective July 1, 1997, examinees are required to pay the written and oral examination fees prior to the examination date in order to be scheduled.

Research Psychoanalysts – *Renewed* data reflects a biennial renewal date. License renewal occurs February of every even-numbered year.

Security and Investigative Services – *Inactive* data were inaccurately reported in FY 1996/97. The Division implemented some changes; therefore, FY 1997/98 data reflect a more accurate representation.

Structural Pest Control – *Applications Received* reflects the number of license and registration applications received. Previous reports reflected examination applications received.

Veterinary Medical – Total *Exams Scheduled* include 287 National Board Examination (NBE), 481 California State Board (CSB); 276 Clinical Competency Test (CCT), and 41 California Reciprocity Examinations (CRE). *Written Pass Rate %* consists of 57% NBE, 75% CSB, 63% CCT, and 100% CRE.

Vocational Nursing and Psychiatric Technicians – *Active* includes 150-day temporary licenses. *Inactive* includes delinquent, inactive, and continuing education holds.

Certificates & Permits

Athletic Commission – *Applications Received*, *Certificates/Permits Issued*, and *Active* are Closed Circuit Telecast permits.

Automotive Repair and Smog Check – *Certificate/permit* data reported in FY 1996/97 included two months of data related to the implementation of the Gold Shield Certificate Program in May 1997. FY 1997/98 data increased significantly as it represents data for the entire fiscal year.

Cemetery and Funeral – FY 1996/97 data for *Exams Scheduled* and *Written Pass Rate %* were inaccurately displayed on this chart. These data correctly display on the *Licenses/Registrations* chart for FY 1997/98.

Dental Examiners – FY 1996/97 *Inactive Certificates/Permits* included inactive licenses in error.

Engineers and Land Surveyors – *Applications Received* are those received within the time frame of FY 1997/98. Data on actual *Examination* results and *Certificates/Permits Issued* are based on October 1997 and April 1998 test administrations only. There is no relationship between the number of *Applications Received* and the actual *Pass Rate %* within the fiscal year.

Landscape Architects – Certificates are issued to out-of-state practitioners for individual projects. The reciprocity exam, which out-of-state licensees must pass in order to be licensed to practice in California, was administered only once in FY 1997/98. This caused the number of *Applications Received* for certificates to increase from the previous fiscal year.

Nursing Home Administrators – Data are unavailable because of Program sunset, transition, and office relocation.

Optometry – *Renewed* data appear to be lower compared to FY 1996/97 because of a transition from annual renewals to biennial renewals in January 1997.

Outpatient Settings – Data reported for FY 1996/97 *Licenses/Registrations* chart should have been reported on the *Certificates/Permits* chart instead.

Physician Assistant – *Applications Received*, *Certificates/Permits Issued*, and *Active* are Interim Approval permits.

Podiatric Medicine – Includes Ankle Surgery certificate data: 25 *Applications Received* and 25 *Certificates/Permits Issued*. *Active* and *Renewed* data represent Fictitious Name permits only. Owing to the nature of the tracking system, Ankle Surgery certificate data for *Active*, *Inactive* and *Renewed* are not available.

Private Postsecondary and Vocational Education – The Bureau was formed by DCA effective January 1, 1998, as a result of AB 71 (1997 statutes). As a result of the transition, the BPPVE acquired a substantial backlog to which it plans to eliminate by June 30, 2000. The chart displays data available for agent and agency permits and certificates of authorization from January 1, 1998, to June 30, 1998. The BPPVE is currently designing a tracking system to capture data where “NDA” is reported.

Respiratory Care – *Applications Received* data are included with the License/Registration applications on the previous chart.

Security and Investigative Services – Because of continuous efforts to collect more accurate data, programmatic changes were implemented; therefore, *Applications Received*, *Licenses Issued* and *Renewed* represent a considerable change from last fiscal year. Another factor affecting *Renewed* data was the implementation of SB 780 requiring firearm permits be renewed biennially instead of annually. Also, baton permits are issued as a lifetime permit; therefore, they are not included in *Renewed* data.

