TELECONFERENCE BOARD MEETING NOTICE AND AGENDA

The Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board (Board) will hold a Board Meeting via teleconference in accordance with Government Code section 11123, subdivision (b), and via WebEx Events on

Friday, April 3, 2026, from 9:00 a.m. to 5:00 p.m.

TELECONFERENCE LOCATIONS – OPEN TO THE PUBLIC:

Board Office
1601 Response Road
Suite 260 (2nd Floor)
Sacramento, CA 95815
(916) 287-7915

Geleris Family Education Center
427 W. Carroll Avenue
Room 2
Glendora, CA 91741
(626) 335-0611

IMPORTANT NOTICE TO THE PUBLIC:

For convenience, the Board will also provide additional public access to observe and participate in the meeting via WebEx. (Instructions to connect to this meeting can be found at the end of this agenda). To participate in the meeting via WebEx Events, please log on to the following websites each day of the meeting:

Friday, April 3, 2026, WebEx Link, beginning at 9:00 a.m.:
If accessing by computer or online: **Click here to join the meeting**. If joining using the link above: Webinar number: 2485 844 6773, Webinar password: SLPAHA43. If accessing by phone: Dial +1-415-655-0001 US Toll, Access code: 2485 844 6773, Passcode: 75724243.

Members of the public may, but are not obligated to, provide their names or personal information as a condition of observing or participating in the meeting. When signing into the WebEx platform, participants may be asked for their name and email address. Participants who choose not to provide their names will be required to provide a unique identifier, such as their initials or another alternative, so that the meeting moderator can identify individuals who wish to make a public comment. Participants who choose not to provide their email address may utilize a fictitious email address in the following sample format: XXXXX@mailinator.com

Due to potential technical difficulties, please consider submitting written comments by 5:00 pm, Tuesday, March 31, 2026, to speechandhearing@dca.ca.gov for consideration.

Discussion and action may be taken on any agenda item. Items may be taken out of order to facilitate the effective transaction of Board business.

Friday, April 3, 2026, beginning at 9:00 a.m.

Board Members
Gilda Dominguez, Speech-Language Pathologist, Board Chair
Amy White, Dispensing Audiologist, Board Vice Chair
Tod Borges, Hearing Aid Dispenser
Tamara Chambers, Otolaryngologist, Public Member
Francis David, Speech-Language Pathologist
Charles Sanders, Dispensing Audiologist
Karen Chang, Public Member
VACANT, Hearing Aid Dispenser
VACANT, Public Member

Full Board Meeting Agenda

OPEN SESSION

1. Call to Order / Roll Call / Establishment of Quorum

2. Public Comment for Items Not on the Agenda
(The Committee may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting (Government Code Sections 11125, 11125.7(a))

Recess to Committee Meeting Business

Speech-Language Pathology Practice Committee Members
Gilda Dominguez, Speech-Language Pathologist, Committee Chair
Tamara Chambers, Otolaryngologist, Public Member
Francis David, Speech-Language Pathologist

Speech-Language Pathology Practice Committee Agenda

1. Call to Order / Roll Call / Establishment of Quorum

2. Public Comment for Items Not on the Agenda
(The Committee may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting (Government Code Sections 11125, 11125.7(a))

3. Discussion and Possible Action to Amend Regulations Regarding Scope of Responsibility, Duties, and Functions of Speech-Language Pathology Assistants Related to Feeding and Swallow Therapy as Stated in Title 16, California Code of Regulations (CCR) sections 1399.170.1, 1399.170.2, and 1399.170.3

4. Adjournment

Upon Adjournment of the Speech-Language Pathology Practice Committee Meeting

Audiology Practice Committee Members
Amy White, Dispensing Audiologist, Committee Chair
Karen Chang, Public Member
Tamara Chambers, Otolaryngologist, Public Member
Charles Sanders, Dispensing Audiologist

Audiology Practice Committee Agenda

1. Call to Order / Roll Call / Establishment of Quorum

2. Public Comment for Items Not on the Agenda
(The Committee may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting (Government Code Sections 11125, 11125.7(a))

3. Discussion and Possible Action to Amend Regulations Regarding General Application Requirements and Speech-Language Pathology Aide and Audiology Aide Requirements and Scope of Activities, Duties and Functions as Stated in Title 16, CCR Sections 1399.151.2, 1399.151.3, 1399.151.4, 1399.154 through 1399.154.12, and 1399.157

4. Adjournment

Upon Adjournment of the Audiology Practice Committee

Board Members
Gilda Dominguez, Speech-Language Pathologist, Board Chair
Amy White, Dispensing Audiologist, Board Vice Chair
Tod Borges, Hearing Aid Dispenser
Tamara Chambers, Otolaryngologist, Public Member
Francis David, Speech-Language Pathologist
Charles Sanders, Dispensing Audiologist
Karen Chang, Public Member
VACANT, Hearing Aid Dispenser
VACANT, Public Member

Full Board Meeting Agenda

RECONVENE IN OPEN SESSION

3. Call to Order / Roll Call / Establishment of Quorum

4. Public Comment for Items Not on the Agenda *(The Board may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting (Government Code Sections 11125, 11125.7(a))*

5. Update, Discussion, and Possible Action on Board Responses to the Joint Sunset Review Oversight Committee's Background Paper with Identified Issues, Background and Recommendations and the March 24, 2026 Joint Sunset Review Oversight Hearing

6. Discussion and Possible Action Regarding Pursuing Federal Bureau of Investigation Rap Back Capabilities through Sunset Review Process

7. Legislative Report: Review, Discussion, and Possible Action on Proposed Legislation
   a. Legislative Calendar and Deadlines
   b. 2025 Implemented Legislation
      i. Assembly Bill (AB) 45 (Bauer-Kahan) Privacy: health data: location and research.
      ii. AB 82 (Ward) Health care: legally protected health care activity.
      iii. AB 144 (Committee on Budget) Health.
      iv. AB 489 (Bonta) Health care professions: deceptive terms or letters: artificial intelligence.
      v. AB 784 (Hoover) Special education: specialized deaf and hard-of-hearing services.
      vi. AB 1327 (Aguiar-Curry) Home improvement and home solicitation: right to cancel contracts: notice.
      vii. Senate Bill (SB) 81 (Arreguín) Health and care facilities: information sharing.
      viii. SB 82 (Umberg) Contracts: consumer goods and services: dispute resolution provisions.
      ix. SB 294 (Reyes) The Workplace Know Your Rights Act.
      x. SB 402 (Valladares) Health care coverage: autism.
      xi. SB 446 (Hurtado) Data breaches: customer notification.
      xii. SB 470 (Laird) Bagley-Keene Open Meeting Act: teleconferencing.
      xiii. SB 497 (Wiener) Legally protected health care activity.
      xiv. SB 744 (Cabaldon) Accrediting agencies.
      xv. SB 861 (Committee on Business, Professions and Economic Development) Consumer affairs.
   c. 2025 Bills on Watch Status
      i. AB 322 (Ward) Precise geolocation information.
      ii. AB 346 (Nguyen) In-home supportive services: licensed health care professional certification.
      iii. AB 364 (DeMaio) Personal information: maintenance.
      iv. AB 410 (Wilson) Bots: disclosure.
      v. AB 485 (Ortega) Labor Commissioner: unsatisfied judgments: nonpayment of wages.
      vi. AB 970 (McKinnor) Child abuse and neglect reporting.
      vii. AB 1015 (Patel) Discrimination and harassment prevention training.
      viii. AB 1110 (Ortega) Safety rules and regulations: notice.
      ix. AB 1192 (Carrillo) Child abuse or neglect: reporting.
   d. 2026 Bills with Position Recommendation
      i. AB 2233 (Ta) Behavioral health treatment plans.
      ii. SB 1130 (Reyes) Crimes: invasion of privacy: wearable recording devices.
      iii. SB 1368 (Wahab) Hearing aid dispensers.
   e. 2026 Bills with Watch Status Recommendation
      i. AB 1542 (Ward) Sensitive personal information.
      ii. AB 1564 (Ahrens) Employer-employee relations: confidential communications.
      iii. AB 1566 (Jackson) Crimes: mandated reporters: severe neglect.
      iv. AB 1593 (Dixon) State agencies: revenue: report.
      v. AB 1652 (Patterson) State agencies: regulations and legislation: nondisclosure agreements.
      vi. AB 1671 (Tangipa) Rural medical services grant program.
      vii. AB 1688 (Carrillo) Child abuse or neglect: reporting.
      viii. AB 1803 (Lowenthal) Employment: sexual harassment training and education: anti-hate speech training.

ix. AB 1898 (Schultz) Workplace artificial intelligence tools.
x. AB 2021 (Schiavo) California Consumer Privacy Act of 2018: whistleblower complaints.
xi. AB 2063 (Wallis) Legislative information system: bill position letters.
xii. AB 2064 (Sharp-Collins) Discrimination: formerly incarcerated status.
xiii. AB 2095 (Lee) Employment discrimination: conviction history.
xiv. AB 2190 (Wallis) Internet website accessibility.
xv. AB 2195 (Rodriguez, Celeste) Child support: license suspensions.
xvi. AB 2360 (Arambula) State agencies: governmental linguistics.
xvii. AB 2366 (Ávila Farías) Administrative Procedure Act: proposed regulations: cost-of-living impact on residents of the state.
xviii. AB 2412 (Ta) State agencies or departments: public communications.
xix. AB 2414 (Nguyen) Developmental services: direct support professionals.
xx. AB 2557 (Bauer-Kahan) Legislative information system: bill position letters.
xxi. AB 2575 (Ortega) Health care services: artificial intelligence.
xxii. AB 2746 (Schiavo) Consumer debt: medical debt.
xxiii. SB 923 (Becker) Consumer privacy requests: deletion request records and request submission methods.
xxiv. SB 980 (Hurtado) Access to medical records.
xxv. SB 986 (Seyarto) Major regulations.
xxvi. SB 1050 (Ashby) False advertising: synthetic digital performers.
xxvii. SB 1146 (Gonzalez) Health-related consumer products and services: artificial intelligence.
xxviii. SB 1159 (Cabaldon) Artificial intelligence: transparency and governance.
xxix. SB 1204 (Ochoa Bogh) Administrative regulations.
xxx. SB 1248 (Cabaldon) State agencies: automated decision systems.
xxxi. SB 1391 (Wahab) Department of Consumer Affairs: retired category licenses.

8. Solicitation of Legislative Agenda Items for Future Meeting (The Board may discuss other items of legislation in sufficient detail to determine whether such items should be on a future board meeting agenda and/or whether to hold a special meeting of the Board to discuss such items pursuant to Government Code section 11125.4*)*

9. Discussion and Possible Action on the Board’s Rulemaking Calendar with the Office of Administrative Law

BREAK 12:30 – 1:00 pm (Time Approximate)

10. Review and Possible Approval of the December 4 - 5, 2025, Board Meeting Minutes

11. DCA Update – DCA Board and Bureau Relations

12. Board Chair’s Report
    a) Board and Committee Meeting Calendar
    b) Board Committee Reports
        i. Speech-Language Pathology Practice Committee
        ii. Audiology Practice Committee

13. Executive Officer's Report
    a) Administration Update
    b) Outreach Update
    c) Budget Report
    d) Regulations Report
    e) Licensing Report
    f) Practical Examination Report
    g) Enforcement Report

14. Update and Discussion of Board Progress in Meeting 2025 – 2028 Strategic Plan Goals

15. Regulatory Report: Update, Review, and Possible Action on Board Regulation Packages
    a) Update on Regulations Regarding Processing Times as Stated in Title 16, CCR Sections 1399.113, 1399.141, 1399.151.1, 1399.153.2, 1399.160.6, 1399.170.4, and 1399.170.13
    b) Update on Regulations Regarding Audiology Licensing Requirements Related to Supervised Clinical Experience as Stated in Title 16, CCR section 1399.152.2
    c) Update on Regulations Regarding Hearing Aid Dispensers Trainee and Temporary Licensee Supervision as Stated in Title 16, CCR sections 1399.102 and 1399.115 through 1399.119
    d) Update on Regulations Regarding General Application Requirements and Hearing Aid Dispensers and Dispensing Audiologists Examination Requirements as Stated in Title 16, CCR sections 1399.112, 1399.120, 1399.121, 1399.122, and 1399.152.4
    e) Update on Regulations Regarding Approved Institutions as Stated in Title 16, CCR section 1399.152
    f) Update on Regulations Regarding Fingerprinting Requirements as Stated in Title 16, CCR sections 1399.112, 1399.151.2, and 1399.170.14

16. Solicitation of Future Agenda Items

CLOSED SESSION

17. The Board Will Meet in Closed Session Pursuant to Government Code Section 11126(c)(3) to Discuss Disciplinary Matters Including Proposed Decisions, Stipulated Decisions, Defaults, Petitions for Reductions in Penalty, Petitions for Reconsideration, and Remands.

OPEN SESSION

18. Adjournment

Agendas and materials can be found on the Board's website at www.speechandhearing.ca.gov.

Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the Board Chair and may be taken out of order. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Board are open to the public. In the event a quorum of the board is unable to attend the meeting, or the board is unable to maintain a quorum once the meeting is called to order, the members present may, at the Chair's discretion, continue to discuss items from the agenda and make recommendations to the full board at a future meeting. Adjournment, if it is the only item that occurs after a closed session, may not be webcast.

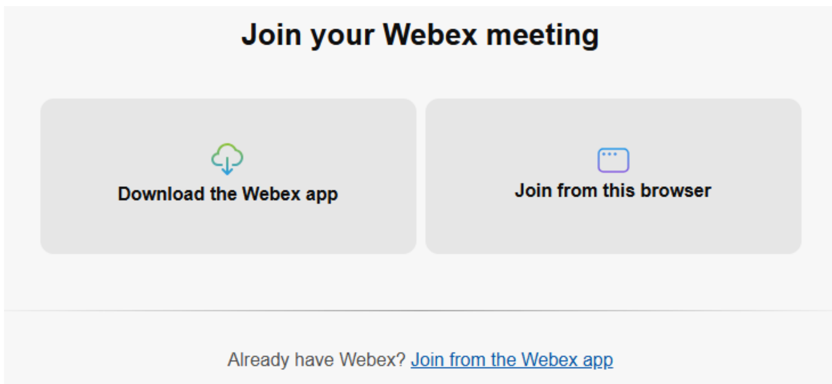
The meeting facility is accessible to persons with a disability. Any person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting the Board office at (916) 287-7915 or making a written request to Michael Magat, Assistant Executive Officer, 1601 Response Road, Suite 260, Sacramento, California 95815. Providing your request at least five (5) business days before the meeting will help ensure availability of the requested accommodation.

Recommended: Join using the meeting link.

