

ASSEMBLY THIRD READING

AB 2549 (Salas)

As Amended May 18, 2020

Majority vote

SUMMARY:

Adds specified licensing boards to the list of boards under the Department of Consumer Affairs (DCA) that are required to issue temporary licenses to military spouses, requires boards under the requirement to promulgate regulations, as specified, and makes other technical changes.

Major Provisions

- 1) Adds the following boards to the existing requirement to issue temporary licenses to specified military spouses:
 - a) The Dental Board of California.
 - b) The Dental Hygiene Board of California.
 - c) The California State Board of Pharmacy.
 - d) The State Board of Barbering and Cosmetology.
 - e) The Board of Psychology.
 - f) The California Board of Occupational Therapy.
 - g) The Physical Therapy Board of California.
 - h) The California Board of Accountancy.
- 2) Specifies that the revenues from fees for temporary licenses issued by the California Board of Accountancy shall be credited to the Accountancy Fund.
- 3) Clarifies that the boards required to issue temporary licenses shall issue the license within 30 days of receiving the required documentation.
- 4) Requires the boards required to issue temporary licenses to submit to the DCA for approval draft regulations necessary to administer the temporary license programs by January 1, 2022, and specifies that the regulations shall be adopted pursuant to the Administrative Procedure Act.
- 5) Exempts boards from the temporary license requirements if the board already has a similar process in place.

COMMENTS:

In California, many professions require a license to legally practice. The majority of professional licensing programs are administered by licensing boards, bureaus, and other entities within the DCA. The DCA licensing entities are established to protect the people of California through

adequate regulation of businesses and professions that engage in activities that risk harm to the health, safety, and welfare of the public.

The licensing entities establish the minimum level of competency required to engage in the occupations they regulate. As a result, an applicant seeking a license to practice from a licensing authority must demonstrate the ability to provide safe and effective services to the public. However, to avoid creating unnecessary barriers to entering a profession, the requirements should not require more than the minimum amount of training, education, and experience necessary to practice safely.

Temporary licenses. Temporary licenses are typically issued to applicants seeking licensure within a professional occupation who are able to immediately demonstrate meeting some of the qualifications required for licensure. This allows them to practice while the remainder of the qualifications are obtained or verified. For example, applicants who hold an active professional license in another state and have passed a national licensing examination may still have educational requirements to meet in order to become licensed in California.

Currently, eight boards are required to issue temporary licenses. These include registered nurse licenses by the Board of Registered Nursing, vocational nurse and psychiatric technician licenses issued by the Board of Vocational Nursing and Psychiatric Technicians, Speech-language pathologist license issued by the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board, Veterinarian license issued by the Veterinary Medical Board, all licenses issued by the Board for Professional Engineers, Land Surveyors, and Geologists, and all licenses issued by the Medical Board of California.

This bill would additionally require, at the request of the bill's supporters, temporary licenses be expanded to all licenses issued by the Dental Board, the Dental Hygiene Board, the State Board of Pharmacy, the Board of Accountancy, the Veterinary Medical Board, the State Board of Barbering and Cosmetology, the Board of Psychology, the Board of Occupational Therapy, and the Physical Therapy Board.

According to the Author:

"We must do more for military spouses, who are six times more likely to be unemployed, find a job so that they can put food on the table. Transferring professional licenses that spouses have already earned should be a seamless process that allows spouses to quickly find well-paying jobs in their field. This program has already worked for 6 years, and by expanding it to include more common occupations of military spouses we can ensure our military families will thrive in California."

Arguments in Support:

The American Legion, Department of California, AMVETS, Department of California, California State Commanders Veterans Council, Military Officers Association of America, California Council of Chapters, and the Vietnam Veterans of America, California State Council, write in support, "Military families face many challenges as they navigate through deployments, relocations, and the costs associated with frequent, unexpected lifestyle changes. Just the financial burden of moving can be a huge setback for a military family. There may be a need for new child care services in short order, they must pay for the delivery of all their possessions, or they may have to rent vehicles. All of these costs add up quickly and could even occur multiple times in a single year. A 2019 report from the National Foundation for Credit Counseling found that almost 90% of service members and 84 percent of spouses or partners have worries about

their personal finances. These worries are growing, with service members being more than twice as likely to not be able to pay all their bills on time compared to just 5 years ago.

A 2012 Department of Defense report found that jobs such as accountants, auditors, and dental assistants rank among the top occupations for military spouses, yet these licenses are not covered by the program that AB 186 created. [This bill] expands the amount of licenses that military spouses are likely to benefit from in order to increase the efficacy of this program and ease the burdens placed on military spouses and military families."

The *United States (U.S.) Department of Defense* writes in support, "Addressing licensure issues for the spouses of our military Service members has been a priority for the Department for several years. Military spouses are disproportionately affected by state-specific licensure requirements that can cause delays and gaps in employment, with over 34 percent of the working population requiring state licensure to practice in their professions and an annual cross-state relocation rate 10 times higher than their civilian counterparts. Consequently, military spouses experience unemployment and underemployment at significantly higher rates than their civilian peers.

State policies that enhance existing licensure provisions for military spouses relieve one of the many stressors of frequent military moves by enabling spouses to more quickly transfer their licenses in order to obtain employment in a new state. These policies facilitate greater career sustainability for military spouses, improving their families' financial security and overall resilience. The need for such policies in California is underscored by the fact that California hosts over 62,000 active duty military spouses, the highest in the U.S. This number represents over 11 percent of military spouses, DoD-wide."

Arguments in Opposition:

None on file

FISCAL COMMENTS:

According to the Assembly Appropriations Committee:

- 1) Estimated cost to the Board of Pharmacy of \$150,000 in fiscal year (Fiscal Year (FY)) 2021-22, and \$142,000 (special funds) in FY 2022-23 for one position to develop and promulgate regulations, update application forms, develop internal processes, partner and with OIS on programming changes and testing, developing education and outreach materials among other activities. The board indicates, depending on the workload generated, the position may need to be permanent.
- 2) Estimated costs to the Board of Psychology of \$125,000 in FY 2020-21, and \$117,000 (special funds) ongoing for one position to implement the provisions of this bill and review and approve applications within 30 days of receiving required documentation. The board anticipates a significant volume of applications per year.
- 3) Estimated costs to the Dental Hygiene Board of \$125,000 in FY 2020-21, and \$117,000 (special funds) ongoing for one position to implement the provisions of the bill and review and approve applications within 30 days of receiving required documentation. The board anticipates a significant volume of applications per year.
- 4) Minor and absorbable costs for the remaining boards.

VOTES:

ASM BUSINESS AND PROFESSIONS: 19-0-0

YES: Low, Brough, Arambula, Bloom, Chen, Chiu, Cunningham, Eggman, Fong, Gipson, Gloria, Grayson, Holden, Irwin, McCarty, Medina, Mullin, Obernolte, Ting

ASM APPROPRIATIONS: 18-0-0

YES: Gonzalez, Bigelow, Bauer-Kahan, Bloom, Bonta, Calderon, Carrillo, Chau, Megan Dahle, Diep, Eggman, Fong, Gabriel, Eduardo Garcia, Petrie-Norris, McCarty, Robert Rivas, Voepel

UPDATED:

VERSION: May 18, 2020

CONSULTANT: Vincent Chee / B. & P. / (916) 319-3301

FN: 0002808