Vocational Nursing – *Certificates/Permits Issued* include 354 Interim permits, 1,891 Intravenous certificates, 488 Blood Withdrawal certificates, and 587 Intravenous Blood Withdrawal certificates. *Denied* does not include 117 Interim permit application fees refunded, because the applicants were not eligible.

Fingerprints

Accountancy – Data reflect fingerprint program implementation in January 1998.

Athletic Commission – Fingerprints are required for original promoter, matchmaker, and manager applicants.

Cemetery and Funeral – *Fingerprints* are required only for the Funeral Program.

Court Reporters – Data reflect fingerprint program implementation in January 1998.

Nursing Home Administrators – Data are unavailable because of Program sunset, transition, and office relocation.

Physician Assistant – *Fingerprints* apply to Physician Assistant licenses only.

Private Postsecondary and Vocational Education – The Bureau was formed by DCA effective January 1, 1998, as a result of AB 71 (1997 statutes). Therefore, the chart displays data available from January 1, 1998, to June 30, 1998.

Psychology – Data reflect *Fingerprint* activity for Licensed Psychologists, Registered Psychologists, and Registered Psychological Assistants combined.

Respiratory Care – In FY 1996/97 *Criminal Records Received* data incorrectly included all fingerprints. FY 1997/98 data reflect criminal record fingerprints only as defined.

Structural Pest Control – *Fingerprints* are only requested of applicants indicating a prior conviction on their application.

Approvals/Accreditation & Continuing Education

Accountancy – The Board does not approve *Continuing Education Providers* generally. However, this statistic reflects the number of provider courses approved by the Board pursuant to the new Professional Conduct and Ethics requirement implemented January 1998.

Behavioral Science – *Continuing Education (CE) Providers* increased because of the fact that regulations implementing the CE program became effective on May 19, 1997. Consequently, the number of providers approved prior to FY 1997/98 was small.

Nursing Home Administrators – Data are unavailable because of Program sunset, transition, and office relocation.

Private Postsecondary and Vocational Education – The Bureau was formed by DCA effective January 1, 1998, as a result of AB 71 (1997 statutes). *Approvals/Accreditation* represents data available for approved degree granting and non-degree granting institutions as of June 30, 1998. *Continuing Education Providers* are included on the Licenses/Registrations Chart as registered programs.

Psychology – Number of *Continuing Education Providers* and the *Number of Audits* are applicable to Licensed Psychologists only.

Structural Pest – In previous years, the data for *School Approvals/Accreditation and Continuing Education Providers* reported the number of approved school or provider courses in error. FY 1997/98 *School Approvals/Accreditation* data more accurately represent this category as defined. The Board does not currently track Continuing Education Providers as defined. Proof that continuing education requirements have been met is now required for renewal; therefore, *Continuing Education Audits* are no longer applicable.

Complaints Received, By Source

Accountancy – The Board recognizes that there is a significant decrease in the number of *Complaints Received* from the *Profession* category for FY 1997/98 but is currently uncertain as to the cause. The Board will continue to monitor this category, as more information becomes available. A special project generating 80 *Internal/Other Complaints* in FY 1996/97 concluded in July 1997; therefore, FY 1997/98 data indicate a substantial decrease.

Athletic Commission – *Public* are telephone complaints against unregulated martial arts schools. *Internal/Other* are boxer/manager contract disputes.

Barbering and Cosmetology – *Internal/Other* data reflect an increase from FY 1996/97 because of a disciplinary action was taken against two schools of cosmetology.

Electronic and Appliance Repair – The Bureau no longer accepts and records non-jurisdictional complaints; therefore, *Public* complaint data have decreased significantly. Unlicensed activity cases are no longer reported under *Internal/Other*; therefore, data have decreased significantly. The Bureau now records these cases internally as a field contact report.

Home Furnishings and Thermal Insulation – The Bureau no longer accepts and records non-jurisdictional complaints; therefore, *Public* complaint data have decreased significantly. Unlicensed activity cases are no longer reported under *Internal/Other*; therefore, data have decreased significantly. The Bureau now records these cases internally as a field contact report.

