

SENATE THIRD READING  
SB 1302 (Wahab)  
As Amended August 17, 2026  
Majority vote

## SUMMARY

Makes various changes to the regulation of registered nurses (RNs) and advanced practice registered nurses (APRNs) recommended as part of the joint sunset review oversight of the Board of Registered Nursing (BRN).

### Major Provisions

- 1) Extend the operation of the BRN and its authority to appoint an executive officer by four years, until January 1, 2031.
- 2) Revise the requirement for the BRN to meet in northern and southern California to instead require the BRN to meet in locations that are geographically diverse.
- 3) *Authorize an RN to provide services upon the order of a nurse practitioner or certified nurse-midwife who is authorized to make the order.*
- 4) *Clarify that an RN may provide services at the direction of specified advanced practice registered nurses who are otherwise authorized to provide the direction.*
- 5) Delete the requirement for licensure examinations to be written and the authorization for the BRN to offer a supplemental oral or practical examination.
- 6) Combine the renewal and furnishing applications for certified nurse-midwives (CNMs) and Nurse Practitioners (NPs) and make conforming changes.
- 7) *Exempt RNs whose licenses were revoked or suspended by default for failure to submit a notice of defense from the minimum wait periods for petitions for license reinstatement.*
- 8) Authorize the BRN intervention committees to determine whether a rehabilitation program participant is required to practice nursing as a condition of completing the program.
- 9) Require the BRN to make its list of approved schools of nursing available on its website.
- 10) Require nursing education programs that offer simulated clinical experience to utilize specified simulation standards.
- 11) Modify the authority for a nursing education program to request flexibility for the BRN's clinical experience requirements during a state of emergency, replacing the percentage requirement with an hourly requirement, as specified.
- 12) Delete the 2023-2024 academic year moratorium on new state of emergency flexibility requests.
- 13) Establish a remediation pathway for applicants who do not meet the BRN's requirements for approval as a director or an assistant director of a nursing education program.

- 14) Require the BRN's nursing school inspection criteria to be consistent with the 2020 Nursing Education Approved Guidelines established by the National Council of State Board of Nursing (NCSBN) or its successor as approved by the BRN.
- 15) Require the BRN, beginning January 1, 2029, to require licensees to submit specified proof of continuing education at the time of renewal.
- 16) Delete a continuing education requirement for NPs relating to menopause that would have taken effect July 1, 2027.
- 17) Repeal various fee floors.
- 18) Authorize NPs seeking to practice without standardized procedures to complete the transition to practice requirement another state.
- 19) *Limit the physicians who may attest to the completion of an NP's transition to practice to those licensed in California.*
- 20) Require the BRN, by *January 1, 2028*, and ongoing as specified, to review the NP practice standards in other states and identify the states where NP independent practice is comparable to California for purposes of the transition to practice.
- 21) Make additional technical and clarifying changes.

## COMMENTS

*Background.* Each year, the Assembly Committee on Business and Professions and the Senate Committee on Business, Professions, and Economic Development hold joint sunset review oversight hearings to review the licensing entities under the Department of Consumer Affairs (DCA). The DCA boards, bureaus, and other entities are responsible for protecting consumers and the public and regulating the professionals they license. The sunset review process provides an opportunity for the legislature, DCA, licensing entities, and stakeholders to discuss the entities' performance and make recommendations for improvements.

Each licensing entity subject to review has an enacting statute with a repeal date, meaning their authority must be extended by the legislature before the repeal date. This bill is a "sunset" bill, intended to extend the repeal date of the BRN, as well as incorporate the recommendations from the sunset review oversight hearings. This year there are ten boards up for review, each with their own sunset bill. Five of those sunset review bills are authored by the chair of the Assembly Committee on Business and Professions and the other five are authored by the chair of the Senate Committee on Business, Professions, and Economic Development.

*BRN.* The BRN is responsible for administering and enforcing the Nursing Practice Act, which establishes the board and contains the regulatory framework for the practice of nursing. The BRN licenses and regulates over 500,000 nurse-licensees in California, which is typically one of the highest population of nurses in any state. In addition to licensing RNs, the BRN issues certificates to APRNs which include NPs, Certified Registered Nurse Anesthetists (CRNAs), Certified Nurse Midwives (CNMs), and Clinical Nurse Specialists (CNSs).

The BRN is responsible for determining educational standards for all prelicensure nursing programs, approving such programs, approving continuing education providers, evaluating and licensing applicants, administering discipline, managing an intervention program for licensees with substance use disorders or mental illness, and providing stakeholder information and outreach. The BRN is a special fund agency that obtains its revenues from licensing, renewal and other fees. The BRN does not receive funding from the General Fund.

