


MEMORANDUM

DATE	May 6, 2016
TO	Board of Psychology
FROM	 Jason Glasspiegel Central Services Coordinator
SUBJECT	Agenda Item #22 (a)(12) – Legislative Update – SB 1155 (Morrell) Professions and Vocations: Licenses: Military

Background:

This bill requires every board within the Department of Consumer Affairs to grant a fee waiver for the application for and the issuance of an initial license to an individual who is an honorably discharged veteran

Location: Senate Appropriations Committee

Status: In Senate Committee on Appropriations: To Suspense File

Action Requested:

No action is requested at this time. Staff will continue to watch SB 1155 (Morrell).

Attachment A is the language of SB 1101 (Morrell)

Attachment B is the Senate Appropriations Committee Analysis of SB 1101 (Morrell)



California
LEGISLATIVE INFORMATION

SB-1155 Professions and vocations: licenses: military service. (2015-2016)

AMENDED IN SENATE MARCH 28, 2016

CALIFORNIA LEGISLATURE— 2015–2016 REGULAR SESSION

SENATE BILL

No. 1155

Introduced by Senator Morrell

February 18, 2016

An act to add Section 114.6 to the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

SB 1155, as amended, Morrell. Professions and vocations: licenses: military service.

Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs. Existing law authorizes any licensee whose license expired while he or she was on active duty as a member of the California National Guard or the United States Armed Forces to reinstate his or her license without examination or penalty if certain requirements are met. Existing law also requires the boards to waive the renewal fees, continuing education requirements, and other renewal requirements, if applicable, of any licensee or registrant called to active duty as a member of the United States Armed Forces or the California National Guard, if certain requirements are met. Existing law requires each board to inquire in every application if the individual applying for licensure is serving in, or has previously served in, the military. Existing law, on and after July 1, 2016, requires a board within the Department of Consumer Affairs to expedite, and authorizes a board to assist, the initial licensure process for an applicant who has served as an active duty member of the ~~Armed Forces of the~~ United States *Armed Forces* and was honorably discharged.

This bill would require ~~the Department of Consumer Affairs, in consultation with the Department of Veterans Affairs and the Military Department, to establish and maintain a program that grants every board within the Department of Consumer Affairs to grant~~ a fee waiver for the application for and the issuance of an initial license to an individual who is an honorably discharged veteran, as specified.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 114.6 is added to the Business and Professions Code, to read:

114.6. ~~The Department of Consumer Affairs, in consultation with the Department of Veterans Affairs and the Military Department, shall establish and maintain a program that grants~~ *Notwithstanding any other provision of law, every board within the department shall grant* a fee waiver for the application for and issuance of a license

to an individual who is an honorably discharged veteran who served as an active duty member of the California National Guard or the United States Armed Forces. Under this program, all of the following apply:

(a) ~~The Department of Consumer Affairs shall grant only one fee waiver to a veteran.~~ *A veteran shall be granted only one fee waiver.*

(b) The fee waiver shall apply only to an application of and a license issued to an individual veteran and not to an application of or a license issued to a business or other entity.

(c) A waiver shall not be issued for a renewal of a license or for the application for and issuance of a license other than one initial license.

SENATE COMMITTEE ON APPROPRIATIONS

Senator Ricardo Lara, Chair
2015 - 2016 Regular Session

SB 1155 (Morrell) - Professions and vocations: licenses: military service

Version: March 28, 2016

Policy Vote: B., P. & E.D. 9 - 0, V.A. 5 - 0

Urgency: No

Mandate: No

Hearing Date: April 25, 2016

Consultant: Jillian Kisse

This bill meets the criteria for referral to the Suspense File.

Bill Summary: This bill requires every board within the Department of Consumer Affairs (Department) to grant a fee waiver for the application and the initial licensing fee to an honorably discharged veteran.

Fiscal Impact:

- Department-wide revenue loss of about \$1.2 million to waive applicable fees for honorably discharged veterans. Additional workload required of each board and bureau to establish the fee waiver in regulations prior to implementation could drive potentially significant costs. Though most boards and bureaus indicate that the loss of revenue and any associated workload would be minor, this bill would exacerbate the fiscal issues concerning several funds within the Department. See Staff Comments (Special funds)
- Additional absorbable workload to the Department to make necessary changes to the Department's online licensing and enforcement system, BreEZe, that would necessitate an implementation date of January 1, 2018. Additional minor costs for updating websites related to applications.

Background: Existing law provides for the licensure, registration, and regulation of various professions and vocations by the boards, bureaus, committees, programs, and commission (board(s)) within the Department. The Department currently oversees 39 licensing programs that issue more than two million licenses, registrations, and certifications in nearly 200 professional categories. These licensing boards are charged with regulating a particular profession through licensure and enforcement programs. Each of these entities is responsible for enforcing the minimum qualifications for licensure that are established by statute and regulation. Licensure requirements vary in their specificity and flexibility.

Existing law requires after July 1, 2016, that a board within the Department expedite, and may assist, the initial licensure process for an applicant who supplies satisfactory evidence to the board that the applicant has served as an active duty member of the Armed Forces of the United States and was honorably discharged.

Existing law authorizes any licensee whose license expired while he or she was on active duty as a member of the California National Guard or the United States Armed

Forces to reinstate his or her license without examination or penalty if certain specified requirements are met.

Existing law provides that every board within the Department shall waive the renewal fees, continuing education requirements, and other renewal requirements as determined by the board, if they are applicable, for any licensee or registrant called to active duty as a member of the United States Armed Forces or the California National Guard if certain requirements are met.

According to the author, initial application and occupational license fees can act as a barrier for entry to the workforce for the 240,000 to 360,000 veterans who separate from the military each year. Many either already reside in or intend to make California their home, adding to the 1.9 million veterans residing in the state.

Proposed Law: This bill requires every board within the Department to grant a fee waiver for the application for and issuance of a license to an individual who is an honorably discharged veteran who served as an active duty member of the California National Guard or the United States Armed Forces. This bill, among other things, restricts veterans to one fee waiver and prohibits a waiver to be issued for a renewal of a license.

Staff Comments: The Department estimates that approximately 8,700 applicants would have fees waived pursuant to this bill, resulting in revenue loss of \$1.2 million. According to the Department, most boards and bureaus indicate the loss in revenue and any associated workload would be minor and absorbable. However, the Board of Registered Nursing anticipates a loss in licensing revenue of about \$465,000 annually which would likely cause a decrease in the associated fund's already constrained reserves. In addition, the Physical Therapy Board and the Bureau of Security and Investigative Services anticipate losses in licensing revenue of \$45,000 and \$298,000 annually and respectively, which would exacerbate to the structural imbalance of associated funds.

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