Landscape Architects – FY 1996/97 *Complaints Received* data reflected complaints initiated by the Board to investigate delinquent licenses for unlicensed activity; therefore, FY 1997/98 data reflect a significant decrease.

Nursing Home Administrators – Data unavailable because of Program sunset, transition, and office relocation.

Private Postsecondary and Vocational Education – The Bureau was formed by DCA effective January 1, 1998, as a result of AB 71 (1997 statutes). As a result of the transition, the BPPVE acquired a substantial backlog, which it plans to eliminate by June 30, 2000. The chart displays data available from January 1, 1998, to June 30, 1998. *Complaint Source* data are not available, although it is probable that the number of complaints derived from more than one source. The BPPVE is currently designing a tracking system to capture data where “NDA” is reported.

Speech-Language Pathology and Audiology – The significant increase in FY 1997/98 *Internal/Other* data, as compared to FY 1996/97, is because of the Board’s enforcement campaign to curtail unlicensed and unregistered activity.

Vocational Nursing and Psychiatric Technicians – As a result of several new requirements implemented in 1996 (i.e., fingerprints, conviction statement as a condition of renewal, increasing continuing education audits, and mandatory reporting of unprofessional conduct by another licensee), data reported for *Complaints Received*, *Complaints Closed With and Without Investigation*, and

Informal Actions have increased substantially. If you would like additional information regarding these new requirements, please contact the Board.

Complaints Closed Without Going To Investigation

Barbering and Cosmetology – *Personal Conduct* data reflect an increase from FY 1996/97 because of a disciplinary action taken against two schools of cosmetology.

Electronic and Appliance Repair – The Bureau no longer accepts and records Non-Jurisdictional complaints; therefore, data have decreased significantly. The Bureau no longer initiates *Unlicensed Activity* cases; therefore, data have decreased significantly. The Bureau now records these cases internally as a field contact report.

Home Furnishings and Thermal Insulation – The Bureau no longer accepts and records *Non-Jurisdictional* complaints; therefore, data have decreased significantly. The Bureau no longer initiates *Unlicensed Activity* cases; therefore, data has decreased significantly. The Bureau now records these cases internally as a field contact report.

Landscape Architects – FY 1996/97 *Complaints Closed* data reflected complaints initiated by the Board regarding delinquent licenses who were out of state; therefore, FY 1997/98 data reflect a significant decrease.

Nursing Home Administrators – Data are unavailable because of Program sunset, transition, and office relocation.

Podiatric Medicine – FY 1996/97 *Complaints Pending* data indicated 8 incorrectly; it should have been reported as 102.

Private Postsecondary and Vocational Education – The Bureau was formed by DCA effective January 1, 1998, as a result of AB 71 (1997 statutes). As a result of the transition, the BPPVE acquired a substantial backlog to which it plans to eliminate by June 30, 2000. The chart displays data available from January 1, 1998, to June 30, 1998. *Complaints Closed, By Category* data are not available, although it is probable that the total number of *Complaints Closed* derived from more than one source. The BPPVE is currently designing a tracking system to capture data where “NDA” is reported.

Structural Pest Control – *Non-Jurisdictional* complaints closed increased compared to FY 1996/97 because more pest control companies went out of business.

Vocational Nursing and Psychiatric Technicians – As a result of several new requirements implemented in 1996 (i.e., fingerprints, conviction statement as a condition of renewal, increasing continuing education audits, and mandatory reporting of unprofessional conduct by another licensee), data reported for *Complaints Received*, *Complaints Closed With and Without Investigation*, and *Informal Actions* have increased substantially. If you would like additional information regarding these new requirements, please contact the Board.

Informal Actions

Automotive Repair, Home Furnishings and Thermal Insulation, and Security and Investigative Services – *Warning/Cease and Desist Letters* are issued by the Complaint Mediation Division, and the Enforcement Division's Unlicensed Activity Unit.