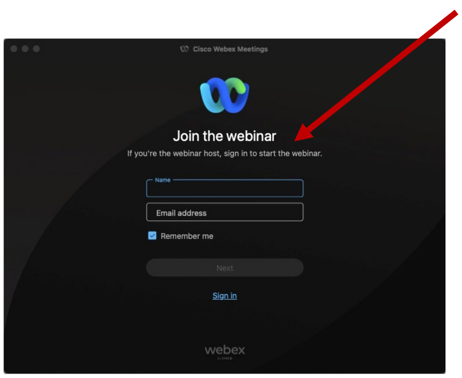
1. Click on the meeting link. This can be found in the meeting notice you received and is on the meeting agenda.

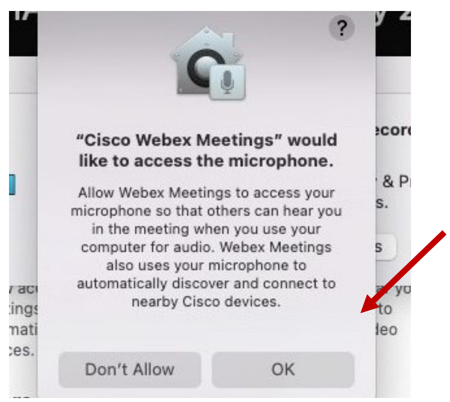
2. If you already have Webex on your device, click the bottom instruction, "Join from the Webex app."

   If you have **not** previously used Webex on your device, your web browser will offer "Download the Webex app." Follow the download link and follow the instructions to install Webex.



3. Enter your name and email address*. Click "Next."
   Accept any request for permission to use your microphone and/or camera.



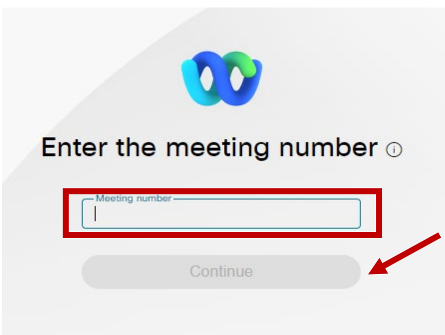


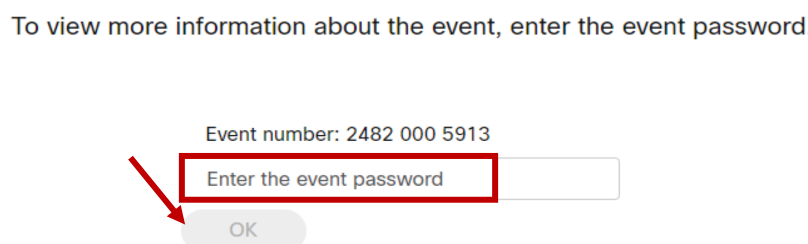
*Members of the public are not obligated to provide their name or personal information and may provide a unique identifier such as their initials or another alternative as well as a fictitious email address like in the following sample format: XXXXX@mailinator.com.

Alternative 1. Join from Webex.com

1 Click on "Join a Meeting" at the top of the Webex window.

2 Enter the meeting/event number and click "Continue." Enter the event password and click "OK." This can be found in the meeting notice you received or on the meeting agenda.





3 The meeting information will be displayed. Click "Join Event."

OR

Alternative 2. Connect via Telephone

You may also join the meeting by calling in using the phone number, access code, and passcode provided in the meeting notice or on the agenda.

Microphone control (mute/unmute button) is located at the bottom of your Webex window.

Green microphone = Unmuted: People in the meeting can hear you.

Red microphone = Muted: No one in the meeting can hear you.

Note: Only panelists can mute/unmute their own microphones. Attendees will remain muted unless the moderator invites them to unmute their microphone. Only panelists will be offered starting their video camera.

Attendees/Members of the Public

Joined via Meeting Link

The moderator will call you by name and indicate a request has been sent to unmute your microphone. Upon hearing this prompt:

Click the Unmute me button on the pop-up box that appears.

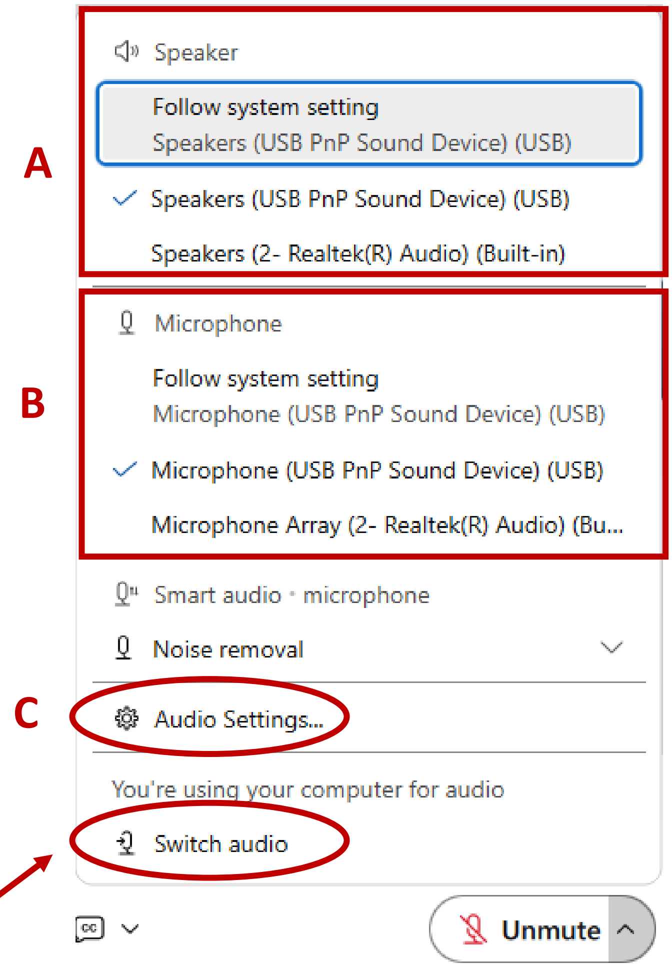
Joined via Telephone (Call-in User)

- When you are asked to unmute yourself, press *6.
- When you are finished speaking, press *6 to mute yourself again.

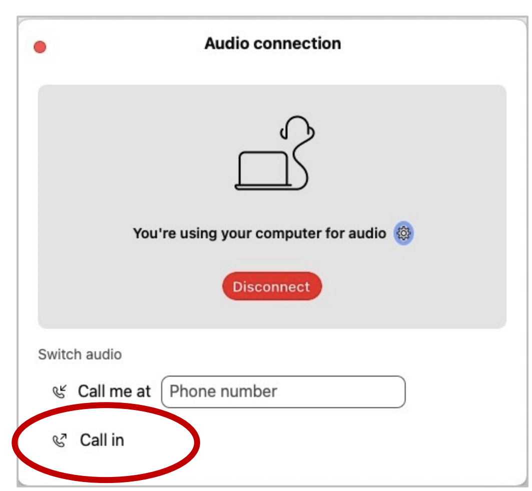
If you cannot hear or be heard

1. Click on the bottom facing arrow located on the Mute/Unmute button at the bottom of the Webex window.

2. From the drop-down menu, select different:
   A. Speaker options if **you can't hear** participants.
   B. Microphone options if **participants can't hear you**.
   C. Audio settings will offer testing of your devices, and let you choose a different device.

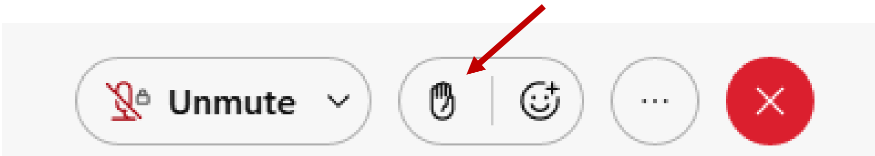


3. To link your phone to your Webex session, enabling your phone to become your microphone and speaker source:
   - Click on "Switch audio".
   - Select "Call in", which will show the phone number to call and the meeting login information.



Joined via Meeting Link

- Locate the hand icon at the bottom of the Webex window.
- Click the hand icon to raise your hand.
- Repeat this process to lower your hand.



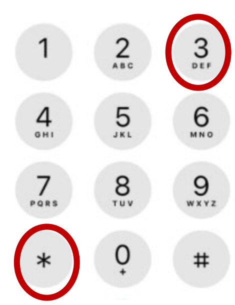
The moderator will call you by name and indicate a request has been sent to unmute your microphone.

Upon hearing this prompt:

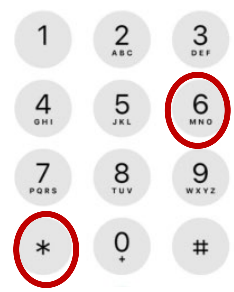
Click the Unmute me button on the pop-up box that appears.

Joined via Telephone (Call-in User)

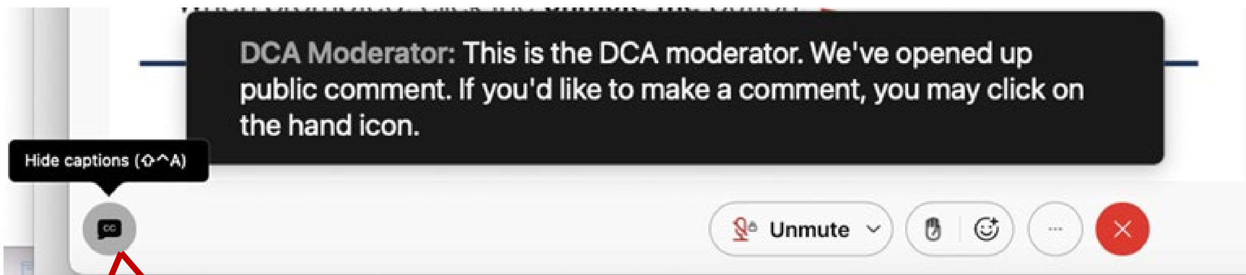
Press *3 to raise or lower your hand.

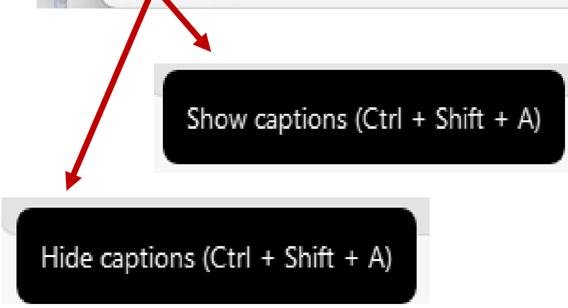


- When you are asked to unmute yourself, press *6.
- When you are finished speaking, press *6 to mute yourself again.



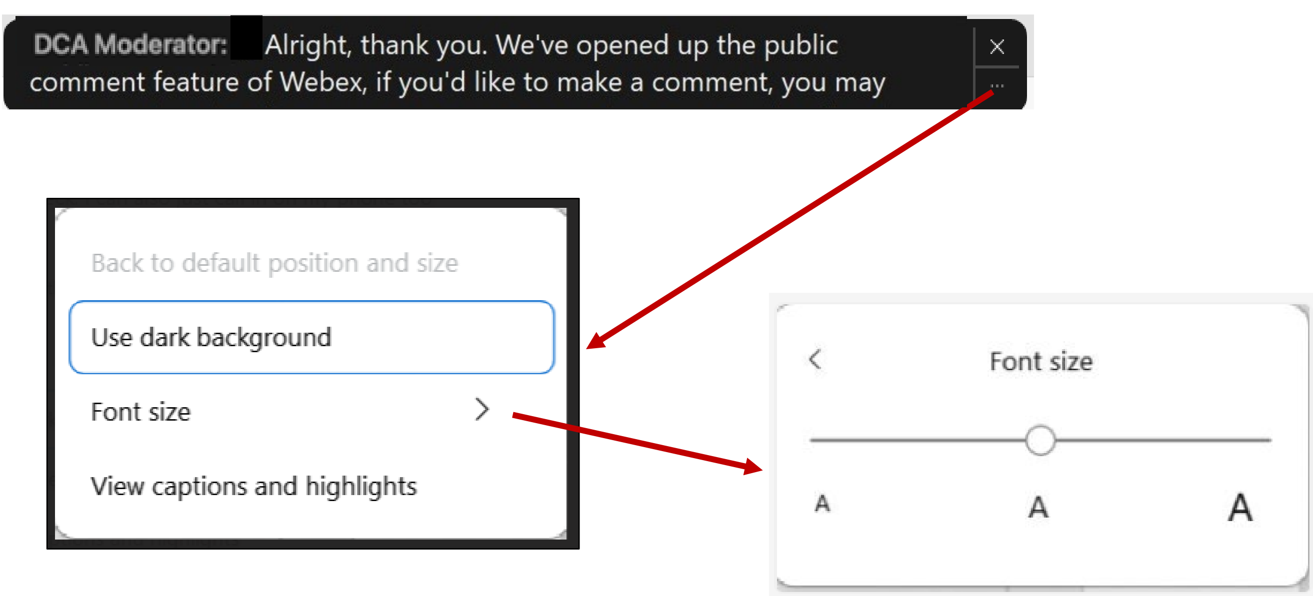
Webex provides real-time closed captioning displayed in a dialog box in your Webex window. The captioning box can be moved by clicking on the box and dragging it to another location on your screen.





The closed captioning can be hidden from view by clicking on the closed captioning icon. You can repeat this action to unhide the captions window.

You can view the closed captioning dialog box with a light or dark background or change the font size by clicking the 3 dots on the right side of the dialog box.



BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY & HEARING AID DISPENSERS BOARD
1601 Response Road, Suite 260, Sacramento, CA 95815
P (916) 287-7915 | www.speechandhearing.ca.gov

MEMORANDUM

DATE	March 25, 2026
TO	Speech-Language Pathology Practice Committee
FROM	Maria Liranzo, Legislation/Regulation/Budget Analyst
SUBJECT	Agenda Item 3: Discussion and Possible Action to Amend Regulations Regarding Scope of Responsibility, Duties, and Functions of Speech-Language Pathology Assistants Related to Feeding and Swallowing Therapy as Stated in Title 16, California Code of Regulations (CCR) sections 1399.170.1, 1399.170.2, and 1399.170.3

Background

On November 30, 2023, the Speech-Language Pathology Practice Committee (Committee) discussed the restrictions on speech-language pathology assisants (SLPAs) performing oral pharyngeal swallow therapy with bolus material.

The Committee met on December 5, 2024, and May 15, 2025, to determine if SLPAs should be allowed to perform oral pharyngeal swallow therapy with bolus material by comparing neighboring state and national requirements and requirements of other healing arts professions such as occupational therapy. The Committee determined that SLPAs should be able perform feeding and swallowing therapy with bolus material and began discussion on possible requirements. Discussions on possible requirements continued on August 21, 2025, and December 4, 2025.

Summary of Changes

The following are changes Board staff have made to the text to increase clarity:

- Amended 1399.1701(b) to remove gendered language and to state that the name tag must be visible to others.