To be eligible for licensure in California, an individual must complete an education program approved by the BRN. Today, approved RN programs are offered at various academic institutions throughout California including Community Colleges, California State Universities, California Universities, and private for-profit institutions regulated by the Bureau of Private Postsecondary Education. All programs are required to meet the BRN's regulatory requirements for approved programs and curriculum and the BRN must determine the areas of course work required for each program through regulations

*Sunset Review.* The BRN is currently under sunset review. As part of that review, committee staff publish background papers that identify outstanding issues related to the entity being reviewed. This bill addresses some of the identified issues while others remain in active discussion. The issues are discussed further in the policy committee analysis.

### **According to the Author**

"[T]his bill is necessary to make changes to the BRN to improve oversight of the regulated professions under its jurisdiction."

### **Arguments in Support**

The *BRN* writes in support:

The Board discussed the April 23 version of the Board's Sunset Bill - SB 1302 by Senator Wahab - at their June 26 Board and took a SUPPORT position. The Board sincerely appreciates the author and committee staff's time, collaboration, and thoughtful dialogue. The Board looks forward to continuing to engage with the Legislature and stakeholders on any outstanding issues as the process moves forward.

The *California Association of Nurse Anesthesiology* writes in support:

CANA is grateful for the BRN's hard work, transparency, and thoughtful stakeholder engagement throughout the sunset review process. The Board plays a critical role in protecting the public while ensuring that California's nursing workforce can meet the growing and evolving health care needs of our communities. The proposals included in the Sunset Bill reflect careful consideration of operational realities, workforce demands, and patient safety.

### **Arguments in Opposition**

The *California Medical Association* is opposed to this bill unless it is amended to delete an NP's ability to complete a transition to practice (Sunset Issue #7) in another state, writing:

California has a unique regulatory framework for nurse practitioner independent practice that seeks to prioritize patient safety, education and training. California established a phased transition process intended to ensure that practitioners seeking expanded authority gain experience within the state's health care delivery system, regulatory environment, patient safety standards, prescribing requirements, and referral networks. Allowing out-of-state

experience to automatically satisfy these requirements undermines the purpose of that transition.

California standards differ from other states. Nurse practitioner scope-of-practice laws vary significantly across the country. Clinical experience accumulated under a different regulatory structure may not adequately prepare a practitioner for California's requirements, standards of care, or patient population. A California-specific transition period remains important to ensure consistency and accountability.

This bill lacks a sufficient clinical experience verification mechanism. An individual nurse practitioner attesting to completion of the transition period is not required to verify competence, clinical expertise, or other professional standards and is only attesting that the required three years of experience was completed. Time in practice alone should not be viewed as a substitute for meaningful evaluation of clinical competency.

Additionally, this bill may encourage applicants to obtain qualifying experience in states with less rigorous oversight and then use that experience to obtain broader authority in California. This could create inconsistencies in preparation and training among practitioners exercising the same authority.

Due to the concerns listed above we respectfully request amendments to remove the provision which would allow nurse practitioners to use practice experience completed outside California to count toward the transition-to-practice requirement in California.

California patients deserve assurance that health care professionals receiving expanded practice authority have demonstrated competency under California's standards, not merely accumulated hours in another state.

## **FISCAL COMMENTS**

According to the Assembly Appropriations Committee:

- 1) Costs of approximately \$67.3 million to support the continued operation of the BRN's licensing and enforcement activities (BRN Fund).
- 2) Additional costs of \$218,000 in fiscal year (FY) 2026-27 and \$210,000 in FY 2027-28 and ongoing for one staff position to interpret scope-of-practice implications, compare transition-to-practice requirements to California standards, draft policy and guidance, validate vendor provided data, and both maintain Board specific historical analysis and a contract for a multi-state legislative tracking subscription service (BRN Fund).
- 3) Minor and absorbable costs to the Department of Consumer Affairs' (DCA) Office of Information Services.

**VOTES****SENATE FLOOR: 38-0-2**

**YES:** Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Wiener

**ABS, ABST OR NV:** Dahle, Weber Pierson

**ASM BUSINESS AND PROFESSIONS: 16-0-3**

**YES:** Berman, Johnson, Addis, Ahrens, Alanis, Bauer-Kahan, Chen, Elhawary, Hadwick, Haney, Hart, Jackson, Lowenthal, Macedo, Nguyen, Pellerin

**ABS, ABST OR NV:** Bains, Caloza, Irwin

**ASM APPROPRIATIONS: 15-0-0**

**YES:** Wicks, Hoover, Arambula, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta, Tangipa

**UPDATED**

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