Electronic and Appliance Repair – *Warning/Cease and Desist Letters Issued* historically included the number of delinquent notices issued as warning letters. With the transition of the Licensing function to the Program Chief's office and the unlicensed activity function to the Enforcement field staff, the number of actions was not available. *Reprimand/Notices of Violation Letters Issued* data have increased as a direct result of contact from field staff.

Landscape Architects – FY 1996/97 *Informal Actions* data reflected complaints initiated by the Board to investigate delinquent licenses for unlicensed activity; therefore, FY 1997/98 data reflect a significant decrease.

Nursing Home Administrators – Data are unavailable because of Program sunset, transition, and office relocation.

Private Postsecondary and Vocational Education – The Bureau was formed by DCA effective January 1, 1998, as a result of AB 71 (1997 statutes). Therefore, the chart displays data available from January 1, 1998, to June 30, 1998.

Security and Investigative Services – *Office Conference/ Informal Hearing* data are Disciplinary Review Committee informal hearings which have not been included in previous years.

Speech-Language Pathology And Audiology – The number of *Office Conferences and Informal Hearings* increased as a result of persons cited during the Board's enforcement campaign against unlicensed and unregistered activity.

Vocational Nursing and Psychiatric Technicians – As a result of several new requirements implemented in 1996 (i.e., fingerprints, conviction statement as a condition of renewal, increasing continuing education audits, and mandatory reporting of unprofessional conduct by another licensee), data reported for *Complaints Received*, *Complaints Closed With and Without Investigation*, and *Informal Actions* have increased substantially. If you would like additional information regarding these new requirements, please contact the Board. *Office Conference/ Informal Hearings* include 148 probation compliance and 5 remediation meetings for Vocational Nursing and 47 probation and 3 remediation meetings for Psychiatric Technicians.

Complaints Referred To Sworn Investigators

Accountancy – *Investigations Closed, By Category*, and *Referred to AG* are combined under the chart "Complaints Referred to Non-Sworn Investigators for Formal Investigation."

Barbering and Cosmetology – *Investigations Pending* include investigations pending completion by the Division of Investigation or pending closure further action by program staff.

Court Reporters – *Investigations Opened* include cases sent directly to the District Attorney General's office for disciplinary action.

Electronic and Appliance Repair – During FY 1997/98, the Bureau emphasized investigation activities including those triggered by direct fieldwork, especially focusing on unlicensed activity.

Home Furnishings and Thermal Insulation – During FY 1997/98, the Bureau emphasized investigation activities including those triggered by direct fieldwork, especially focusing on unlicensed activity.

Nursing Home Administrators – Data are unavailable because of Program sunset, transition, and office relocation.

Private Postsecondary and Vocational Education – The Bureau was formed by DCA effective January 1, 1998, as a result of AB 71 (1997 statutes). The chart displays data available from January 1, 1998, to June 30, 1998.

Registered Nursing – The tracking system does not permit data separation of *Sworn and Non-Sworn Investigators* for investigations.

Structural Pest – *Investigations Opened* data decreased compared to data reported in FY 1996/97. Previously, unlicensed activity cases were sent to a sworn investigator for investigation. Beginning in FY 1997/98, unlicensed activity cases are handled by non-sworn investigators first, then if necessary referred to a sworn investigator for investigation.

Vocational Nursing and Psychiatric Technicians – As a result of several new requirements implemented in 1996 i.e., fingerprints, conviction statement as a condition of renewal, increasing continuing education audits, and mandatory reporting of unprofessional conduct by another licensee, data reported for *Complaints Received*, *Complaints Closed With and Without Investigation*, and *Informal Actions* have increased substantially. If you would like additional information regarding these new requirements, please contact the Board.

Complaints Referred To Non-Sworn Investigators

Accountancy – *Total Closed* includes 66 complaints referred to sworn investigators for formal investigation. *Referred to AG* includes complaints referred to both sworn and non-sworn investigators.

Automotive Repair and Smog Check – Individual investigations reported may include multiple licensees.