- Amended 1399.170.1(c) to separate and consolidate the education and supervised experience requirement (now 1399.170.1(c)(1)) from the written verification requirement that verifies the SLPA is competent to perform this and has completed the required education and supervised experience (now 1399.170.1(c)(2)).

- Amended 1399.170.1(c)(A) to include both Board approved and exempt providers.

The following are changes Board staff have made in response to Committee discussion on December 4, 2025:

- Amended 1399.170.1(c)(1)(A) to specify the course content on swallowing/dysphasia and that it should cover a wide range of ages.

- Amended 1399.170.1(c)(2) to require the supervising speech-language pathologist (SLP) at the time the SLPA completes the required education and supervised experience to verify the SLPA's education, experience, and competency to provide feeding and swallowing therapy with bolus material.

- Added to 1399.170.1(c)(2)(B) the requirement that the SLP signing the verification shall verify the SLPA's competency with any SLPs supervising any portion of the SLPA's one hundred (100) hours of feeding and swallowing therapy with bolus material.

- Amended 1399.170.1(c)(2)(D) to require that the verification is retained in the SLPA's employee record by their supervisor.

- Amended 1399.170.1(c)(4) to add additional contraindications such as cognitive impairments, unwilling to cooperate with the procedure, patient with advanced airway, and neonates and infants.

<u>Discussion Questions</u>

1. In Section 1399.170.1(c)(1)(B), specifying that the SLP has to be California-licensed may prohibit out-of-state SLPAs from using their out-of-state experience toward the one hundred (100) hours of feeding and swallowing therapy with bolus material. Attachment B is a list of neighboring states and AHSA's practice restrictions for discussion. Does the Committee wish to continue with this requirement? The written requirement will require a California-licensed supervisor to provide the written verification under Section 1399.170.1(c)(2)(A).

2. In Section 1399.170.1(c)(2), as previously written, the written verification may not be a one-time documentation but may be a documentation that the SLPA will need to obtain with every new supervisor. Was this the intent of the Committee? Board staff amended the text so that it requires the written verification once.

3. Section 1399.170.1(c)(2)(B) requires that the supervising SLP verifies the SLPA's experience with <u>any</u> SLP, and not <u>all</u> SLPs who supervised the SLPA during the 100-hour requirement, was this the intent of the Committee? Board staff recommend *any* and not all SLP as there may be a situation where the supervising SLP is unable to verify with all SLPs such as they are deceased or outdated contact information.

4. In its previous discussion, the Committee mentioned medically fragile patients. In 1399.170(f), "medically fragile" is the term used to describe a client that is acutely ill and in an unstable condition, and if treated by a speech-language pathology assistant, immediate supervision by a speech-language pathologist is required.

Are there any medically fragile patients that a SLPA could provide feeding and swallowing therapy with bolus material on their own if their supervisor was in the same room as the SLPA and patient? If not, medically fragile should be added as a restriction with the contraindications.

5. In its previous discussion, the Committee mentioned aspiration. What about aspiration does a SLPA need to know? Would it fall under the course content or does it need to be listed as its own item?

Action Requested

Staff recommend the Committee review and discuss the materials provided, and consider whether to recommend the regulatory text to the Board to initiate the rulemaking process.

Suggested Motion Language

Move to recommend the regulatory text for Title 16, CCR Sections 1399.170.1, 1399.170.2, and 1399.170.3 to the Board to initiate the rulemaking process, as noticed/amended, and direct Board staff to prepare the regulatory text for Board review and approval.

Attachment A: SLPA Feeding and Swallowing Therapy Requirements Text Proposal as Amended on March 25, 2026

Attachment B: Neighboring States and AHSA's SLPA Practice Restrictions

Attachment C: SLPA Feeding and Swallowing Therapy Requirements Text Proposal as Presented on December 4, 2025

Text Proposal
Speech-Language Pathology Assistant
Feeding and Swallowing Therapy Requirements
as Amended on March 25, 2026

Legend:	Added text is indicated with an underline. Omitted text is indicated by (* * * *) Deleted text is indicated by ~~strikeout~~.

§ 1399.170.1. Responsibilities, Duties, and Functions of a Speech-Language Pathology Assistant.

(a) A speech-language pathology assistant shall be limited to the responsibilities, duties, and functions as provided in section 2538.1 of the Code and article 12 of division 13.4 of title 16 of the California Code of Regulations.

(b) ~~A~~While working, a speech-language pathology assistant shall disclose ~~while working,~~ their name and registration status, as granted by the state, on a name tag in at least 18-point type in a manner easily visible to others.

(c) A speech-language pathology assistant may perform feeding and swallowing therapy with bolus material if the following conditions are met:

(1) The speech-language pathology assistant has completed forty-five (45) hours of education, performed one hundred (100) hours of supervised feeding and swallowing therapy with bolus material, and is competent to perform feeding and swallowing therapy with bolus material.

(A) Education under subsection (c) must be obtained from a provider pursuant to Section 2532.6 of the Code and the course content must cover individuals of a wide range of ages and include the following topics:

(i) Anatomy and physiology of swallowing;

(ii) Etiology or causes of swallowing disorders or dysphasia;

(iii) Signs and symptoms of swallowing disorders or dysphasia;

(iv) Screening and assessments for swallowing disorders or dysphasia including clinical bedside assessments and instrumental assessments such as Fiberoptic Endoscopic Evaluation of Swallowing, Modified Barium Swallow Study, and Videofluoroscopy; and

(v)Treatment of swallowing disorders or dysphasia including instruments and materials used, food/diet texture and liquid consistency set forth by the International Dysphagia Diet Standardisation Initiative, swallowing maneuvers; and documentation.

(B)The one hundred (100) hours of feeding and swallowing therapy with bolus material under this section must be performed under the immediate supervision of a California-licensed speech-language pathologist who performs feeding and swallowing therapy with bolus material as part of their practice, and shall be direct client care with patients that cover all phases of swallowing and a variety of ages.

(2) The speech-language pathology assistant has received a written verification signed by their supervising speech-language pathologist upon completion of their education and supervised feeding and swallowing therapy with bolus material hours, as required per subsection (c)(1).

(A) The speech-language pathologist who signs the verification must be California-licensed and perform feeding and swallowing therapy with bolus material as part of their practice.

(B) The written verification shall verify that the speech-language pathology assistant has completed the education and supervised hours requirements per subsection (c)(1), and is competent to perform feeding and swallowing therapy with bolus material. The speech-language pathologist who signs the verification must verify the speech-language pathologist assistant's competency with any speech-language pathologist who supervised any portion of the speech-language pathology assistant's one hundred (100) hours of feeding and swallowing therapy with bolus material as stated in subsection (c).

(C)The written verification must include the license number of the speech-language pathologist who signs the verification.

(D) The supervising speech-language pathologist shall maintain a copy of the written verification in the speech-language pathology assistant's personnel file and make it available for inspection upon request by the Board.

(3) The speech-language pathology assistant received prior approval from the supervising speech-language pathologist each time they perform feeding and swallowing therapy with bolus material on a patient, and the approval is documented in the patient records.

(4) The speech-language pathology assistant is working in the following settings that require the facility to have protocols for emergency medical backup

procedures, including requiring a physician and surgeon or other appropriate medical professional being readily available.

(A) A clinic, as defined in Section 1200 of the Health and Safety Code.

(B) A facility described in Chapter 2.5 (commencing with Section 1440) of Division 2 of the Health and Safety Code.

(C) A health facility, as defined in Section 1250 of the Health and Safety Code.

(D) A hospice facility licensed pursuant to Chapter 8.5 (commencing with Section 1745) of Division 2 of the Health and Safety Code.

(E) A medical group practice, including a professional medical corporation, as defined in Section 2406 of the Code, another form of corporation controlled by physicians and surgeons, a medical partnership, a medical foundation exempt from licensure, or another lawfully organized group of physicians and surgeons that provides health care services.

(5) The patient has no contraindications. For purposes of this section, contraindications may include, but are not limited to, cases of severe movement disorders, severe agitation, cognitive impairments, unwillingness or inability to cooperate with the procedure, patients with an advanced airway, and neonate and infant patient.

(6) The supervising speech-language pathologist provides the speech-language pathology assistant with direct supervision that consists of on-site observation and guidance supervision when the speech-language pathology assistant is performing feeding and swallowing therapy with bolus material on patients.

NOTE: Authority cited: Sections 2531.95 and 2538.1~~(a)~~, Business and Professions Code. Reference: Sections 2538.1~~(b)(3) and (4)~~ and 2538.7~~(b)~~, Business and Professions Code.

§ 1399.170.2. Types of Supervision Required for Duties Performed by a Speech-Language Pathology Assistant.

(a) Duties performed by the speech-language pathology assistant that require immediate supervision may include, but are not limited to, any direct client activity involving medically fragile patients. In such instances, the speech-language pathology assistant shall act only under the direction of the supervisor.

(b) Duties performed by the speech-language pathology assistant that require direct supervision may include, but are not limited to, any new screening or treatment activity that the assistant has been trained to perform by the supervisor, but has not yet been performed by the speech-language pathology assistant in direct client care.

(c) Duties performed by the speech-language pathology assistant that require indirect supervision may include, but are not limited to, the following:

(1) Screening or treatment activities where the supervisor has previously given instructions as to how to perform the task, has observed the assistant in the conduct of these activities, and is satisfied that the activities can be competently performed by the speech-language pathology assistant, i.e., repetitive drill exercises, generalization or carryover activities;

(2) Clerical tasks such as record keeping, materials preparation, scheduling, equipment maintenance; and,

(3) Other non-client care activities.

(d) Notwithstanding subdivisions (a), (b), and (c), the supervisor shall provide supervision to the speech-language pathology assistant following their initial licensure in accordance with Section 1399.170.15(b)(4) of the California Code of Regulations.

(e) Notwithstanding subdivisions (a), (b), (c) and (d), the supervisor shall provide supervision to the speech-language pathology assistant who performs feeding and swallowing therapy with bolus material in accordance with Section 1399.170.1(c)(4) of the California Code of Regulations.

Note: Authority cited: Sections 2531.95 and 2538.1~~(a)~~, Business and Professions Code. Reference: Section 2538.1~~(b)(7)~~, Business and Professions Code.

§ 1399.170.3. Activities, Duties, and Functions Outside the Scope of Responsibilities of a Speech-Language Pathology Assistant.

A speech-language pathology assistant may not conduct evaluations, interpret data, alter treatment plans, or perform any task without the express knowledge and approval of a supervising speech-language pathologist. The speech-language pathology assistant may not perform any of the following functions:

(a) Participate in parent conferences, case conferences, or inter-disciplinary team conferences without the supervising speech-language pathologist or another speech-language pathologist being present;

(b) Provide counseling or advice to a client or a client's parent or guardian which is beyond the scope of the client's treatment;

(c) Sign any documents in lieu of the supervising speech-language pathologist, i.e., treatment plans, client reimbursement forms, or formal reports;

(d) Discharge clients from services;

(e) Make referrals for additional services;

(f) Unless required by law, disclose confidential information either orally or in writing to anyone not designated by the supervising speech-language pathologist;

(g) Represent himself or herself as a speech-language pathologist; and,

(h) Perform procedures that require a high level of clinical acumen and technical skill, i.e., vocal tract prosthesis shaping or fitting, and vocal tract imaging~~, and oropharyngeal swallow therapy with bolus material~~.

NOTE: Authority cited: Sections 2531.95 and 2538.1~~(a)~~, Business and Professions Code. Reference: Section 2538.1~~(b)(3)~~, Business and Professions Code.

Neighboring State and ASHA SLPA Practice Restrictions as of March 3, 2026

State	State Code	Requirements
Wyoming Board of Examiners of Speech-Language Pathology and Audiology	058.0001.12.01072026	SLPAs shall not: (a) Represent himself or herself as an SLP (nor allow others to presume his or her standing as an SLP); (b) Perform standardized or non-standardized diagnostic tests, formal or informal evaluations, or swallowing screenings/checklists; (c) Perform procedures that require a high level of clinical acumen and technical skill (e.g., vocal tract prosthesis shaping or fitting, vocal tract imaging and oral pharyngeal swallow therapy with bolus material); (d) Tabulate or interpret results and observations of feeding and swallowing evaluations performed by SLPs; (e) Participate in formal parent conferences, case conferences, or any interdisciplinary team without the presence of the supervising SLP or other designated SLP; (f) Provide interpretative information to the student/patient/client, family, or others regarding the patient/client status or service; (g) Write, develop, or modify a student's, patient's, or client's treatment plan in any way; (h) Assist with students, patients, or clients without following the individualized treatment plan prepared by the certified SLP and/or without access to supervision; (i) Sign any formal documents (e.g., treatment plans, reimbursement forms, or reports; the SLPA should sign or initial informal treatment notes for review and co-sign with the supervising SLP as requested); (j) Select students, patients, or clients for service; (k) Discharge a student, patient, or client from services; (l) Make referrals for additional service; (m) Disclose clinical or confidential information either orally or in writing to anyone other than the supervising SLP (the SLPA must comply with current HIPPA and FERPA guidelines) unless mandated by law; (n) Develop or determine the swallowing strategies or precautions for patients, family, or staff; (o) Treat medically fragile students/patients/clients independently; or (p) Design or select augmentative and alternative communication systems or device.
Wyoming Professional Teaching Standards Board		The Board of Examiners of Speech-Language Pathology & Audiology is the only licensing body for SLPs and Audiologists effective July 1, 2020.

