


MEMORANDUM

DATE	May 31, 2017
TO	Board of Psychology
FROM	 Konnor Leitzell Central Services Student Assistant
SUBJECT	Agenda Item #12(b)(2)(B) – 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 27 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 Senate committee hearings. Board staff will keep the Board apprised of advocacy letters and updates on the bill's progress in the coming months.

Location: Senate Committee on Business, Professions and Economic Development

Status: 5/24/2017 Referred to Committee on Business, Professions and Economic Development

Votes: 5/11/2017 Assembly Floor (77-0-3)
 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
 Attachment C: AB 710 (Wood) Oppose Letter

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 checked="" type="checkbox"/> Oppose <input type="checkbox"/> Oppose Unless Amended <input type="checkbox"/> Neutral <input type="checkbox"/> Watch Date: <u>May 15, 2017</u> Vote: <u>2 Aye, 0 No; Passed</u>	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. Additional travel costs per rural meeting of approximately \$22,000 for three boards that could not absorb costs, including Guide Dogs for the Blind, \$2,450, Naturopathic Medicine Committee, \$3,850, and the Board of Registered Nursing, \$15,910.

ECONOMIC IMPACT

Not Applicable

LEGAL IMPACT

Not Applicable

APPOINTMENTS

Not Applicable

SUPPORT/OPPOSITION

Support: None on file

Opposition: None on file

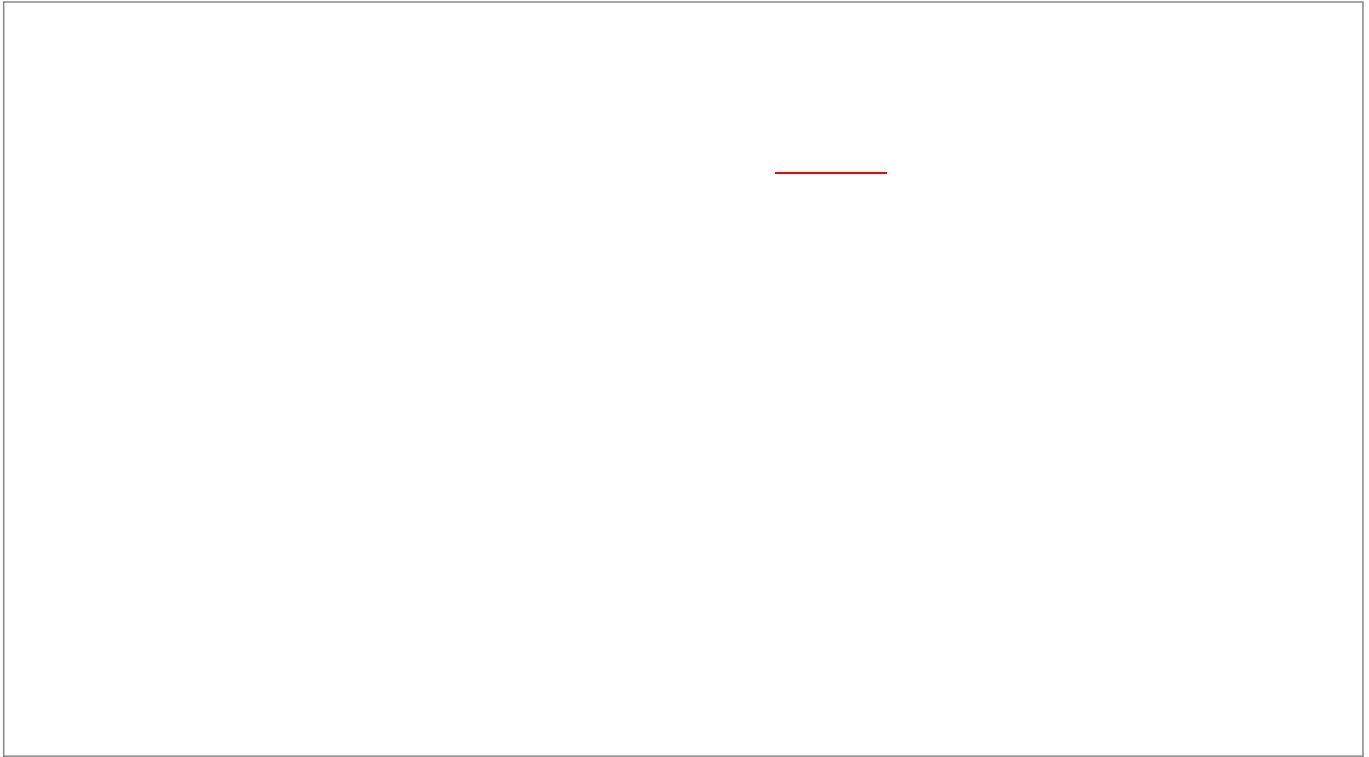
ARGUMENTS

Proponents: Not Applicable

Opponents: Not Applicable



California
LEGISLATIVE INFORMATION



May 26, 2017

The Honorable Jerry Hill
Chair, Senate Committee on Business, Professions and Economic Development
Capitol Office, Room 5035
Sacramento, CA 95814