Engineers and Land Surveyors – *Investigations Opened* includes 17 complaints submitted to the Division of Investigation (DOI) for assistance. *Investigations Closed* includes 13 complaints closed by the Board that DOI returned for further action after completing its portion of the investigation. *Pending* include 12 pending at DOI. *Referred to DC/CA* data are DOI referrals to the District Attorney for further action.

Nursing Home Administrators – Data unavailable because of Program sunset, transition, and office relocation.

Private Postsecondary and Vocational Education – The Bureau was formed by DCA effective January 1, 1998 as a result of AB 71 (1997 statutes). Therefore, the chart displays data available from January 1, 1998 to June 30, 1998.

Psychology – Data reflects implementation of two-step agreement compliance.

Actions Filed

Automotive Repair and Smog Check – *Actions* are counted by individual actions taken against each license affected by the investigation.

Dental Examiners – *Civil Actions* are included in *Criminal Actions*.

Electronic and Appliance Repair – *Citations* increased as a result of direct fieldwork.

Nursing Home Administrators – Data are unavailable because of Program sunset, transition, and office relocation.

Physicians and Surgeons – *Suspension Orders* include 32 Interim Orders; 1 Temporary Restraining Order; 4 Automatic Suspension Orders pursuant to Business and Professions (B&P) Code 2236.1; 5 Out-of-State Suspension Orders pursuant to B&P Code 2310 (a) (effective January 1, 1998); and 1 License Restriction pursuant to Section 23 of the Penal Code.

Private Postsecondary and Vocational Education – The Bureau was formed by DCA effective January 1, 1998, as a result of AB 71 (1997 statutes). Therefore, the chart displays data available from January 1, 1998, to June 30, 1998.

Speech-Language pathology And Audiology – *Citations Issued* data increased as a result of the Board's enforcement campaign informing licensees and applicants that citations and fines would be issued for failure to follow laws and regulations of the Board regarding unlicensed and unregistered activity.

Structural Pest Control – Most *Accusations* contain multiple licensees.

Administrative Outcomes

Athletic Commission – *Revocation* are professional boxers retired for inability to compete. *Suspension Only* are medical suspensions for boxers knocked out, injured, etc.

Nursing Home Administrators – Data are unavailable because of Program sunset, transition, and office relocation.

Private Postsecondary and Vocational Education – The Bureau was formed by DCA effective January 1, 1998, as a result of AB 71 (1997 statutes). Therefore, the chart displays data available from January 1, 1998, to June 30, 1998.

Petitions For Penalty Relief

Nursing Home Administrators – Data are unavailable because of Program sunset, transition, and office relocation.

Private Postsecondary and Vocational Education – The Bureau was formed by DCA effective January 1, 1998 as a result of AB 71 (1997 statutes). Therefore, the chart displays data available from January 1, 1998, to June 30, 1998. *Petitions for Modification/Termination of Probation* does not include conditional approvals.

Inspection Data

Athletic Commission – *Number of Inspections* includes Amateur Boxing events.

Automotive Repair and Smog Check – *Number of Inspections* includes both initial and periodic inspections of automotive repair dealers, smog check stations, and lamp and brake stations.

Barbering and Cosmetology – *Compliance Verified* includes compliance received for citations issued to both establishments and individuals within the establishment. The citation may not have been issued during FY 1997/98; however, the compliance was received during FY 1997/98. *Inspection Citations Issued* includes citations issued to both establishments and individuals within the establishment during FY 1997/98.

Nursing Home Administrators – Data are unavailable because of Program sunset, transition, and office relocation.

Private Postsecondary and Vocational Education – The Bureau was formed by DCA effective January 1, 1998, as a result of AB 71 (1997 statutes). Therefore, the chart displays data available from January 1, 1998, to June 30, 1998. The Bureau has identified 117 *Inspections* to be completed FY 1998/99.