State	State Code	Requirements
Texas Department of Licensing & Regulation	Rule 111.52	(d) The assistant must not: (1) work with any cases that are not assigned to the supervisor's caseload; (2) conduct evaluations; (3) interpret results of routine tests; (4) interpret observations or data into diagnostic statements, clinical management strategies, or procedures; (5) represent speech-language pathology at staffing meetings or at an Admission, Review and Dismissal (ARD) meeting, except as specified in this section; (6) attend staffing meeting or ARD without the supervisor being present except as specified in this section; (7) design or alter a treatment program or Individual Education Program (IEP); (8) determine case selection; (9) present written or oral reports of client information, except as provided by this section; (10) refer a client to other professionals or other agencies; (11) use any title which connotes the competency of a licensed speech-language pathologist; (12) practice as an assistant without an approved supervisor; (13) perform invasive procedures; (14) screen or diagnose clients for feeding and swallowing disorders; (15) use a checklist or tabulated results of feeding or swallowing evaluations; (16) demonstrate feeding or swallowing strategies or precautions to clients, family, or staff; (17) provide client or family counseling; or (18) sign any formal document relating to the reimbursement for or the provision of speech-language pathology services without the supervisor's signature.
Arizona Department of Health Services, Public Health Licensing Services	Title 36, Chapter 17	D. A speech-language pathology assistant shall not: 1. Conduct swallowing screening, assessment and intervention protocols, including modified barium swallow studies. 2. Administer standardized or nonstandardized diagnostic tests or formal or informal evaluations or interpret test results. 3. Participate in parent conferences, case conferences or any interdisciplinary team meeting without the presence of the supervising

State	State Code	Requirements
		speech-language pathologist, except for individualized education program or individual support plan meetings if the licensed speech-language pathologist has been excused by the individualized education program team or the individual support plan team. 4. Write, develop or modify a patient's, client's or student's treatment plan, individual support plan or individualized education program in any way. 5. Provide intervention for patients, clients or students without following the treatment plan, individual support plan or individualized education program prepared by the supervising speech-language pathologist. 6. Sign any formal documents, including treatment plans, individual support plans, individualized education programs, reimbursement forms or reports. 7. Select patients, clients or students for services. 8. Discharge patients, clients or students from services. 9. Unless required by law, disclose clinical or confidential information orally or in writing to anyone not designated by the speech-language pathologist. 10. Make a referral for any additional service. 11. Communicate with the patient, client or student or with family or others regarding any aspect of the patient, client or student status without the specific consent of the supervising speech-language pathologist. 12. Claim to be a speech-language pathologist. 13. Write a formal screening, diagnostic, progress or discharge note. 14. Perform any task without the express knowledge and approval of the supervising speech-language pathologist. The Department of Education does not certify Speech-Language Pathology Assistants.
Arizona Department of Education		
Oregon Board of Examiners for Speech-Language Pathology & Audiology	335-095-0060	(2) The speech-language pathology assistant may not perform the following tasks: (a) May not conduct swallowing screening, assessment, and intervention protocols, including modified barium swallow studies. (b) May not administer standardized or non-standardized diagnostic tests, formal or informal evaluations, or interpret test results. (c) May not participate in parent conferences, case conferences, Individualized Education Plan (IEP) meetings, Individualized Family Services Plan (IFSP) meetings or any interdisciplinary team without the presence of the supervising speech-language pathologist.

State	State Code	Requirements
		(d) May not write, develop, or modify a patient/client's treatment plan in any way. (e) May not provide intervention for patients/clients without following the treatment plan prepared by the supervising speech-language pathologist. (f) May not sign any formal documents (e.g. treatment plans, reimbursement forms, individualized education plans (IEPs), individualized family services plans (IFSPs), determination of eligibility statements or reports.) (g) May not select patients/clients for services. (h) May not discharge patients/clients from services. (i) May not disclose clinical or confidential information either orally or in writing to anyone not designated by the speech-language pathologist. (j) May not make referral for additional service. (k) May not communicate with the patient/client, family, or others regarding any aspect of the patient/client status or service without the specific consent of the supervising speech-language pathologist. (l) May not represent him/herself as a speech-language pathologist. (m) May not write a formal screening, diagnostic, or discharge report.
Oregon Teacher Standards and Practices Commission		The Teacher Standards and Practices Commission does not issue credentials to SLPs.
American Speech-Language-Hearing Association	Scope of Practice for the Speech-Language Pathology Assistant (SLPA)	The SLPA should NOT engage in any of the following activities: • representing themselves as the SLP; • interpreting assessment tools for the purpose of diagnosing disability, determining eligibility or qualification for services; • administering or interpreting feeding and/or swallowing screenings, checklists, and assessments; • diagnosing communication and feeding/swallowing disorders; • developing or determining the feeding and/or swallowing strategies or precautions for students, patients, and clients; • disclosing clinical or confidential information (e.g., diagnosis, services provided, response to treatment) either orally or in writing to individuals who have not been approved by the SLP to receive information unless mandated by law; • writing, developing, or modifying a student's, patient's, or client's plan of care in any way; • making referrals for additional services;

State	State Code	Requirements
		• assisting students, patients, and clients without following the individualized plan of care prepared by the ASHA certified SLP; • assisting students, patients, and clients without access to supervision; • selecting AAC systems or devices; • treating medically fragile students, patients, and clients without 100% direct supervision; • performing procedures that require specialized knowledge and training (e.g., vocal tract prosthesis shaping or fitting, vocal tract imaging); • providing input in care conferences, case conferences, or any interdisciplinary team meeting without the presence or prior approval of the supervising SLP or other designated SLP; • providing interpretative information to the student, patient, client, family, or others regarding the student's, patient's, or client's status or service; • signing or initialing any formal documents (e.g., plans of care, reimbursement forms, reports) without the supervising SLP's co-signature; • discharging a student, patient, or client from services.
Colorado Office of Speech-Language Pathology Certification **Colorado Department of Education, Office of Special Education – Speech or Language Impairment**	2260.5-R-4.11	The licensing board does not have a license similar to California's SLPA license. The SPL-A is knowledgeable about screening and assessment, though s/he may not perform standardized or non-standardized diagnostic tests, including, but not limited to: feeding evaluations, or interpret test results or counsel parents; and is able to: (a) assist the speech-language pathologist with speech-language and hearing screenings or assessments, without interpretation, and report results directly to the supervising speech-language pathologist. (b) assist with informal documentation, as directed by the speech-language pathologist. (c) provide descriptive behavioral observations that contribute to screening/assessment results, directly to the supervising speech-language pathologist. (d) support the speech-language pathologist in research projects, in-service training, and public relations programs, including child find activities.

State	State Code	Requirements
Montana Department of Labor and Industry, [Board of Speech-Language Pathologists and Audiologists] **Montana Office of Public Instruction**	[24.222.703 P]	No state law or rules on SLPA scope of practice. The Department of Education does not license Speech-Language Pathology Assistants.
Utah Department of Commerce, [Division of Occupational and Professional Licensing]	[R156-41-601]	5) An aide shall not engage in the following: (a) preparing diagnostic statements or clinical management plans, strategies or procedures; (b) communicating obtained observations or results to anyone other than the aide's supervising speech-language pathologist or audiologist; (c) determining case selection; (d) independently composing or signing clinical reports; except an aide may enter progress notes into the patient's file reflecting the results of the aide's assigned duties; (e) independently diagnosing, treating, discharging of patient, or advising of patient disposition; and (f) referral of a patient to other professionals or agencies.
Utah State Board of Education (USBE)	[USBE Handbook for Speech-Language Technicians Working in Utah Public Schools]	Defer all screening and assessment of students for feeding/swallowing and apraxia disorders as well as students with acquired brain injury to the SLP.
Washington Department of Health, Health Systems Quality Assurance **Washington Office of Superintendent of Public Instruction**	[WAC 246-828-112]	(7) The following procedures and tasks are excluded from the speech-language pathology assistant scope of practice: (a) Tasks that require diagnosis, evaluation, or clinical interpretation. (b) Screening and diagnosis of feeding and swallowing disorders. (c) Development or modification of treatment plans. (d) Implementation of therapy outside of the treatment plan. (e) Selection of caseload. (f) Discharge or exit patients/clients/students. (g) Referral of patients/clients/students for additional services. The Office of Superintendent of Public Instruction does not certify Speech-Language Pathology Assistants.

State	State Code	Requirements
Idaho Division of Occupational and Professional Licenses, Speech, Hearing and Communication Services Licensure Board **Idaho State Department of Education**		No state law or rules on SLPA scope of practice.
Nevada Speech-Language Pathology, Audiology & Hearing Aid Dispensing Board **Nevada Department of Education**		The licensing board nor the Department of Education have a license similar to California's SLPA license.
New Mexico Speech Language Pathology, Audiology, & Hearing Aid Dispensing Practicing Board **New Mexico Public Education Department**		The licensing board nor the Public Education Department have a license similar to California's SLPA license.

Text Proposal
Speech-Language Pathology Assistant Feeding and Swallowing Therapy Requirements
as Presented on December 4, 2025

Legend:	Added text is indicated with an <u>underline</u>. Omitted text is indicated by (* * * *) Deleted text is indicated by ~~strikeout~~.

§ 1399.170.1. Responsibilities, Duties, and Functions of a Speech-Language Pathology Assistant.

(a) A speech-language pathology assistant shall be limited to the responsibilities, duties, and functions as provided in Section 2538.1 of the Code.

(b) A speech-language pathology assistant shall disclose while working, his or her name and registration status, as granted by the state, on a name tag in at least 18-point type.

<u>(c) A speech-language pathology assistant may perform feeding and swallowing therapy with bolus material if the following conditions are met:</u>

<u>(1) The speech-language pathology assistant received written and signed verification from a California-licensed speech-language pathologist that the speech-language pathology assistant has completed forty-five (45) hours of education, performed one hundred (100) hours of feeding and swallowing therapy with bolus material under immediate supervision, and is competent to perform these procedures.</u>

<u>(A) The California-licensed speech-language pathologist who signs the verification and provides immediate supervision to the speech-language pathologist assistant must perform feeding and swallowing therapy with bolus material as part of their practice.</u>

<u>(B) Education under this section must be from an approved continuing education provider and the course content must cover swallowing/dysphasia and anatomy and physiology of swallowing.</u>

<u>(C)The one hundred (100) hours of feeding and swallowing therapy with bolus material under this section must be performed under the immediate supervision of a California licensed speech-language pathologist who performs feeding and swallowing therapy with bolus material as part of their practice, and shall be direct client care with patients that covers all phases of swallowing and a variety of ages.</u>

<u>(D)The written and signed verification must include the supervising speech-language pathologist’s license number.</u>

(E) The speech-language pathology assistant shall maintain a copy of the written verification and make it available for inspection upon request by the Board.

(2) The speech-language pathology assistant received prior approval from the supervising speech-language pathologist each time they perform feeding and swallowing therapy with bolus material on a patient, and the approval is documented in the patient records.

(3) The speech-language pathology assistant is working in the following settings that require the facility to have protocols for emergency medical backup procedures, including requiring a physician and surgeon or other appropriate medical professional being readily available.

(A) A clinic, as defined in Section 1200 of the Health and Safety Code.

(B) A facility described in Chapter 2.5 (commencing with Section 1440) of Division 2 of the Health and Safety Code.

(C) A health facility, as defined in Section 1250 of the Health and Safety Code.

(D) A hospice facility licensed pursuant to Chapter 8.5 (commencing with Section 1745) of Division 2 of the Health and Safety Code.

(E) A medical group practice, including a professional medical corporation, as defined in Section 2406 of the Code, another form of corporation controlled by physicians and surgeons, a medical partnership, a medical foundation exempt from licensure, or another lawfully organized group of physicians and surgeons that provides health care services.

(4) The patient has no contraindications. For purposes of this section, contraindications may include, but are not limited to, cases of severe movement disorders, severe agitation, and inability to cooperate with the examination.

(4) The supervising speech-language pathologist provides the speech-language pathology assistant with direct supervision that consists of on-site observation and guidance supervision when the speech-language pathology assistant is performing feeding and swallowing therapy with bolus material on patients.

NOTE: Authority cited: Sections 2531.95 and 2538.1~~(a)~~, Business and Professions Code. Reference: Sections 2538.1~~(b)(3) and (4)~~ and 2538.7~~(b)~~, Business and Professions Code.

§ 1399.170.2. Types of Supervision Required for Duties Performed by a Speech-Language Pathology Assistant.

(a) Duties performed by the speech-language pathology assistant that require immediate supervision may include, but are not limited to, any direct client activity involving medically fragile patients. In such instances, the speech-language pathology assistant shall act only under the direction of the supervisor.

(b) Duties performed by the speech-language pathology assistant that require direct supervision may include, but are not limited to, any new screening or treatment activity that the assistant has been trained to perform by the supervisor, but has not yet been performed by the speech-language pathology assistant in direct client care.

(c) Duties performed by the speech-language pathology assistant that require indirect supervision may include, but are not limited to, the following:

(1) Screening or treatment activities where the supervisor has previously given instructions as to how to perform the task, has observed the assistant in the conduct of these activities, and is satisfied that the activities can be competently performed by the speech-language pathology assistant, i.e., repetitive drill exercises, generalization or carryover activities;

(2) Clerical tasks such as record keeping, materials preparation, scheduling, equipment maintenance; and,

(3) Other non-client care activities.

(d) Notwithstanding subdivisions (a), (b), and (c), the supervisor shall provide supervision to the speech-language pathology assistant following their initial licensure in accordance with Section 1399.170.15(b)(4) of the California Code of Regulations.

(e) Notwithstanding subdivisions (a), (b), (c) and (d), the supervisor shall provide supervision to the speech-language pathology assistant who performs feeding and swallowing therapy with bolus material in accordance with Section 1399.170.1(c)(4) of the California Code of Regulations.

Note: Authority cited: Sections 2531.95 and 2538.1~~(a)~~, Business and Professions Code. Reference: Section 2538.1~~(b)(7)~~, Business and Professions Code.

§ 1399.170.3. Activities, Duties, and Functions Outside the Scope of Responsibilities of a Speech-Language Pathology Assistant.

A speech-language pathology assistant may not conduct evaluations, interpret data, alter treatment plans, or perform any task without the express knowledge and approval of a supervising speech-language pathologist. The speech-language pathology assistant may not perform any of the following functions:

(a) Participate in parent conferences, case conferences, or inter-disciplinary team conferences without the supervising speech-language pathologist or another speech-language pathologist being present;

(b) Provide counseling or advice to a client or a client's parent or guardian which is beyond the scope of the client's treatment;

(c) Sign any documents in lieu of the supervising speech-language pathologist, i.e., treatment plans, client reimbursement forms, or formal reports;

(d) Discharge clients from services;

(e) Make referrals for additional services;

(f) Unless required by law, disclose confidential information either orally or in writing to anyone not designated by the supervising speech-language pathologist;

(g) Represent himself or herself as a speech-language pathologist; and,

(h) Perform procedures that require a high level of clinical acumen and technical skill, i.e., vocal tract prosthesis shaping or fitting, and vocal tract imaging~~, and oropharyngeal swallow therapy with bolus material~~.

NOTE: Authority cited: Sections 2531.95 and 2538.1~~(a)~~, Business and Professions Code. Reference: Section 2538.1~~(b)(3)~~, Business and Professions Code.

BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
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SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY & HEARING AID DISPENSERS BOARD
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MEMORANDUM

DATE	March 13, 2026
TO	Audiology Practice Committee
FROM	Maria Liranzo, Legislation/Regulation/Budget Analyst
SUBJECT	Agenda Item 3: Discussion and Possible Action to Amend Regulations Regarding General Application Requirements and Speech-Language Pathology and Audiology Aide Requirements and Scope of Activities, Duties and Functions at Title 16, California Code of Regulations (CCR) Sections 1399.151.2, 1399.151.3, 1399.151.4, 1399.154 through 1399.154.12, and 1399.157

Background

On November 30, 2023, the Audiology Pathology Practice Committee (Committee) directed Board staff to amend the previously drafted proposed regulatory language that will implement statutory changes relating to audiology aides. The Committee met on September 5, 2024, December 5, 2024, August 21, 2025, and December 4, 2025, to review and discuss the draft regulatory text.

Summary of Changes

The following are changes Board staff made in response to Committee discussion on December 4, 2025:

- Amended 1399.154.10 to require supervisors to provide training on hearing screenings and define hearing screening to mean binary puretone screening at a preset intensity level for the purpose of determining if the screened individuals are in need of further medical or audiological evaluation.

