

SB 1238 (Price) – Professions: Board of Psychology: Board of Behavioral Sciences

Introduced February 23, 2012

This bill would extend until January 1, 2017, the provisions establishing the California Board of Psychology (BOP), the Board of Behavioral Sciences (BBS), and extends the term of the executive officers of the BOP and BBS.

Introduced by Senator Price

February 23, 2012

An act to amend Sections 2920, 2933, 4990, and 4990.04 of the Business and Professions Code, relating to professions.

LEGISLATIVE COUNSEL'S DIGEST

SB 1238, as introduced, Price. Professions: Board of Psychology: Board of Behavioral Sciences.

Existing law provides for the licensure and regulation of psychologists by the Board of Psychology. Existing law provides for the licensure and regulation of educational psychologists, social workers, and marriage and family therapists by the Board of Behavioral Sciences within the Department of Consumer Affairs. Existing law specifies the composition of each board and authorizes each board to employ an executive officer. Existing law repeals these provisions on January 1, 2013. Under existing law, boards scheduled for repeal are required to be evaluated by the Joint Sunset Review Committee.

This bill would extend the operation of these provisions until January 1, 2017. This bill would specify that each board is subject to review by the appropriate policy committees of the Legislature.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 2920 of the Business and Professions
- 2 Code is amended to read:

1 2920. (a) The Board of Psychology shall enforce and
2 administer this chapter. The board shall consist of nine members,
3 four of whom shall be public members.

4 This

5 (b) *This section shall remain in effect only until January 1, ~~2013~~
6 2017, and as of that date is repealed, unless a later enacted statute,
7 that is enacted before January 1, ~~2013~~ 2017, deletes or extends
8 that date. Notwithstanding any other provision of law, the repeal
9 of this section renders the board subject to review by the
10 appropriate policy committees of the Legislature.*

11 SEC. 2. Section 2933 of the Business and Professions Code is
12 amended to read:

13 2933. Except as provided by Section 159.5, the board shall
14 employ and shall make available to the board within the limits of
15 the funds received by the board all personnel necessary to carry
16 out this chapter. The board may employ, exempt from the State
17 Civil Service Act, an executive officer to the Board of Psychology.
18 The board shall make all expenditures to carry out this chapter.
19 The board may accept contributions to effectuate the purposes of
20 this chapter.

21 This section shall remain in effect only until January 1, ~~2013~~
22 2017, and as of that date is repealed, unless a later enacted statute,
23 that is enacted before January 1, ~~2013~~ 2017, deletes or extends
24 that date.

25 SEC. 3. Section 4990 of the Business and Professions Code is
26 amended to read:

27 4990. (a) There is in the Department of Consumer Affairs, a
28 Board of Behavioral Sciences that consists of the following
29 members:

- 30 (1) Two state licensed clinical social workers.
- 31 (2) One state licensed educational psychologist.
- 32 (3) Two state licensed marriage and family therapists.
- 33 (4) Commencing January 1, 2012, one state licensed professional
34 clinical counselor.
- 35 (5) Seven public members.

36 (b) Each member, except the seven public members, shall have
37 at least two years of experience in his or her profession.

38 (c) Each member shall reside in the State of California.

39 (d) The Governor shall appoint five of the public members and
40 the six licensed members with the advice and consent of the Senate.

1 The Senate Committee on Rules and the Speaker of the Assembly
2 shall each appoint a public member.

3 (e) Each member of the board shall be appointed for a term of
4 four years. A member appointed by the Speaker of the Assembly
5 or the Senate Committee on Rules shall hold office until the
6 appointment and qualification of his or her successor or until one
7 year from the expiration date of the term for which he or she was
8 appointed, whichever first occurs. Pursuant to Section 1774 of the
9 Government Code, a member appointed by the Governor shall
10 hold office until the appointment and qualification of his or her
11 successor or until 60 days from the expiration date of the term for
12 which he or she was appointed, whichever first occurs.

13 (f) A vacancy on the board shall be filled by appointment for
14 the unexpired term by the authority who appointed the member
15 whose membership was vacated.

16 (g) Not later than the first of June of each calendar year, the
17 board shall elect a chairperson and a vice chairperson from its
18 membership.

19 (h) Each member of the board shall receive a per diem and
20 reimbursement of expenses as provided in Section 103.

21 (i) This section shall remain in effect only until January 1, ~~2013~~
22 ~~2017~~, and as of that date is repealed, unless a later enacted statute,
23 that is enacted before January 1, ~~2013~~ ~~2017~~, deletes or extends
24 that date.

25 (j) *Notwithstanding any other provision of law, the repeal of*
26 *this section renders the board subject to review by the appropriate*
27 *policy committees of the Legislature.*

28 SEC. 4. Section 4990.04 of the Business and Professions Code
29 is amended to read:

30 4990.04. (a) The board shall appoint an executive officer. This
31 position is designated as a confidential position and is exempt from
32 civil service under subdivision (e) of Section 4 of Article VII of
33 the California Constitution.

34 (b) The executive officer serves at the pleasure of the board.

35 (c) The executive officer shall exercise the powers and perform
36 the duties delegated by the board and vested in him or her by this
37 chapter.

38 (d) With the approval of the director, the board shall fix the
39 salary of the executive officer.

1 (e) The chairperson and executive officer may call meetings of
2 the board and any duly appointed committee at a specified time
3 and place. For purposes of this section, “call meetings” means
4 setting the agenda, time, date, or place for any meeting of the board
5 or any committee.

6 (f) This section shall remain in effect only until January 1, ~~2013~~
7 2017, and as of that date is repealed, unless a later enacted statute,
8 that is enacted before January 1, ~~2013~~ 2017, deletes or extends
9 that date.

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