

MEMORANDUM

DATE	May 4, 2017
TO	Policy and Advocacy Committee
FROM	 Konnor Leitzell Central Services Student Assistant
SUBJECT	Agenda Item #6(b)(2) – AB 710 (Wood) Department Of Consumer Affairs: Boards: Meetings

Background:

This bill would require every board within the Department of Consumer Affairs to meet once every other calendar year in rural California. Current law requires these boards to meet at least three (3) times each calendar year, at least once in northern California and once in southern California. This bill would require the Board of Psychology (Board) to hold one meeting every other calendar year in a rural California location.

Prior to the April 21 amendments, this bill would have required each board to meet once every other calendar year in rural Northern California.

At its April 21 Board Meeting, the Board took an Oppose position on AB 710. Since that time, Board staff has worked on preparing opposition letters for the upcoming floor vote and Senate hearings should it pass the Assembly Floor. Board staff will keep the Committee apprised of advocacy letters and updates on the bill's progress in the coming months.

Location: Assembly Floor

Status: 5/03/2017 From committee: Do pass, and sent to Assembly Floor Consent Calendar

Votes: 5/03/2017 Assembly Committee on Appropriations (16-0-1)
4/18/2017 Assembly Committee on Business and Professions (14-0-2)

Action Requested:

This item is for informational purposes only. No action is requested at this time.

Attachment A: AB 710 (Wood) Staff Analysis - Revised
Attachment B: AB 710 (Wood) Text

2017 Bill Analysis - REVISED

Author: Wood	Bill Number: AB 710	Related Bills: Not Applicable
Sponsor: NONE	Version: Amended 4/27/2017	
Subject: Department Of Consumer Affairs: Boards: Meetings		

SUMMARY

This bill would require every Board within the Department of Consumer Affairs to meet once every other calendar year in rural California. Current law generally requires these Boards to meet at least three (3) times each calendar year, at least once in northern California and once in southern California.

RECOMMENDATION

OPPOSE – This bill, if passed, would require the Board of Psychology to conduct a Board meeting in a rural California location every other calendar year when the majority of the licensee and consumer population is located in metropolitan areas around central and southern California. This bill is not only poorly defined and administratively burdensome, it is also short-sided in that it would require the Board to hold meetings in areas of the state that do not maximize the ability of the majority of the Board’s licensees and consumers to attend and participate in Board meetings. This bill could simultaneously reduce participation by the public and licensees while increasing costs for Board meetings.

REASON FOR THE BILL

Given the wide range of issues covered by each board, current law requires each board to meet at least once in Northern California and at least once in Southern California each calendar year. This meeting requirement helps ensure that stakeholders from all over the State have an opportunity to be heard by the boards that are responsible to regulate and license them. Unfortunately, far too many times, board meetings do not take place in the rural parts of California. AB 710 would ensure that our rural communities have a fair opportunity to have their voices heard at board meetings.

Other Boards/Departments that may be affected: Board of Behavioral Science	
<input type="checkbox"/> Change in Fee(s) <input type="checkbox"/> Affects Licensing Processes <input type="checkbox"/> Affects Enforcement Processes	
<input type="checkbox"/> Urgency Clause <input type="checkbox"/> Regulations Required <input type="checkbox"/> Legislative Reporting <input type="checkbox"/> New Appointment Required	
Policy & Advocacy Committee Position: <input type="checkbox"/> Support <input type="checkbox"/> Support if Amended <input type="checkbox"/> Oppose <input type="checkbox"/> Oppose Unless Amended <input type="checkbox"/> Neutral <input type="checkbox"/> Watch Date: _____ Vote: _____	Full Board Position: <input type="checkbox"/> Support <input type="checkbox"/> Support if Amended <input checked="" type="checkbox"/> Oppose <input type="checkbox"/> Oppose Unless Amended <input type="checkbox"/> Neutral <input type="checkbox"/> Watch Date: <u>April 21, 2017</u> Vote: <u>6 Aye, 0 No; Passed</u>

ANALYSIS

Under current law, the Board of Psychology must conduct one Board meeting in southern California, and one in northern California. Currently, the Board holds four (4) meetings per year, which results in one meeting at the following regions: Sacramento, Greater Bay Area, Greater Los Angeles Area, and Greater San Diego Area. This bill would require the Board to hold one meeting every other calendar year in a rural California location.

The current location distribution is optimal and appropriate to maximizing accessibility and participation for both the consumers of psychological services and the Board's licensees. Currently, the majority of the Board's licensee population, as well as the consumer population it serves, are located in the larger metropolitan geographic locations that the Board holds its meetings. These locations are chosen to increase the public's accessibility to communicate with the Board during these meetings and expand the understanding of licensee and consumer needs. These locations are also more easily accessible due to greater commercial and public transportation and rooming options that rural locations often lack.

Another consideration is that licensees petitioning for relief from Board enforcement or probation must have their hearings at public Board meetings, which would require these licensees, the Attorney General's staff representing the Board, and the Administrative Law Judge to also travel to these rural locations even if the licensee is located in a major metropolitan area. This would add additional costs to these hearings for the Board, Attorney General's Office, and the licensee.

Additionally, the bill not only does not define what qualifies as "rural" California. It is unclear to Board staff how the bill intends to classify rural California, would the Board be required to hold a meeting in a location like Red Bluff or would Santa Rosa also be considered rural California. Similarly, what population size would be the cut-off for a rural area and would this lead to even more difficulty finding adequate publicly accessible locations to hold the meeting and for booking necessary Board and staff travel and rooming accommodations.

Board staff recommends opposing AB 710 because it is poorly defined, administratively burdensome, and could simultaneously reduce participation by the public and licensees while increasing costs for Board meetings.

LEGISLATIVE HISTORY

Not Applicable

OTHER STATES' INFORMATION

Not Applicable

PROGRAM BACKGROUND

The Board advances quality psychological services for Californians by ensuring ethical and legal practice and supporting the evolution of the practice. To accomplish this, the Board regulates licensed psychologists, psychological assistants, and registered psychologists. Currently, Board meetings are conducted four (4) times per calendar year to receive public comment, interact with the licensee population, and conduct necessary Board business in an open and transparent manner. The Board of Psychology encourages the public and licensees to attend and communicate with the Board at these meetings in order to ensure consumer protection and best serve its licensees.

FISCAL IMPACT

This bill would require additional travel costs for staff and the public. The average cost of flights from Los Angeles to Eureka, CA is roughly over \$400, which is nearly \$250 higher than the average cost of flying from Los Angeles to Sacramento. Additionally, this would not cover any additional costs for shuttles or rental cars if the definition of rural required further travel from an airport. This bill would also require potentially higher costs for the rural board meeting due to the quantity of hotels that have the capacity to host a board meeting, live webcasting, and has enough rooms for Board members, Board staff, and any meeting attendees. These increased travel costs would also apply to petition hearings that must be heard at public Board meetings.

ECONOMIC IMPACT

Not Applicable

LEGAL IMPACT

Not Applicable

APPOINTMENTS

Not Applicable

SUPPORT/OPPOSITION

Support: None on file

Opposition: None on file

ARGUMENTS

Proponents: Not Applicable

Opponents: Not Applicable



California
LEGISLATIVE INFORMATION