Monetary Savings/ Cost Recovery

Electronic and Appliance Repair – The decrease in *Monetary Savings Achieved the Consumer* is a result of fewer complaints received by the Bureau. Data may also have been impacted by the Bureau not accepting non-jurisdictional complaints that historically were mediated and sometimes resulted in monetary savings to the consumer.

Home Furnishings and Thermal Insulation – The decrease in *Monetary Savings Achieved the Consumer* is a result of fewer complaints received by the Bureau. Data may also have been impacted by the Bureau not accepting non-jurisdictional complaints that historically were mediated and sometimes resulted in monetary savings to the consumer.

Nursing Home Administrators – Data are unavailable because of Program sunset, transition, and office relocation.

Private Postsecondary and Vocational Education – The Bureau was formed by DCA effective January 1, 1998 as a result of AB 71 (1997 statutes). Therefore, the chart displays data available from January 1, 1998, to June 30, 1998. *Total Refunded to Consumers* are monies refunded through the Student Tuition Recovery Fund.

Structural Pest Control – Data displayed under *Cost Recovery* for FY 1996/97 were recorded improperly. This figure should have been displayed under the *Refunded to Consumers* column. The Board does not currently have a tracking system to collect cost recovery data; therefore, data reported for FY 1997/98 may not be fully representative.

GLOSSARY OF TERMS

ACCUSATION – A formal, written statement of charges.

B&P CODE – The Business and Professions Code, which contains the statutes governing the Department of Consumer Affairs and its licensing boards.

B&P CODE SECTION 480-485 – A statute whereby applications are denied.

B&P CODE SECTION 800 – A statute requiring specified healing arts boards to create and maintain a central file containing a historical record of licensees.

CERTIFICATE/PERMIT – A document issued to an individual who also holds a valid license or registration that requires a secondary permit or certificate for specialized work.

CITATION – A written formal order to pay a fine and/or correct a condition.

CIVIL ACTION – A court proceeding initiated by a person or other entity to enforce private rights or obtain redress.

COMPLAINT – A communication alleging a violation of the Practice Act.

CONTINUING EDUCATION – Additional education required by a board for licensure renewal.

CONTRACTUAL – Failure to provide or comply with terms of contract/invoice or to honor warranty.

CONVICTION OF A CRIME – Conviction of a crime related to the practice or profession. (Design/Construction Agencies only)

COST RECOVERY – An order directing a licensee to pay the costs of investigating and prosecuting an administrative disciplinary action against the licensee.

CRIMINAL ACTION – The proceeding by which a party charged with a crime is accused and brought to trial.

CRIMINAL CHARGES/CONVICTIONS – Misdemeanor or felony charges of conviction reported to the Boards/Commission, regardless of the nature of the crime (i.e., criminal conviction for embezzlement is categorized under this category, not “fraud.”) (Healing Arts Agencies only)

DRUG-RELATED OFFENSES – Violations involving controlled substances or dangerous drugs in which self-use has not been established. For example, illegally obtaining, diverting, or possessing drugs; falsifying records pertaining to drugs, illegal sales of drugs, or illegal/inappropriate prescribing or dispensing. (Healing Arts Agencies only)

FORMAL INVESTIGATIONS BY NON-SWORN INVESTIGATORS – Complaints referred to a non-sworn board investigator, inspector, or consultant to determine if violation of law has occurred.

FORMAL INVESTIGATIONS BY SWORN INVESTIGATORS – Complaints referred to the Division of Investigation or a sworn board investigator to determine if violations of law have occurred.

FRAUD – Intentional acts of misrepresentation, supplying false information in connection with license application or renewal, illegal advertising, misleading advertising, substitution of goods/services, fraudulent billing (including Medi-Cal and insurance fraud), or unfair business practices (B&P Code 17200).

HEALTH & SAFETY – Improper use of a toxic or hazardous substance, prescription abuses, sanitation deficiencies, and sale of dangerous substances or products.

