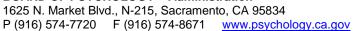


BOARD OF PSYCHOLOGY – Administration





MEMORANDUM

DATE	February 11, 2015
то	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