- Amended 1399.154.11 to prohibit aides from performing diagnostic audiometry under subsection (a) and conducting hearing screenings not stated in 1399.151.10 as new subsection (b), renumbered subsections (b) through (n), and removed independent adjustments from subsection (k). Aides will still be prohibited from altering hearing aid programming or settings under subsection (d).

Action Requested

Staff recommend the Committee review and discuss the materials provided and determine whether to recommend the regulatory language to the Board to initiate the rulemaking process.

Suggested Motion Language

Move to recommend the regulatory text for Title 16, CCR Sections 1399.151.2, 1399.151.3, 1399.151.4, 1399.154 through 1399.154.12, and 1399.157 to the Board to initiate the rulemaking process, as noticed/amended, and direct Board staff to prepare the regulatory text for Board review and approval.

Attachment: Proposed Text as Amended on March 13, 2026

General Application Requirements and Speech-Language Pathology and Audiology Aide Requirements

as of March 13, 2026

Legend:	Added text is indicated with an underline. Omitted text is indicated by (* * * *) Deleted text is indicated by ~~strikeout~~.

§ 1399.151.2. Expedited Licensure or Registration Process.

The Board shall expedite any application of an applicant who:

(a) Pursuant to Section 115.4 of the Code, identifies themself as an honorably discharged member of the United States Armed Forces, and who provides a Certificate of Release or Discharge from Active Duty (DD-214) or other documentary evidence showing the date and type of discharge, pursuant to Section 115.4 of the Code.

(b) Pursuant to Section 115.6 of the Code, identifies themself as a person who is married to, or in a domestic partnership or other legal union with an active-duty member of the Armed Forces of the United States who is assigned to a duty station in California under official active-duty military orders, and the applicant holds a valid license, or comparable authority, to practice as a hearing aid dispenser or audiologist in another United States state, district, or territory, and who provides documentary evidence as specified in paragraphs (1) through (3). application:

(1) Certificate of marriage or certified declaration or registration of domestic partnership filed with the California Secretary of State or other documentary evidence of legal union with an active-duty member of the Armed Forces,

(2) A copy of their current license or registration in another state, district, or territory of the United States, and,

(3) A copy of the military orders establishing their spouse or partner’s duty station in California.

(c) Pursuant to Section 135.4 of the Code, identifies themself as an applicant who was admitted to the United States as a refugee pursuant to Section 1157 of Title 8 of the United States Code, or was granted asylum by the Secretary of Homeland Security or the United States Attorney General pursuant to Section 1158 of Title 8 of the United States Code, or has a special immigrant visa (SIV) pursuant to Section 1244 of Public Law 110-181, Public Law 109-163, or Section 602(b) of Title VI of Division F of Public Law 111-8, relating to Iraqi and Afghan translators/interpreters or those who worked for or on behalf of the United States government, and who provides the appropriate documentary evidence specified in paragraphs (1) through (4).

(1) Form I-94, arrival or departure record, with an admission class code such as “RE” (refugee) or “AY” (asylee) or other information designating the person a refugee or asylee;

(2) Special Immigrant Visa that includes the “SI” or “SQ”;

(3) Permanent Resident Card (Form I-551), commonly known as a “green card,” with a category designation indicating that the person was admitted as a refugee or asylee; or,

(4) An order from a court of competent jurisdiction or other documentary evidence that provides reasonable assurances to the Bureau that the applicant qualifies for expedited licensure or registration per Section 135.4 of the Code.

NOTE: Authority cited: Section 2531.95, Business and Professions Code. Reference: Sections 115.4, 115.5, 115.6 and 135.4, Business and Professions Code

§ 1399.151.3. Licensure or Registration, Discipline, and Conviction Disclosure.

(a) An applicant for licensure or registration shall disclose if they have been licensed to practice speech-language pathology or audiology in any other state or country, and if applicable, the state and country where the license or registration was issued.

(b) An applicant for licensure or registration shall disclose if they have been denied a license or registration to practice speech-language pathology or audiology in any other state or country, and if applicable, the state and country where a license or registration was denied. Applicants are not required to disclose any information regarding a denial based upon any of the following:

(1) Convictions dismissed pursuant to Sections 1203.4, 1203.4a, 1203.41, 1203.42, or 1203.425 of the Penal Code, or a comparable dismissal or expungement;

(2) Convictions for which the person has obtained a certificate of rehabilitation under Chapter 3.5 (commencing with Section 4852.01) of Title 6 of Part 3 of the Penal Code;

(3) Convictions for which the person has been granted clemency or a pardon by a state or federal executive;

(4) An arrest that resulted in a disposition other than a conviction including an infraction or citation;

(5) Convictions that were adjudicated in the juvenile court; or,

(6) Convictions under California Health and Safety Code Sections 11357(b), (c), (d), (e), or Section 11360(b) which are two (2) years or older.

(c) An applicant for licensure or registration shall disclose if, within the preceding seven (7) years, they have had a license or registration subjected to formal discipline by a licensing board in or outside of California. Discipline includes suspension, revocation, voluntary surrender, probation, reprimand, or any other restriction on a license or registration held by the applicant. However, an applicant shall not be required to disclose prior disciplinary action if the basis for that disciplinary action was a conviction that has been dismissed pursuant to Sections 1203.4, 1203.4a, 1203.41, 1203.42, or 1203.425 of the Penal Code, or a comparable dismissal or expungement. If the applicant identifies that they meet this criterion, they shall provide the Board the following information:

(1) Name of the disciplinary action taken against the applicant;

(2) Date of the offense;

(3) Name of the licensing entity;

(4) Dates of probation, if applicable;

(5) Description of the circumstances of the incident;

(6) A certified copy of the determination made by the licensing entity that includes the date and location of the incident, specific violation(s), dates of disciplinary action, sanctions or penalties imposed and the completion dates;

(7) A letter from the applicant describing the applicant's rehabilitation efforts or changes;

(8) Any written statement or documentary evidence that the applicant may wish to submit to present regarding rehabilitation and demonstration of the applicant's fitness for licensure or registration.

(9) A written statement, signed by the applicant, certifying that all of the information provided about the formal discipline in the application is true and correct under penalty of perjury under the laws of the state of California.

(d) As a condition of renewal, a licensee or registrant shall certify whether they, since they last renewed their registration, they have been convicted of any violation of the law in this or any other state, district, or territory of the United States, or in another country, omitting traffic infractions under one thousand dollars ($1,000) not involving alcohol, dangerous drugs, or controlled substances.

(e) As a condition of renewal, a licensee or registrant shall certify whether, since they last renewed their registration, they have had a license or registration disciplined by a government agency or other disciplinary body. Discipline includes suspension, revocation, voluntary surrender, probation, reprimand, or any other restriction on a license or registration.

(f) If the licensee or registrant affirmatively states they meet the criterion in subsections (d) and (e), they shall provide the Board the following information:

(1) Name of the disciplinary action taken against the applicant;

(2) Date of the offense;

(3) Name of the licensing entity;

(4) Dates of probation, if applicable;

(5) Description of the circumstances of the incident;

(6) A certified copy of the determination made by the licensing entity that includes the date and location of the incident, specific violation(s), dates of disciplinary action, sanctions or penalties imposed and the completion dates;

(7) A letter from the applicant describing the applicant's rehabilitation efforts or changes;

(8) Any written statement or documentary evidence that the applicant may wish to submit to present regarding rehabilitation and demonstration of the applicant's fitness for licensure or registration.

(9) A written statement, signed by the applicant, certifying that all of the information provided in the application is true and correct under penalty of perjury under the laws of the state of California.

NOTE: Authority cited: Section 2531.95, Business and Professions Code. Reference: Sections 144.5, 480, and 2533, Business and Professions Code.

§ 1399.151.4. Fingerprinting.

(a) An applicant for licensure or registration is required to furnish to the Department of Justice a full set of fingerprints for the purpose of conducting a criminal history record check and to successfully complete a state and federal level criminal offender record information search conducted through the Department of Justice.

(1) The applicant shall submit a receipt showing the transmission of Live Scan fingerprints to the Department of Justice or two (2) classifiable sets of fingerprints

with the current fees charged by the California Department of Justice and the Federal Bureau of Investigation with the licensure or registration form required in Section 1399.154.1 and fee required in Section 1399.157.

(2)The applicant shall pay any costs for furnishing the fingerprints and conducting the criminal history record check.

(3) If an applicant is unable to Live Scan or complete the classifiable sets of fingerprints, the Board will work with the Department of Justice to obtain a criminal history record check on the applicant. The applicant shall comply with any instructions and pay any costs to conduct the criminal history record check for any rejected fingerprints.

NOTE: Authority cited: Section 2531.95, Business and Professions Code. Reference: Sections 144, 480, and 2533, Business and Professions Code.

§ 1399.154. Definitions.

As used in this article, the following definitions apply:

(a) “Speech-language pathology aide” means a person who

(1) assists or facilitates while the speech-language pathologist is evaluating the speech ~~and/~~or language of individuals or is treating individuals with a speech-language ~~and/~~or language disorder, and

(2) is registered by the supervisor with the Board and the registration is approved by the Board.

(b) “Audiology aide” means a person who

(1) assists or facilitates while an audiologist or dispensing audiologist is evaluating the hearing of individuals ~~and/~~or is treating individuals with hearing disorders, and

(2) is registered by the supervisor with the Board and the registration is approved by the Board.

(c) “Supervisor” means a licensed speech-language pathologist who supervises a speech-language pathology aide or a licensed audiologist or dispensing audiologist who supervises an audiology aide.

(d) “Industrial audiology aide” means an audiology aide who is certified by the Council for Accreditation in Occupational Hearing Conservation and whose primary duty is to assist in a hearing conservation program as described in Section 5097 of Article 105 of Group 15 of Subchapter 7 of Chapter 4 of Division 1 of Title 8 of the California Code of

Regulations.~~an audiology aide who conducts pure tone air conduction threshold audiograms for the purpose of industrial hearing testing in addition to other acts and services as provided in these regulations.~~

NOTE: Authority cited: Section 2531.95, Business and Professions Code. Reference: Sections 2530.2 and 2530.6, Business and Professions Code.

§ 1399.154.1. Registration of Aides.

(a) Before allowing an aide to assist in the practice of speech-language pathology or audiology under ~~his or her~~ their supervision, a supervisor shall register each aide with the Board and pay the registration fee required in Section 1399.157. The form submitted to the Board shall include:

(1) Applicant's full legal name, other names used such as maiden name, address of record which will be publicly disclosed, home address, telephone number, social security number or individual tax identification number, and date of birth;

(2) Applicant's email address, if any;

(3) The applicant has the option to disclose whether they are serving or have previously served in the United States military.

(4) The applicant has the option to disclose their eligibility for an expedited registration process and provide evidence in accordance with Section 1399.151.2.

(5) The applicant shall disclose the information required in Section 1399.151.3.

(6) Certification from the applicant that all of the information provided in the application and any attachments is true and correct under penalty of perjury under the laws of the state of California.

(7) Supervisor's full legal name, address of record, license number, business telephone number, business name, business address, and the supervisor's email address, if any;

(8) Duties the aide will perform while assisting the supervisor in the practice of speech-language pathology or audiology and the level of supervision as defined in Sections 1399.154.2 and 1399.154.9 that will be provided for each duty,

(A) If the applicant identifies themselves as an industrial audiology aide, as defined in Section 1399.154, they must provide a copy of their Council for Accreditation in Occupational Hearing Conservation certification with their application.

(9) Training program, training methods, the length of the training program, the minimum competency level of the aide, assessment methods the supervisor will utilize to ensure the aide’s competency, and a summary of past education, training, and experience the aide may already have acquired, if any;

(A) The training shall be in accordance with Section 1399.154.4 or 1399.154.10, as applicable.

(10) A written statement, signed by the applicant, certifying that they have discussed the plan for supervision with the supervisor and agree to its implementation, and further certifying under penalty of perjury under the laws of the state of California that all of the statements made in the application are true and correct, and that any misrepresentation shall be cause for denial of a license.

(11) A written statement, signed by the supervisor, certifying that the supervisor has discussed the plan for supervision with the aide and accepts professional and ethical responsibility for their performance, and further certifying that under penalty of perjury under the laws of the state of California that all of the statements made in the application are true and correct.

(12) A signature from the aide and the supervisor under penalty of perjury under the laws of the state of California that they reviewed all the laws and regulation pretraining to their duties and responsibilities as an aide or supervisor.

(b) The applicant in subsection (a) is required to furnish to the Department of Justice a full set of fingerprints in accordance with Section 1399.151.4.

(c) Regardless of their title or job classification, any support person who functions as a speech-language pathology or audiology aide and facilitates or assists a supervisor in evaluations or treatment shall be registered with the Board. ~~In the application for registration, the supervisor shall provide to the Board, his or her proposed plan for supervising and training the speech-language pathology or audiology aide. The proposed plan for training shall be in accordance with Section 1399.154.4 and shall include the supervisor's training methods, the necessary minimum competency level of the aide, the manner in which the aide's competency will be assessed, the persons responsible for training, a summary of any past education, training and experience the aide may have already undertaken, and the length of the training program and assessment of the aide's competency level.~~

(d) The Board shall review the application for compliance with the requirements of this article and notify the supervisor of the disposition of the application for registration and whether further information is required in order to complete its review.

(e) If an aide has more than one supervisor, each supervisor shall register the aide as stated in subsection (a).

NOTE: Authority cited: Section 2531.25, Business and Professions Code. Reference: Sections 30, 31, 114.5, 115.4, 115.5, 144, 144.5, 480, 2530.2, 2530.6~~ and~~,2532.4, and 2533, Business and Professions Code.

§ 1399.154.2. Responsibilities of Speech-Language Pathology Aide's Supervisor.

A supervisor of a speech-language pathology ~~or audiology~~ aide shall:

(a) Have legal responsibility for the health, safety, and welfare of the patients.

(b) Have legal responsibility for the acts and services provided by the speech-language pathology ~~or audiology~~ aide, including compliance with the provisions of the Act and these regulations.

(c) ~~Be physically present~~ Provide immediate supervision while the speech-language pathology ~~or audiology~~ aide is assisting during evaluations or treatment of ~~with~~ patients, and direct supervision while the speech-language pathology aide is assisting when patients are not undergoing evaluations or receiving treatment or when patients are not present. ~~, unless an alternative plan of supervision has been approved by the Board. A supervisor of industrial audiology aides shall include a proposed plan for alternative supervision with the application form. An industrial audiology aide may only be authorized to conduct puretone air conduction threshold audiograms when performing outside the physical presence of a supervisor. The supervisor shall review the patient histories and the audiograms and make necessary referrals for evaluation and treatment.~~

> (1) “Immediate supervision” as used in this Section means the supervisor is physically present when the speech-language pathology aide is performing their duties.
>
> (2) “Direct supervision” as used in this Section means on-site observation and guidance by the supervisor while the speech-language pathology aide is performing their duties.