INCOMPETENCE/NEGLIGENCE – Substandard workmanship, departure from professional standards of practice, inadequate skills, or lack of knowledge. (Design/Construction and Business Services Agencies only. See Negligence/Incompetence for Healing Arts Agencies)

INFORMAL ACTION – Notification informing a licensee that he or she is in violation of the statutes or regulations of a board/committee. The notification is accomplished by a letter of reprimand, notice of warning, violation letter, office conference, informal hearing, education letter, or cease-and-desist letter.

INSPECTION – Inspection of a licensed business resulting from a consumer complaint or for any other enforcement purpose.

INTERIM SUSPENSION ORDER – A temporary order of an Administrative Law Judge that immediately suspends a license pending the outcome of disciplinary action taken by the board.

MONETARY SAVINGS – A refund to the consumer through mediation efforts (between a consumer and a licensee) of actual money, services performed without charge, changes made in dollar amounts owed by the consumer, or return and exchange of product purchased.

NEGLIGENCE/INCOMPETENCE – Quality of care issues, departure from professional standards of practice, inadequate skills, lack of knowledge, excessive treatment, inadequate or inappropriate supervision, reports of malpractice, or hospital disciplinary reports. (B&P Code 800, Healing Arts Agencies only)

NON-JURISDICTIONAL – Issues not specifically covered by statute (fee disputes, discourtesy, referrals to other agencies, etc.)

NOTICE OF VIOLATION – A notice to a licensee documenting the licensee's failure to comply with a statute or regulation.

PERSONAL CONDUCT – Drug/alcohol abuse, moral turpitude, mental illness, or conviction of a crime (regardless of the nature of the crime).

PETITION FOR MODIFICATION/TERMINATION OF PROBATION – A request by a licensee who is on probation as a result of a disciplinary action to change or delete specified terms of the probation or to end the probation prior to its designated completion date.

PETITION FOR REINSTATEMENT – A request by a licensee whose license has been revoked to have the license reinstated.

PETITION TO COMPEL EXAMINATION – A formal order by the board requiring a licensee to take a psychological, physical, or competency exam. Failure to comply with said order may result in additional action by the board.

PETITION TO REVOKE PROBATION – A request filed by the board/committee to terminate probation resulting from a licensee's failure to comply with some or all terms of probation.

PROBATION – A license placed on probation as a result of a disciplinary action with specified terms and conditions attached. (Also included is suspension stayed, probation only; revocation stayed, probation only; revocation stayed, condition and probation; and initial licenses and reinstatements issued on probation.)

PROBATION WITH SUSPENSION – A license placed on probation with a specified suspension period resulting from a disciplinary action. (Also included is revocation stayed, suspension and probation; suspension stayed, suspension and probation; revocation stayed, suspension, condition and probation.)

PRODUCT/SERVICE QUALITY – Defective goods or products not performing as warranted, or dissatisfaction with services rendered.

PROFESSIONAL MISCONDUCT – Unlawful business practices, abandonment, failure to release/return records, or aiding and abetting unlicensed activity. (Design/Construction Agencies only)

PUBLIC REPRIMAND – A reproof of a licensee, that is a matter of public record, for conduct in violation of the law. (Also included are public letters of reprimand pursuant to B&P Code Section 2233.)

REFERRED TO AG – When an investigation of a complaint regarding the conduct of a licensee reveals violation of the Business and Professions Code, the results are submitted to the State Attorney General (AG) for administrative purposes.

REFERRED TO DA/CA – When an investigation of a complaint regarding the conduct of a licensee reveals violation of the Business and Professions Code, the results are turned over the local district attorney (DA) or a city attorney (CA) for legal action.

RESTITUTION – A court order directing a licensee to pay the consumer money resulting from a disciplinary action against the licensee.

RESTRAINING ORDER – An order from a court to refrain from engaging in particular unlawful conduct.

REVOCAION – The invalidation of an individual's license to practice a profession as a result of an administrative or disciplinary action.

SCHOOL APPROVAL/ACCREDITATION – Certification that a school meets the required criteria for licensure.

SEXUAL MISCONDUCT – Any act of sexual misconduct including sexual abuse, sexual contact or relations with a client, sexual harassment, etc. (Healing Arts and Business Services Agencies only)

STATEMENT OF ISSUES – A formal written statement of charges denying an application for a license.