RE: AB 710 (Wood) – Department of Consumer Affairs: Boards: Meetings – OPPOSE

Dear Senator Hill:

At its April 21, 2017 meeting, the Board of Psychology (Board) adopted an **Oppose** position on AB 710 (Wood). This bill would require every Board within the Department of Consumer Affairs to conduct one (1) Board meeting in a rural California location every other calendar year.

Current law mandates each Board hold three (3) Board Meetings per calendar year, with one located in southern California, and one in northern California. Currently, the Board holds four (4) meetings per year, which are held in the following regions: Sacramento, Greater Bay Area, Greater Los Angeles Area, and Greater San Diego Area. These locations are chosen to maximize accessibility and participation for both the consumers of psychological services and the Board's licensees, increase the public's accessibility to the Board during these meetings, and expand the Board's understanding of licensee and consumer needs. Additionally, the Board provides live webcasting of Board Meetings and also makes these recorded webcasts available on its website for the public and licensees to access.

The Board has several significant concerns with AB 710, including the potential negative impact on public and licensee participation in Board meetings, the lack of a clear definition of "rural California", and additional costs to the Board, Attorney General staff, Administrative Law Judges, and probationers. 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 in which the Board holds its meetings. These locations are also more easily accessible due to greater commercial and public transportation and lodging options that rural locations often lack. The Board believes this bill is short-sighted in requiring meetings to be held 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 could simultaneously reduce participation by the public and licensees. Additionally, the bill does not define what qualifies as "rural California"; would there be a specific population size or density requirement that the Board would have to use in determining potential locations? Likewise, a population size/density ceiling could lead to even more difficulty finding appropriate meeting spaces in publicly accessible locations within the State's contracting and price restrictions.

Another significant concern for the Board is the bill's potential to significantly increase costs for Board Meetings and petition hearings that are required to be held at public Board meetings. This bill would require additional travel costs for staff and the public. For example, the average cost of flights from Los Angeles to Eureka, CA is over \$400, which is nearly \$250 higher than the average cost of flying from Los Angeles to Sacramento. Using the Board's current Membership composition, this would require increased costs of \$1,000 in airfare alone, not including the additional mileage costs for the Board's two Sacramento-based Board Members and staff to travel to a location like Eureka. Additionally, this would not cover any additional costs for shuttles, rental cars, or mileage reimbursement if the definition of rural required further travel from an airport or airline travel was unavailable in that location. This bill would also require

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potentially higher costs for a rural board meeting due to the scarcity of hotels that have appropriate meeting space capacity to host a Board Meeting with live webcasting, and enough rooms for Board Members, staff, and any other meeting attendees. These increased travel costs would also apply to petition hearings that must be heard at public Board Meetings. Currently, licensees petitioning for reinstatement or early termination of probation must have their hearings at public Board meetings, which would require these licensees, the Attorney General's staff representing the Board, a court reporter, and the Administrative Law Judge to also travel to these rural locations even if the licensee is located in a major metropolitan area, which is the most likely scenario. This would add additional costs to these hearings for the Board, the Attorney General's Office, and the licensee.

While the Board is more than willing to look at additional avenues to increase meaningful opportunities for public participation in Board meetings for rural Californians, and to reach out to additional geographic localities to hold Board meetings in closer proximity to California's rural communities, the mandate in AB 710 is not the answer. The Board believes that AB 710 as written, is poorly defined, administratively burdensome, unnecessarily costly, and could simultaneously reduce participation by both the public and licensees.

The Board's mission is to advance quality psychological services for Californians by ensuring ethical and legal practice and supporting the evolution of the profession.

For the reasons stated above, the Board asks for your **"No"** vote when AB 710 is heard in the Assembly Committee on Appropriations. If you have any questions or concerns, please feel free to contact the Board's Executive Officer, Antonette Sorrick, at (916) 574-7113. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read 'SC Phillips', with a stylized flourish at the end.

STEPHEN C. PHILLIPS, JD, PsyD
President, Board of Psychology

cc: Members, Senate Committee on Business, Professions and Economic Development
Assembly Member Jim Wood
Sarah Huchel, Consultant, Senate Business, Professions, and Economic Development
Jim Nielson, Chair, Senate Republican Caucus