(d) Evaluate, treat, and manage all patient care~~and determine the future dispositions of patients~~.

(e) Appropriately train the speech-language pathology ~~or audiology~~ aide to perform duties to effectively assist in the practice of speech-language pathology ~~evaluation and/or treatment. A supervisor shall establish and complete a training program for a speech-language pathology or audiology aide~~ in accordance with Section 1399.154.4 ~~which~~ that is unique to the duties of the aide and the setting in which ~~he or she~~the aide will be assisting the supervisor.

(f) Define the services ~~which~~that may be provided by the speech-language pathology ~~or audiology~~ aide. Those services shall not exceed the competency of the aide as determined by ~~his or her~~their education, training, and experience nor shall they be services that require a separate license under Section 2538.1 of the Code~~, and shall not include any treatment beyond the plan established by the supervisor for the patient~~.

(g) Possess and maintain a current, active, and unrestricted California license as a speech-language pathologist pursuant to Sections 2532 of the Code, and have at least two years of full-time experience or 3,120 hours of experience providing services as a licensed speech-language pathologist. “Full-time experience” as used in this section means the individual works a minimum of thirty (30) hours per week for at least thirty-six (36) weeks in a calendar year.

(h) Notify the speech-language pathology aide immediately of any disciplinary action, including revocation, suspension (even if stayed), probation terms, inactive license, or lapse in licensure, which affects the supervisor's ability or right to supervise.

(i) Complete a minimum of six (6) hours of continuing professional development in supervision prior to assuming responsibility as a supervisor, and three (3) hours of continuing professional development in supervision every four (4) years thereafter. Continuing professional development training obtained from a Board-approved provider may be applied towards the supervisor’s continuing professional development requirement set forth in Section 1399.160.3. The supervisor shall maintain records of course completion in supervision training for a period of four (4) years after the renewal period in which it was earned.

(j) Review with the speech-language pathology aide the laws and regulations pertaining to the supervision and practice of speech-language pathology.

(k) Provide the aide with a plan for how to handle emergencies.

NOTE: Authority cited: Section 2531.95, Business and Professions Code. Reference: Sections 2530.2 and 2530.6, Business and Professions Code.

§ 1399.154.3. Maximum Number of Aides.

~~A supervisor shall not supervise more than three (3) speech-language pathology or audiology aides. The Board may authorize more than three supervisees if, in its discretion, the supervisor demonstrates that the public health and safety would not be jeopardized and that he or she can adequately supervise more than three aides.~~
(a) The number of speech-language pathology aides a supervisor can supervise shall not exceed the number specified in Section 1399.170.16.

(b) A supervisor of an audiology aide shall not supervise more than three (3) full-time equivalent support personnel and shall not exceed more than six (6) support personnel at any time. Support personnel include audiology aides, hearing aid dispenser trainee licensees under Section 2538.28 of the Code, and hearing aid dispenser temporary licensees under Section 2538.27 of the Code. “Full-time equivalent” as used in this section means the individual works a minimum of thirty (30) hours per week.

NOTE: Authority cited: Section 2531.95, Business and Professions Code. Reference: Sections 2530.2 and 2530.6, Business and Professions Code.

§ 1399.154.4. Training of Speech-Language Pathology Aide~~Aides~~.

Before a speech-language pathologist ~~or audiologist~~ allows an aide to assist in the practice of speech-language pathology ~~or audiology~~ under ~~his or her~~ their supervision, a speech-language pathology ~~or audiology~~ aide shall complete a training program established by the supervisor. The training program shall include, but is not limited to:

(a) Instruction in the skills necessary to perform any acts or services which are within the practice of speech-language pathology ~~or audiology~~ as defined in Section 2530.2 of the Code. The supervisor is not required to repeat training the speech-language pathology aide may have already received ~~which may have already been received by the aide~~ as a result of any prior education, training, ~~and~~ or experience.

(b) A supervisor shall require a speech-language pathology ~~or audiology~~ aide to demonstrate ~~his or her~~ their competence to perform any acts or provide any services which are the practice of speech-language pathology ~~or audiology~~ as defined in Section 2530.2 of the Code which may be assigned to the aide or which the aide may assist in providing to patients. A supervisor shall allow a speech-language pathology ~~or audiology~~ aide only to perform those acts or to provide those services for which ~~he or she has~~ they have been provided training and has demonstrated competency, and that are within the scope of responsibility of a speech-language pathology aide.

(c) A supervisor shall instruct a speech-language pathology ~~or audiology~~ aide as to the limitations imposed upon ~~his or her~~ their duties, acts, or services by these regulations, by ~~his or her~~ their training and skills, and ~~by the~~ their role in assisting during the evaluation and treatment ~~plan for~~ of any patient.

~~(d) In addition to the requirements of this section, an industrial audiology aide shall be provided training in the use of an audiometer and in the necessary techniques for obtaining valid and reliable audiograms.~~

NOTE: Authority cited: Section 2531.95, Business and Professions Code. Reference: Sections 2530.2 and 2530.6, Business and Professions Code.

§ 1399.154.5. Notice of Termination.

Within 30 days after the termination of the supervision of a speech-language pathology or audiology aide, the supervisor shall notify the Board, in writing, of such termination and the date thereof. Written notification shall include the following:

(a) The aide’s full legal name and registration number;

(b) The supervisor’s full legal name, license number, business address, telephone number, and email address, if any;

(c) The effective date of the termination; and

(d) A written statement, signed by the supervisor, certifying under penalty of perjury that all statements made in the notification are true in every respect and that misstatements or omissions of material facts shall be cause for denial of the application to terminate supervision, or for suspension or revocation of a license.

NOTE: Authority cited: Section 2531.95, Business and Professions Code. Reference: Sections 2530.2 and 2530.6, Business and Professions Code.

§ 1399.154.6. Noncompliance with Article.

Failure ~~of a supervising licensee~~ to comply with the provisions of this article ~~may~~shall result in a forfeiture of the privilege to supervise an aide.

NOTE: Authority cited: Section 2531.95, Business and Professions Code. Reference: Section 2530.6, Business and Professions Code.

§ 1399.154.7. Aide Experience Not Applicable to Qualifications for Licensure.

Any experience obtained acting as a speech-language pathology aide or audiology aide shall not be creditable toward the supervised clinical experience ~~required in Section 2532.2(c) of the code~~ or the required professional experience required in Sections 2532.2~~(d)~~ and 2532.25 of the Code~~code~~, or the field work experience required in Section 1399.170.8.

NOTE: Authority cited: Section 2531.95, Business and Professions Code. Reference: Section 2530.6, Business and Professions Code.

§ 1399.154.8. Responsibilities of Audiology Aide's Supervisor.

A supervisor of an audiology aide shall:

(a) Have legal responsibility for the health, safety, and welfare of the patients.

(b) Have legal responsibility for the acts and services provided by the audiology aide, including compliance with the provisions of the Act and these regulations.

(c) Provide supervision to the audiology aide in accordance with Section 1399.154.9.

(d) Evaluate, treat, and manage all patient care.

(e) Appropriately train the audiology aide to perform duties to effectively assist in the practice of audiology in accordance with Section 1399.154.10 that is unique to the duties of the aide and the setting in which the aide will be assisting the supervisor.

(f) Define the services that may be provided by the audiology aide. Those services shall not exceed the competency of the aide as determined by their education, training, and experience nor shall they be services specified in Section 1399.154.11.

(g) Possess and maintain a current, active, and unrestricted California license as an audiologist or dispensing audiologist pursuant to Sections 2532 or 2539.1 of the Code, and have at least two (2) years of full-time experience or 3,120 hours of experience providing services as a licensed audiologist. “Full-time experience” as used in this section means the individual works a minimum of thirty (30) hours per week for at least thirty-six (36) weeks in a calendar year.

(h) Notify the audiology aide immediately of any disciplinary action, including revocation, suspension (even if stayed), probation terms, inactive license, or lapse in licensure, which affects the supervisor's ability or right to supervise.

(i) Complete a minimum of six (6) hours of continuing professional development in supervision prior to assuming responsibility as a supervisor, and three (3) hours of continuing professional development in supervision every four (4) years thereafter. Continuing professional development training obtained from a Board-approved provider may be applied towards the supervisor’s continuing professional development requirement set forth in Section 1399.160.3. The supervisor shall maintain records of course completion in supervision training for a period of four (4) years after the renewal period in which it was earned

(j) Review with the audiology aide the laws and regulations pertaining to the supervision and practice of audiology.

(k) Provide the audiology aide with a plan for how to handle emergencies.

NOTE: Authority cited: Section 2531.95, Business and Professions Code. Reference: Sections 2530.2 and 2530.6, Business and Professions Code.

§ 1399.154.9. Supervision of Audiology Aide.

(a) For the purposes of the supervision of an audiology aide, the following definitions apply:

> (1) “Immediate supervision” means the supervisor is physically present while the audiology aide is performing their duties.

(2) “Medically fragile” means a client who is acutely ill and in an unstable condition.

(3) “Direct supervision” means on-site observation and guidance by the supervisor while the audiology aide is performing their duties.

(4) “Indirect supervision” means the supervisor is not at the same facility or in close proximity to the audiology aide but is available to provide supervision by telephonic or other electronic means.

(b) Immediate supervision shall be provided when an audiology aide performs any acts or services involving medically fragile patients.

(c) Immediate supervision shall be provided when an audiology aide performs any acts or services that the supervisor has trained the audiology aide to perform but the audiology aide has yet to perform the act or service with patients.

(d) Following initial registration, the supervisor shall provide immediate supervision at all times during the first ninety (90) calendar days of work, except as provided in subsection (f). The supervisor shall maintain in the audiology aide’s personnel file a record that verifies the aide meets the requirements of this subsection.

(e) After ninety (90) calendar days or until the supervisor determines the audiology aide is competent, whichever occurs later, with the exception of those services provided in subsection (b) and (c), the supervisor shall provide direct supervision at all times when the aide is assisting with patients.

(f) At a minimum, indirect supervision shall be provided when:

(1) An industrial audiology aide, as defined in Section 1399.154, is performing duties for a hearing conservation program as described in Section 5097 of Article 105 of Group 15 of Subchapter 7 of Chapter 4 of Division 1 of Title 8 of the California Code of Regulations.

(2) An audiology aide is performing clerical tasks or servicing hear aids such as record keeping, material preparation, scheduling, equipment maintenance, cleaning, programming, or repairing hearing aids, or handing out wax guard, cleaning brushes, batteries, or other supplies for the use and care of a hearing aid.

NOTE: Authority cited: Section 2531.95, Business and Professions Code. Reference: Sections 2530.2 and 2530.6, Business and Professions Code.

§ 1399.154.10. Training of Audiology Aide.

Before an audiologist or dispensing audiologist allows an aide to assist in the practice of audiology under their supervision, an audiology aide shall complete a training program established by the supervisor. The training program shall, at a minimum, include:

(a) Instruction in the skills necessary to perform any acts or services that are within the practice of audiology as defined in Section 2530.2 of the Code. The supervisor is not required to repeat any training the audiology aide may have already received as the result of any prior education, training, or experience.

(b) A supervisor shall require an audiology aide to demonstrate their competence to perform any acts or provide any services that are within the practice of audiology as defined in Section 2530.2 of the Code, and which may be assigned to the aide or which the aide may assist in providing to patients. A supervisor shall allow an audiology aide only to perform those acts or to provide those services for which they have been provided training and demonstrated competency, and that are within the scope of responsibility of an audiology aide.

(c) A supervisor shall instruct an audiology aide as to the limitations imposed upon their duties, acts, or services by these regulations, by their training and skills, and their role in assisting during the evaluation and treatment of any patient.

(d) A supervisor shall provide training to an audiology aide to conduct hearing screening. Hearing screening means binary puretone screening at a preset intensity level for the purpose of determining if the screened individuals are in need of further medical or audiological evaluation.

(e) A supervisor shall provide training to an industrial audiology aide, as defined in Section 1399.154, to perform the duties required for a hearing conservation program as described in Section 5097 of Article 105 of Group 15 of Subchapter 7 of Chapter 4 of Division 1 of Title 8 of the California Code of Regulations.

NOTE: Authority cited: Section 2531.95, Business and Professions Code. Reference: Sections 2530.2 and 2530.6, Business and Professions Code.

§ 1399.154.11. Activities, Duties, and Functions Outside the Scope of Responsibility of an Audiology Aide.

An audiology aide shall not perform any of the following functions:

(a) Conduct diagnostic evaluations, including diagnostic audiometry, impedance test battery, videonystagmography (VNG), electronystagmography (ENG), or auditory brainstem response (ABR);

(b) Conduct hearing screening that are not stated in Section 1399.154.10.

(c) Interpret diagnostic data;

(d) Alter treatment plans or hearing aid programming or settings;

(e) Provide counseling or advice to a client or to a client's parent or guardian that is beyond the scope of the client's treatment;

(f) Sign any documents in lieu of a supervisor , including treatment plans, client reimbursement forms, or formal reports;

(g) Discharge clients from services;

(h) Make referrals for additional services outside of the audiology practice;

(i) Unless required by law, disclose confidential information either orally or in writing to anyone not designated by the supervisor;

(j) Represent themself as an audiologist or dispensing audiologist;

(k) Fit or sell a hearing aid without possessing a valid hearing aid dispensers license or a valid hearing aid trainee license;

(l) Independently adjust cochlear implant settings;

(m) Perform those procedures that require a high level of clinical acumen and technical skill, such as cerumen removal;

(n) Perform any task without the express knowledge and approval of a supervisor; or

(o) Violate laws or regulations pertaining to the Health Insurance Portability and Accountability Act.

NOTE: Authority cited: Section 2531.95, Business and Professions Code. Reference: Sections 2530.2 and 2530.6, Business and Professions Code.

§ 1399.154.12. Registration Renewal of Aides.

(a) A supervisor shall renew the registration of each aide with the Board and pay the renewal fee required in Section 1399.157. The form submitted to the Board shall include:

(1) The aide's full name, business name, business address, business telephone number, aide's registration number, and the aide's email address, if any;

(2) Supervisor's full legal name, address of record, license number, business telephone number, business name, business address, and the supervisor's email address, if any;

(3) Duties the aide performs while assisting the supervisor in the practice of speech-language pathology or audiology and the level of supervision as defined in Sections 1399.154.2 and 1399.154.9 that will be provided for each duty,

(4) Training program, training methods, the length of the training program, the minimum competency level of the aide, assessment methods the supervisor is utilizing to ensure the aide's continued competency, and a summary of past education, training, and experience the aide may already have acquired, if any.

(A) The training shall be in accordance with Section 1399.154.4 or 1399.154.10.

(5) A written statement, signed by the aide, certifying that the aide has discussed the plan for supervision with the supervisor and agrees to its implementation, and further certifying under penalty of perjury under the laws of the state of California that all of the statements made in the application are true and correct, and that any misrepresentation may be cause for denial of a registration.

