
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

SB 1304 (Wahab) - Respiratory Care Practice Act

Version: April 15, 2026

Urgency: No

Hearing Date: May 4, 2026

Policy Vote: B., P. & E.D. 10 - 0

Mandate: No

Consultant: Janelle Miyashiro

Bill Summary: SB 1304 is the sunset bill for the Board of Respiratory Care (RCB) and makes various changes recommended during the joint sunset review of the RCB.

Fiscal Impact: The 2026-27 Governor's Budget provides:

- Approximately \$4.15 million (Respiratory Care Fund) and 16.4 positions to support the continued operation of the RCB's licensing and enforcement activities.

RCB anticipates:

- An increase in annual fee revenue of approximately \$450,000 resulting from the raised renewal fee cap.
- Unknown costs to promulgate regulations to increase fees within the new statutory limit.
- Minor annual cost savings of approximately \$15,000 in Attorney General enforcement costs due to RCB's new authority to automatically suspend or revoke licenses for certain felony convictions.

The Board of Vocational Nurses and Psychiatric Technicians (BVNPT) notes that this bill addresses specific respiratory tasks performed by vocational nurses. BVNPT anticipates a potential increase in complaints filed with the board, which would result in additional workload costs; however, the exact fiscal magnitude is unknown.

Background: In March 2026, the Senate Business, Professions and Economic Development Committee and the Assembly Committee on Business and Professions (Committees) began their comprehensive sunset review oversight of 10 regulatory entities, including the RCB. The Committees conducted three oversight hearings. This bill and the accompanying sunset bills are intended to implement legislative changes as recommended by staff of the Committees, and which are reflected in the Background Papers prepared by Committee staff for each agency and program reviewed this year.

Proposed Law:

- Extends the operations of RCB and its authority for RCB to appoint an executive officer (EO) from January 1, 2027, to January 1, 2031.
- Increases the renewal ceiling fee to \$375 and permanently eliminates the license fee for applicants applying for licensure.

- Provides a technical name change to the national examination title to consolidate both the National Board for Respiratory Care's multiple-choice exam and the clinical exam.
- Adds additional exempt practice settings licensed vocational nurses (LVNs) may perform respiratory care services, as specified; requires LVN's to complete patient-specific training satisfactory to their employer on or before January 1, 2028 and before the provision of care; and on or after January 1, 2028 requires LVN's, in accordance with guidelines that shall be promulgated by the RCB and in collaboration with the BVNPT, to complete task-specific training on each respiratory task or service the LVN will perform; specifies that training may be provided by the employer directly or through the California Association of Medical Suppliers (CAMPS), the California Society for Respiratory Care (CSRC), or another organization identified by the RCB; and requires LVN's complete patient-specific training provided by their employer.
- Provides the RCB with authorization to grant automatic license suspension upon felony conviction for specified offenses and automatic license revocation for licensees convicted of specified felonies involving sexual misconduct or serious violence.

Related Legislation: SB 1302 (Wahab, 2026) is the Board of Registered Nursing sunset bill. SB 1302 is pending in this committee.

SB 1303 (Wahab, 2026) is the California Board of Naturopathic Medicine sunset bill. SB 1303 is pending in this committee.

SB 1363 (Wahab, 2026) is the State Board of Barbering and Cosmetology sunset bill. SB 1363 is pending in this committee.

SB 1368 (Wahab, 2026) is the Speech-Language Pathologists and Audiologists and Hearing Aid Dispensers Board sunset bill. SB 1368 is pending in this committee.

AB 2771 (Committee on Business and Professions, 2026) is the Bureau for Private Postsecondary Education sunset bill. AB 2771 is pending in the Assembly Appropriations Committee.

AB 2772 (Committee on Business and Professions, 2026) is the California Council for Interior Design Certification sunset bill. AB 2772 is pending in the Assembly Appropriations Committee.

AB 2773 (Committee on Business and Professions, 2026) is the California Board of Occupational Therapy sunset bill. AB 2773 is pending in the Assembly Appropriations Committee.

AB 2774 (Committee on Business and Professions, 2026) is the Physical Therapy Board of California sunset bill. AB 2774 is pending in the Assembly Appropriations Committee.

AB 2775 (Committee on Business and Professions, 2026) is the State Board of Chiropractic Examiners sunset bill. AB 2775 is pending in the Assembly Appropriations Committee.

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