SUBSTANCE ABUSE OR MENTAL/PHYSICAL IMPAIRMENT – Drug or alcohol abuse or impairment because of mental or physical illness. (Healing Arts Agencies only)

SURRENDER OF LICENSE – The voluntary surrender of a license by the licensee resulting from a disciplinary action.

SUSPENSION – A decision resulting from a disciplinary action whereby the right to practice a profession is temporarily discontinued or withdrawn. (Also included is revocation stayed, suspension only)

UNLICENSED/UNREGISTERED – Unlicensed/unregistered activity, or aiding and abetting unlicensed activity.

UNPROFESSIONAL CONDUCT – Unlawful business practices, abandonment, failure to release/return records, or breach of confidentiality. (Business Services Agencies only)

UNPROFESSIONAL CONDUCT – Patient/Client abandonment, failure to release return records, breach of confidentiality, unethical practices, acts of violence, theft, failure to report abuse (child, spousal, elder, or dependent adult), or dual relationships. (These complaints do not include criminal convictions/charges and relate only to Healing Arts Agencies.)

Nine 1999 New Year's Resolutions For Confident Consumers

*“Save time and money by resolving
to be a smart consumer in 1999
and on into the 21st century!”*


— Consumer Affairs Acting Director Ron Joseph

1. **I RESOLVE TO** be wary if I am offered a free vacation or am told I won a sweepstakes. Consumer authorities are in agreement that these are very common scams, and there's always a catch. If you stay on the phone, you'll probably hear that you just need to pay a one-time membership fee, or handling charge, or that you'll get all of the details once you have paid for the vacation.
2. **I RESOLVE TO** get references before doing business with anyone. A word-of-mouth referral is one of the best ways to find people you want to do business with. Consider that word-of-mouth referral as your first reference, and ask the business for three more. And be sure they're recent.
3. **I RESOLVE TO** make sure the person I do business with has an appropriate licensee if a license is required. Licensing varies from state to state and from profession to profession. Ask if the person is licensed. Then follow up with the licensing organization to see what information you can ascertain. (Call the California Department of Consumer Affairs at 1-800-952-5210.)
4. **I RESOLVE TO** protect my credit identity. Credit identity theft is a growing problem, and it became a recognized crime as of January 1998. An identity thief can steal personal and credit information from your credit application, mailbox, trash, wallet or purse, or from Internet information services. Your social security number, along with your name, is a key the identity thief can use to tap into your credit identity.
5. **I RESOLVE TO** check my credit record every January. Check your credit report at least once a year for accuracy and indications of fraud. You should get your credit report from each of the three major credit reporting agencies:
 - EXPERIAN (formerly TRW) at 888-397-3742 or 800-682-7654; or write to P.O. Box 2104, Allen, TX 75013
 - EQUIFAX, 800-685-1111, or write to P.O. Box 740241, Atlanta, GA 30374
 - TRANS UNION, 800-888-4213, or write to P.O. Box 390, Springfield, PA 19064.
6. **I RESOLVE TO** read contracts before signing them, and to get promises in writing. A contract is an agreement between two or more people that the law will enforce. Read and understand the fine print.
7. **I RESOLVE TO** find an auto repair technician BEFORE I need one. Car maintenance doesn't have to be a wrenching experience. One of the best ways to select a repair shop is through word-of-mouth recommendations. Ask your friends and associates what repair shops they like and why.
8. **I RESOLVE TO** live by the motto that if an offer is too good to be true it probably is. Resolve never to fall into the following consumer traps: “We just happen to be in your area and have toner for your copy machine at a reduced price.” “You have won!” “You have been specially selected!” “We're paving next door and have leftover cement.” “Make money in your spare time guaranteed income.”
9. **I RESOLVE TO** educate myself and be a smart consumer. Consumer protection is truly an area where an ounce of prevention is worth a pound of cure. Check out the Department's website: www.dca.ca.gov