(6) A written statement, signed by the supervisor, certifying that the supervisor has discussed the plan for supervision with the aide and accepts professional and ethical responsibility for their performance, and further certifying that under penalty of perjury under the laws of the state of California that all of the statements made in the application are true and correct.

(b) Any aide registered with the Board prior to Month XX, 20XX (next full year after the effective date) must renew their registration in accordance with subsection (a).

(c) An aide is exempt from subsection (a) if during the aide's previous registration period they were called to active duty as defined in Section 114.3 of the Code.

NOTE: Authority cited: Section 2531.95, Business and Professions Code. Reference: Sections 114.3, 144.5, 703, 704, 2530.2, 2530.6, 2533, 2535, and 2535.2 Business and Professions Code.

§ 1399.157. Fees.

(a) The application fee and biennial renewal fee for a speech-language pathologist shall be $150.00. The application fee and biennial renewal fee for ~~a non-dispensing~~ an audiologist shall be $150.00.

(b) The application fee and annual renewal fee for a dispensing audiologist shall be $280.00.

(c) The ~~application~~registration fee for a speech-language pathology assistant shall be $50.00. The biennial renewal fee for a speech-language pathology assistant shall be $100.00.

(d) The delinquency fee to renew an expired license or registration shall be $25.00.

(e) The fee for registration of an aide shall be $30.00. The biennial renewal fee for an aide shall be $30.00.

(f) The application and biennial renewal fee for a continuing professional development provider shall be $200.00.

(g) The fee for each license or registration status and history certification letter shall be $25.00.

(h) The duplicate wall certificate fee shall be $25.00.

(i) The Board shall waive the application or registration fee for an applicant who meets the requirements set forth in Section 115.5 of the Code. Applicant must submit the following with the application:

(1) Certificate of marriage or certified declaration or registration of domestic partnership filed with the California Secretary of State or other documentary evidence of legal union with an active-duty member of the Armed Forces,

(2) A copy of the military orders establishing their spouse's or partner's duty station in California and,

(3) Written verification from the applicant's issuing licensing entity that the applicant's license or registration in another state, district, or territory of the United States is current in that jurisdiction. The verification shall include all of the following:

(A) the full legal name of the applicant and any other name(s) the applicant has used or has been known by,

(B) the license or registration type and number issued to the applicant by the original licensing entity,

(C) the name and location of the licensing entity, and,

(D) the issuance and expiration date of the license.

NOTE: Authority cited: Section 2531.95, Business and Professions Code. Reference: Sections 115.5, 163.5, 2532.6(f), 2534.2, 2535, 2535.2, 2538.1 and 2538.53, Business and Professions Code.

Hand Carry Item

Agenda Item 5:

Update, Discussion, and Possible Action on Board Responses to the Joint Sunset Review Oversight Committee's Background Paper with Identified Issues, Background and Recommendations and the March 24, 2026 Joint Sunset Review Oversight Hearing

MEMORANDUM

DATE	March 27, 2026
TO	Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Cherise Burns, Executive Officer
SUBJECT	Agenda Item 6: Discussion and Possible Action Regarding Pursuing Federal Bureau of Investigation Rap Back Capabilities through Sunset Review Process

Background

Senate Bill 160 (Committee on Budget and Fiscal Review, Chapter 113, Statutes of 2025) made statutory changes that would allow the Medical Board, Osteopathic Medical Board of California, Board of Psychology, and Board of Behavioral Sciences to enroll their licensees in the United States Federal Bureau of Investigation (FBI) “Rap Back” program once the program is available. This will provide these boards with subsequent federal criminal history information on an on-going basis.

Currently, boards and bureaus receive criminal history information from both the California Department of Justice (DOJ) and FBI once fingerprints are submitted and processed pursuant to Business and Professions Code (BPC) section 144. However, boards and bureaus only receive subsequent state criminal history information on an ongoing basis from DOJ and not federal criminal history information from the FBI. This is because DOJ’s system can provide this information on an ongoing basis and the FBI could not. With the FBI’s Next Generation Identification system, boards and bureaus will be able to receive subsequent federal criminal history information on an on-going basis once the program becomes available.

Because the Board is currently undergoing Sunset Review, Board staff recommend the Board to adopt similar statutory changes to its Practice Act as part of Sunset Review process so that it can obtain subsequent federal criminal history on an on-going basis once the program becomes available.

Action Requested

Staff recommends the Board review the legislative proposal. The Board may wish to determine whether to approve the legislative proposal to be included as part of the Board’s Sunset Review Process.

Suggested Motion Language

Move to adopt the legislative proposal to be included as part of the Board’s Sunset Review as noticed/amended.

Attachment A: Background Checks Legislative Proposal

Attachment B: Senate Bill 160

253X

(a) The board shall require the following to undergo a fingerprint-based state and national criminal history background check pursuant to Section 144.

(1) An applicant for registration as a speech-language pathology or audiology aide as defined in Section 2530.6.

(2) An applicant for licensure as a speech-language pathologists and audiologists as defined in 2532.

(3) An applicant for a speech-language pathologists and audiologists temporary license as defined in Section 2532.3.

(4) An applicant for a required professional experience temporary license as defined in Section 2532.7.

(5) An applicant for licensure as a speech-language pathology assistant as defined in Section 2538.

(6) An applicant for licensure as a hearing aid dispenser as defined in Section 2538.24.

(7) An applicant for a hearing aid dispenser temporary license as defined in Section 2538.27.

(8) An applicant for a hearing aid dispenser trainee license as defined in Section 2538.28.

(9) An applicant for licensure as a dispensing audiologist as defined in Section 2539.1.

(b) The board shall submit to the Department of Justice fingerprint images and related information for individuals specified in subdivision (a) who are subject to a state and national criminal history background check, pursuant to subdivision (u) of Section 11105 of the Penal Code. The Department of Justice shall provide a state- and federal-level response pursuant to subdivision (p) of Section 11105 of the Penal Code.

Senate Bill No. 160

CHAPTER 113

An act to amend Sections 2064.5, 2082, 2111, 2112, 2113, 2125, 2168.2, 3575, and 19239 of, and to add Sections 2042, 2513.5, 2953.1, 2960.01, 2960.02, 2999.106, 4982.01, 4989.55, 4992.31, 4999.92, 7503.05, and 7525.3 to, the Business and Professions Code, to add Sections 33113.5, 59009, 59105, 59206, 66611, and 92612.3 to the Education Code, to repeal and add Section 1030 of the Government Code, to add Section 733.5 to the Harbors and Navigation Code, to add Sections 53.5 and 90.1 to the Military and Veterans Code, and to amend Section 11105 of, and to add Sections 11105.001, 11105.002, 11105.05, 11105.2, 11107.6, and 26330 to, the Penal Code, relating to background checks, and making an appropriation therefor, to take effect immediately, bill related to the budget.

[Approved by Governor September 17, 2025. Filed with Secretary of State September 17, 2025.]

As Amends the Law on Sep 17, 2025

SECTION 1.
Section 2042 is added to the Business and Professions Code, to read:

2042.
Notwithstanding any other law, the Medical Board of California and the Osteopathic Medical Board of California shall require each applicant to furnish to the board a full set of fingerprints for purposes of conducting criminal history record checks. The board shall submit to the Department of Justice fingerprint images and related information required by the Department of Justice of all applicants, pursuant to subdivision (u) of Section 11105 of the Penal Code. The Department of Justice shall provide a state and federal response to the board pursuant to subdivision (p) of Section 11105 of the Penal Code. The Department of Justice shall charge a fee sufficient to cover the cost of processing the fingerprints and response required by this section. The applicant shall be responsible for this cost.

SEC. 2.
Section 2064.5 of the Business and Professions Code is amended to read:

2064.5.
(a) Within 180 days after beginning a board-approved postgraduate training program pursuant to Section 2065, medical school graduates shall obtain a physician's and surgeon's postgraduate training license. To be considered for a postgraduate training license, the applicant shall submit the application forms and primary source documents required by the board, shall successfully pass all required licensing examinations, shall pay a nonrefundable application and processing fee, and shall not have committed any act that would be grounds for denial.
(1) Each application submitted pursuant to this section shall be made upon an online electronic form, or another form provided by the board, and each application form shall contain a legal verification by the applicant certifying under penalty of perjury that the information provided by the applicant is true and correct and that any information in supporting documents provided by the applicant is true and correct.
(2) Each application shall include the following:
(A) A diploma issued by a board-approved medical school. The requirements of the school shall not have been less than those required under this chapter at the time the diploma was granted or by any preceding medical practice act at the time that the diploma was granted. In lieu of a diploma, the applicant may submit evidence satisfactory to the board of having possessed the same.

(B) An official transcript or other official evidence satisfactory to the board showing each approved medical school in which a resident course of professional instruction was pursued covering the minimum requirements for certification as a physician and surgeon, and that a diploma and degree were granted by the school.
(C) Other information concerning the professional instruction and preliminary education of the applicant as the board may require.
(D) An affidavit showing to the satisfaction of the board that the applicant is the person named in each diploma and transcript that the applicant submits, that the applicant is the lawful holder thereof, and that the diploma or transcript was procured in the regular course of professional instruction and examination without fraud or misrepresentation.
(E) Either fingerprint cards or a copy of a completed Live Scan form from the applicant.
(F) If the medical school graduate graduated from a foreign medical school approved by the board pursuant to Section 2084, an official Educational Commission for Foreign Medical Graduates (ECFMG) Certification Status Report confirming the graduate is ECFMG certified.
(b) Any physician's and surgeon's postgraduate training license in an active status issued on or after January 1, 2020, shall be valid for a period of 36 months. The physician's and surgeon's postgraduate training licensee may engage in the practice of medicine only in connection with the licensee's duties as an intern or resident physician in a board-approved program, including its affiliated sites, or under those conditions as are approved in writing and maintained in the postgraduate licensee's file by the director of the program.
(c) The postgraduate training licensee may engage in the practice of medicine in locations authorized by subdivision (b), and as permitted by the Medical Practice Act and other applicable statutes and regulations, including, but not limited to, the following:
(1) Diagnose and treat patients.
(2) Prescribe medications without a cosigner, including prescriptions for controlled substances, if the licensee has the appropriate Drug Enforcement Agency registration or permit and is registered with the Department of Justice CURES program.
(3) Sign birth certificates without a cosigner.
(4) Sign death certificates without a cosigner.
(5) Sign any other forms a physician and surgeon is authorized to sign.
(d) The postgraduate training licensee may be disciplined by the board at any time for any of the grounds that would subject the holder of a physician's and surgeon's certificate to discipline.
(e) If the medical school graduate fails to obtain a postgraduate license within 180 days after beginning a board-approved postgraduate training program or if the board denies the graduate's application for a postgraduate license, all privileges and exemptions under this section shall automatically cease.
(f) Each medical school graduate who was issued a postgraduate training authorization letter by the board prior to January 1, 2020, and is enrolled in a board-approved postgraduate training program by April 30, 2025, will be issued a postgraduate training license automatically by June 30, 2020, or by June 30 of the year following initial enrollment into a board-approved postgraduate training program, whichever is earlier, upon proof of enrollment in the postgraduate training program.
(g) The board shall confidentially destroy the file of each medical school graduate who was issued a postgraduate training authorization letter by the board prior to January 1, 2020, who did not enroll in a postgraduate training program by April 30, 2025.
(h) The Medical Board of California and the Osteopathic Medical Board of California shall submit to the Department of Justice fingerprint images and related information required by the Department of Justice of all applicants for the postgraduate training license, as defined in this section, to determine whether the applicant has a criminal conviction record in this state or in any other jurisdiction, including foreign countries, pursuant to Section 2042. The Department of Justice shall provide a state- and federal-level response in accordance with subdivision (p) of Section 11105 of the Penal Code for

the board to determine whether the applicant is subject to denial of licensure under the provisions of Division 1.5 (commencing with Section 475) and Section 2221.

SEC. 3.
Section 2082 of the Business and Professions Code is amended to read:

2082.
(a) Each application shall include the following:
(1) A diploma issued by an approved medical school. The requirements of the school shall have been at the time of granting the diploma in no degree less than those required under this chapter or by any preceding medical practice act at the time that the diploma was granted. In lieu of a diploma, the applicant may submit evidence satisfactory to the board of having possessed the same.
(2) An official transcript or other official evidence satisfactory to the board showing each approved medical school in which a resident course of professional instruction was pursued covering the minimum requirements for certification as a physician and surgeon, and that a diploma and degree were granted by the school.
(3) Other information concerning the professional instruction and preliminary education of the applicant as the board may require.
(4) Proof of passage of the written examinations as provided under Article 9 (commencing with Section 2170) with a score acceptable to the board.
(5) Proof of satisfactory completion of the postgraduate training required under Section 2096 on a form approved by the board.
(6) An affidavit showing to the satisfaction of the board that the applicant is the person named in each diploma and transcript that they have submitted, that they are the lawful holder thereof, and that the diploma or transcript was procured in the regular course of professional instruction and examination without fraud or misrepresentation.
(7) Either fingerprint cards or a copy of a completed Live Scan form from the applicant.
(8) Beginning January 1, 2020, if the applicant attended a foreign medical school approved by the board pursuant to Section 2084, an official Educational Commission for Foreign Medical Graduates (ECFMG) Certification Status Report submitted by the Educational Commission for Foreign Medical Graduates confirming the graduate is ECFMG certified.
(9) Beginning January 1, 2020, if the applicant attended a foreign medical school approved by the board pursuant to Section 2084, official evidence satisfactory to the board of completion of all formal requirements of the medical school for graduation, except the applicant shall not be required to have completed an internship or social service or be admitted or licensed to practice medicine in the country in which the professional instruction was completed.
(b) The Medical Board of California and the Osteopathic Medical Board of California shall submit to the Department of Justice fingerprint images and related information required by the Department of Justice of all applicants for the physician's and surgeon's certificate, as defined by Section 2050, to determine whether the applicant has a criminal conviction record in this state or in any other jurisdiction, including foreign countries, pursuant to Section 2042. The Department of Justice shall provide a state- and federal-level response in accordance with subdivision (p) of Section 11105 of the Penal Code for the board to determine whether the applicant is subject to denial of licensure under the provisions of Division 1.5 (commencing with Section 475) and Section 2221.

