BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GOVERNOR EDMUND G. BROWN JR.

BOARD OF PSYCHOLOGY – Administration
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MEMORANDUM

DATE	February 11, 2015
TO	Psychology Board Members
FROM	Jonathan Burke Administrative Services Coordinator
SUBJECT	**Overview of the Legislative and Regulatory Process – Justin Paddock, Assistant Deputy Director, Legislative and Policy Review Division, Department of Consumer Affairs**

Background:

Department of Consumer Affairs, Assistant Deputy Director, Justin Paddock will provide an overview of the Board's role in the legislative and regulatory process.

Action Requested:

This item is informational and no action is requested.

Attachment A: Legislative and Regulatory Process Presentation.

Board of Psychology Legislative and Regulatory Engagement

DCA Assistant Deputy Director of Legislative and Regulatory Review
Justin Paddock

Statute v. Regulations

- Legislature and Governor Enact Statute
  - Board of Psychology Practice Act: Business and Professions Code sections 2900-2999
- Board Members Enact Regulations
  - Title 16 California Code of Regulations Sections 1380-1397.71

Sponsoring Legislation

- In order to amend <u>any</u> provision of the Board's Practice Act, the following generally must occur:
  - Board must vote on proposed legislative language.
  - Proposed language must be given to Legislative Counsel by the end of January.
  - A Legislator must choose to introduce the bill by the end of February.
  - The bill must successfully be passed by policy committees, fiscal committees and the entire chamber of both houses of the Legislature.
  - The Governor must sign the bill.
- This effort must begin in earnest in the winter of each year and typically does not take effect until after December 31st of the following year.

Amending Regulations

- In order to amend <u>any</u> provision of the Board's regulations, the following must occur:
  - Board must vote on proposed regulatory packages.
    - Includes a Notice, Initial Statement of Reasons, Proposed Regulatory Language, and Fiscal Impact Statement (399).
  - These packages must also be approved by the DCA Director, Agency Secretary, Department of Finance and Office of Administrative Law.

Monitoring Legislation

- Associations, Consumer Groups and others may introduce legislation that affects, or is of interest, to the Board.
- Throughout the year your staff will need to analyze these bills and consider:
  - Impact on Board operations
  - Policy Impacts
  - Technical concerns
  - Fiscal impacts
  - Chaptering or double-jointing concerns
  - Delayed implementation necessary?
  - Urgency Clause necessary?
  - Emergency rulemaking authority needed?

The Board's Role

- Your Role as a Board is two-fold.
- Technical Resource (Primarily Staff)
  - Must Clearly and Effectively Communicate to the Legislature implementation issues.
    - Is enforcement of the proposal feasible?
    - Is there a more efficient means to meet the bill's purpose?
- Policy Resource (Primarily Board)
  - As experts and role models in your field your feedback on legislation is important.

DCA's Role

- Technical Resource to the Board

- Technical Resource to the Legislature

- Prepare Analyses for Agency and the Governor's Analysis

- Taking Positions

Legislative Best Practices

- Clear and Consistent Communication
- Courtesy Calls – Sponsor and Author typically first communication you make when something changes.
- Focus on Policy Committees
- Impact of Official Positions

Ongoing DCA Board Communications

- DCA Legislative Analyst - Greg Pruden

- Monthly Legislative Alerts

- Legislative Roundtables

- Legislative Digest

- Legislative Implementation Guidance – Brian Clifford

DCA Legislative and Regulatory Contacts

- Division of Legislative and Regulatory Review
  - Main Line: 916-574-7800

- Legislative Assistance
  - Greg Pruden (Analyst): 916-574-7802
  - Justin Paddock (Assistant Deputy): 916-574-7813

- Regulatory Assistance
  - Katherine Demos (Regulations Coordinator)
    916-574-7804