SEC. 4.
Section 2111 of the Business and Professions Code is amended to read:

2111.
(a) Physicians who are not citizens but who meet the requirements of subdivision (b) and who seek postgraduate study in an approved medical school or academic medical center may, after receipt of an appointment from the dean of the California medical school, or dean or chief medical officer of an academic medical center, and application to and approval by the board, be permitted to participate in the professional activities of the department or division in the medical school or academic medical center to which they are appointed. The physician shall be under the direction of the head of the department to which the physician is appointed, supervised by the medical center staff of the medical school or academic medical center, and known for these purposes as a "visiting fellow." The visiting fellow shall wear a visible name tag containing the title "visiting fellow" when the visiting fellow provides clinical services.
(b) (1) Application for approval shall be made on a form prescribed by the division and shall be accompanied by a fee fixed by the board in an amount necessary to recover the actual application processing costs of the program. The application shall show that the person does not immediately qualify for a physician's and surgeon's certificate under this chapter and that the person has completed at least three years of postgraduate basic residency requirements. The application shall include a written statement of the recruitment procedures followed by the medical school or academic medical center before offering the appointment to the applicant.
(2) The board shall submit to the Department of Justice fingerprint images and related information required by the Department of Justice of all applicants for Section 2111 permits, as defined by this section, to determine whether the applicant has a criminal conviction record in this state or in any other jurisdiction, including foreign countries, pursuant to Section 2042. The Department of Justice shall provide a state- and federal-level response in accordance with subdivision (p) of Section 11105 of the Penal Code for the board to determine whether the applicant is subject to denial of licensure under the provisions of Division 1.5 (commencing with Section 475).
(3) Approval shall be granted only for appointment to one medical school or academic medical center, and a physician shall not be granted more than one approval for the same period of time.
(4) Approval may be granted for a maximum of three years and shall be renewed annually. The medical school or academic medical center shall submit a request for renewal on a form prescribed by the board, which shall be accompanied by a renewal fee fixed by the board in an amount necessary to recover the actual application processing costs of the program.
(c) Except to the extent authorized by this section, the visiting fellow may not engage in the practice of medicine. The visiting fellow or the medical school or academic medical center shall not assess any charge for the medical services provided by the visiting fellow, and the visiting fellow shall not receive any other compensation therefor.
(d) The time spent under appointment in a medical school or academic medical center pursuant to this section shall not be used to meet the requirements for licensure.
(e) (1) The board shall notify both the visiting fellow and the dean of the appointing medical school or the dean or chief medical officer of the academic medical center of any complaint made about the visiting fellow.
(2) The board may terminate its approval of an appointment for any act that would be grounds for discipline if done by a licensee. The board shall provide both the visiting fellow and the dean of the medical school or dean or chief medical officer of the academic medical center with a written notice of termination including the basis for that termination. The visiting fellow may, within 30 days after the date of the notice of termination, file a written appeal to the board. The appeal shall include any documentation the visiting fellow wishes to present to the board.

(f) This section shall not preclude any United States citizen who has received a medical degree from a medical school located in a foreign country and recognized by the board from participating in any program established pursuant to this section.
(g) A visiting fellow approved pursuant to this section before January 1, 2021, who participates in the professional activities of the department or division in an academic medical center shall be deemed to be appointed to that academic medical center as though the initial application had been sponsored by the academic medical center.
(h) As used in this section, "academic medical center" has the same meaning as defined in subdivision (a) of Section 2168.
(i) The permit authorized by this section may be canceled in any of the following circumstances:
(1) Upon request by the permit holder.
(2) Upon request by an authorized representative of the sponsoring facility or institution.
(3) By the board after the permit has expired and is no longer eligible for renewal.

SEC. 5.
Section 2112 of the Business and Professions Code is amended to read:

2112.
(a) Physicians who are not citizens and who seek postgraduate study, may, after application to and approval by the board, be permitted to participate in a fellowship program in a specialty or subspecialty field, providing the fellowship program is given in a hospital in this state which is approved by the Joint Commission and providing the service is satisfactory to the board. Such physicians shall at all times be under the direction and supervision of a licensed, board-certified physician and surgeon who is recognized as a clearly outstanding specialist in the field in which the foreign fellow is to be trained. The supervisor, as part of the application process, shall submit the supervisor's curriculum vitae and a protocol of the fellowship program to be completed by the foreign fellow. Approval of the program and supervisor is for a period of one year, but may be renewed annually upon application to and approval by the board. The approval may not be renewed more than four times. The board may determine a fee, based on the cost of operating this program, which shall be paid by the applicant at the time the application is filed.
(b) The board shall submit to the Department of Justice fingerprint images and related information required by the Department of Justice of all applicants for Section 2112 permits, as defined by this section, to determine whether the applicant has a criminal conviction record in this state or in any other jurisdiction, including foreign countries, pursuant to Section 2042. The Department of Justice shall provide a state- and federal-level response in accordance with subdivision (p) of Section 11105 of the Penal Code for the board to determine whether the applicant is subject to denial of licensure under the provisions of Division 1.5 (commencing with Section 475).
(c) Except to the extent authorized by this section, no such visiting physician may engage in the practice of medicine or receive compensation therefor. The time spent under appointment in a medical school pursuant to this section may not be used to meet the requirements for licensure.
(d) Nothing in this section shall preclude any United States citizen who has received their medical degree from a medical school located in a foreign country from participating in any program established pursuant to this section.
(e) The permit authorized by this section may be canceled in the following circumstances:
(1) Upon request by the permit holder.
(2) Upon request by an authorized representative of the sponsoring facility or institution.
(3) By the board after the permit has expired and is no longer eligible for renewal.

SEC. 6.
Section 2113 of the Business and Professions Code is amended to read:

2113.
(a) Any person who does not immediately qualify for a physician's and surgeon's certificate under this chapter and who is offered by the dean of an approved medical school, or dean or chief medical officer of an academic medical center, in this state a full-time faculty position may, after application to and approval by the board, be granted a certificate of registration to engage in the practice of medicine only to the extent that the practice is incident to and a necessary part of that person's duties as approved by the board in connection with the faculty position. A certificate of registration does not authorize a registrant to admit patients to a nursing or a skilled or assisted living facility unless that facility is formally affiliated with the sponsoring medical school. A clinical fellowship shall not be submitted as a faculty service appointment.
(b) Application for a certificate of registration shall be made on a form prescribed by the board and shall be accompanied by a registration fee fixed by the board in an amount necessary to recover the actual application processing costs of the program. To qualify for the certificate, an applicant shall submit all of the following:
(1) If the applicant is a graduate of a medical school other than in the United States or Canada, documentary evidence satisfactory to the board that the applicant has been licensed to practice medicine and surgery for not less than four years in another state or country whose requirements for licensure are satisfactory to the board, or has been engaged in the practice of medicine in the United States for at least four years in approved facilities, or has completed a combination of that licensure and training.
(2) If the applicant is a graduate of a medical school in the United States or Canada, documentary evidence that the medical school is approved by the board.
(3) Written certification by the head of the department in which the applicant is to be appointed of all of the following:
(A) The applicant will be under the head of the department's direction.
(B) The applicant will not be permitted to practice medicine unless incident to and a necessary part of the applicant's duties as approved by the board in subdivision (a).
(C) The applicant will be accountable to the medical school's or academic medical center's chair or division chief for the specialty in which the applicant will practice.
(D) The applicant will be proctored in the same manner as other new faculty members, including, as appropriate, review by the medical staff of the sponsoring medical school or academic medical center.
(E) The applicant will not be appointed to a supervisory position at the level of a medical school or academic medical center's department chair or division chief.
(4) Demonstration by the dean of the medical school, or dean or chief medical officer or an academic medical center, that the applicant has the requisite qualifications to assume the position to which the applicant is to be appointed and that shall include a written statement of the recruitment procedures followed by the medical school or academic medical center before offering the faculty position to the applicant.
(5) The board shall submit to the Department of Justice fingerprint images and related information required by the Department of Justice of all applicants for Section 2113 registration, as defined by this section, to determine whether the applicant has a criminal conviction record in this state or in any other jurisdiction, including foreign countries, pursuant to Section 2042. The Department of Justice shall provide a state- and federal-level response in accordance with subdivision (p) of Section 11105 of the Penal Code for the board to determine whether the applicant is subject to denial of licensure under the provisions of Division 1.5 (commencing with Section 475).

(c) A certificate of registration shall be issued only for a faculty position at one approved medical school, or academic medical center, and a person shall not be issued more than one certificate of registration for the same period of time.
(d) (1) A certificate of registration is valid for one year from its date of issuance and may be renewed twice.
A request for renewal shall be submitted on a form prescribed by the board and shall be accompanied by a renewal fee fixed by the board in an amount necessary to recover the actual application processing costs of the program.
(2) The dean of the medical school, or the dean or chief medical officer of an academic medical center, may request renewal of the registration by submitting a plan at the beginning of the third year of the registrant's appointment demonstrating the registrant's continued progress toward licensure and, if the registrant is a graduate of a medical school other than in the United States or Canada, that the registrant has been issued a certificate by the Educational Commission for Foreign Medical Graduates. The board may, in its discretion, extend the registration for a two-year period to facilitate the registrant's completion of the licensure process.
(e) If the registrant is a graduate of a medical school other than in the United States or Canada, the registrant shall meet the requirements of Section 2065 or 2135, as appropriate, in order to obtain a physician's and surgeon's certificate. Notwithstanding any other provision of law, the board may accept clinical practice in an appointment pursuant to this section as qualifying time to meet the postgraduate training requirements in Section 2065, and, in its discretion, waive the examination and the Educational Commission for Foreign Medical Graduates certification requirements specified in paragraph (2) of subdivision (a) of Section 2065 in the event the registrant applies for a physician's and surgeon's certificate. As a condition to waiving any examination or the Educational Commission for Foreign Medical Graduates certification requirement, the board in its discretion, may require an applicant to pass a clinical competency examination approved by the board. The board shall not waive any examination for an applicant who has not completed at least one year in the faculty position.
(f) Except to the extent authorized by this section, the registrant shall not engage in the practice of medicine, bill individually for medical services provided by the registrant, or receive compensation therefor, unless the registrant is issued a physician's and surgeon's certificate.
(g) When providing clinical services, the registrant shall wear a visible name tag containing the title "visiting professor" or "visiting faculty member," as appropriate, and the institution at which the services are provided shall obtain a signed statement from each patient to whom the registrant provides services acknowledging that the patient understands that the services are provided by a person who does not hold a physician's and surgeon's certificate but who is qualified to participate in a special program as a visiting professor or faculty member.
(h) The board shall notify both the registrant and the dean of the medical school, or the dean or chief medical officer of an academic medical center, of a complaint made about the registrant. The board may terminate a registration for any act that would be grounds for discipline if done by a licensee. The board shall provide both the registrant and the dean of the medical school, or the dean or chief medical officer of an academic medical center, with written notice of the termination and the basis for that termination. The registrant may, within 30 days after the date of the notice of termination, file a written appeal to the board. The appeal shall include any documentation the registrant wishes to present to the board.
(i) A registrant granted a certificate of registration before January 1, 2021, to engage in the practice of medicine pursuant to this section at an academic medical center shall be deemed to be authorized at that academic medical center as though the initial application had been sponsored by the academic medical center.
(j) As used in this section, "academic medical center" has the same meaning as defined in subdivision (a) of Section 2168.
(k) The certificate of registration authorized by this section may be canceled in the following circumstances:

(1) Upon request by the certificate holder.
(2) Upon request by an authorized representative of the sponsoring facility or institution.
(3) By the board after the certificate has expired and is no longer eligible for renewal.

SEC. 7.
Section 2125 of the Business and Professions Code is amended to read:

2125.
(a) For purposes of this article, the following definitions apply:
(1) "Board" means the Medical Board of California.
(2) "Program" means the Licensed Physicians from Mexico Program.
(b) (1) The Licensed Physicians from Mexico Program is hereby created.
(2) The board shall approve physician candidates from Mexico for program participation.
(c) (1) This program extends the physician component of the Licensed Physicians and Dentists from Mexico Pilot Program, as established in former Section 853, which authorized up to 30 licensed physicians specializing in family practice, internal medicine, pediatrics, and obstetrics and gynecology from Mexico to practice medicine in California for a period not to exceed three years.
(2) The program shall also maintain an alternate list of program participants.
(d) The board shall issue a nonrenewable three-year physician's and surgeon's license to each licensed physician from Mexico who meets the criteria set forth in this section.
(e) Each physician from Mexico, to be eligible to participate in this program, shall comply with all of the following:
(1) Be licensed, certified or recertified, and in good standing in their medical specialty in Mexico. This certification or recertification shall be performed, as appropriate, by the Consejo Mexicano de Ginecología y Obstetricia, A.C., the Consejo Mexicano de Certificación en Medicina Familiar, A.C., the Consejo Mexicano de Medicina Interna, A.C., the Consejo Mexicano de Certificación en Pediatría, A.C., or the Consejo Mexicano de Psiquiatría, A.C.
(2) The board shall submit to the Department of Justice fingerprint images and related information required by the Department of Justice of all applicants for a physician's and surgeon's license, as defined by this section, to determine whether the applicant has a criminal conviction record in this state or in any other jurisdiction, including foreign countries, pursuant to Section 2042. The Department of Justice shall provide a state- and federal-level response in accordance with subdivision (p) of Section 11105 of the Penal Code for the board to determine whether the applicant is subject to denial of licensure under the provisions of Division 1.5 (commencing with Section 475) and Section 2221.
(3) Before leaving Mexico, have completed all of the following requirements:
(A) Passed an interview examination developed by the National Autonomous University of Mexico (UNAM) for each specialty area. Each family practitioner who includes obstetrics and gynecology in their practice and shall not perform deliveries in California unless they have performed 50 live birth deliveries, as required by United States standards, confirmed by written documentation by the supervising department chair, hospital administrator, or hospital chief medical officer. Each obstetrician and gynecologist from Mexico shall be a fellow in good standing of the American College of Obstetricians and Gynecologists.
(B) (i) Satisfactorily completed an orientation program approved by the board in connection with the Licensed Physicians and Dentists from Mexico Pilot Program, as established in former Section 853, and that includes medical protocol, community clinic history and operations, medical administration, hospital operations and protocol, medical ethics, the California medical delivery system, health maintenance organizations and managed care practices, medication documentation and reconciliation, the electronic medical records system utilized by federally qualified health centers, and standards for medical record documentation to support medical decisionmaking and quality care. This orientation program may be changed by a committee of at least five chief medical officers at federally qualified

health centers employing program licensees to ensure that the orientation program contains the requisite subject matter and meets appropriate California law and medical standards where applicable.
(ii) Satisfactorily completed the Test of English as a Foreign Language by scoring a minimum of 85 percent or the Occupational English Test with a minimum score of 350, and provided written documentation of their completion to the board.
(C) Representatives from California and the UNAM in Mexico that executed and implemented the provisions of the former Physicians and Dentists from Mexico Pilot Program shall be the points of contact involved in securing required documents, recruiting and vetting candidates, assisting candidates for this program in Mexico to meet all program requirements, selecting appropriate federally qualified health centers throughout California, ensuring compliance with program provisions, developing policy and clinical workshops, monitoring productivity and increased access to medical care, and assessing the necessity of policy and programmatic improvements.
(4) Upon satisfactory completion of the requirements in paragraphs (1) to (3), inclusive, and after having received their nonrenewable three-year physician's and surgeon's license, each licensee shall be required to obtain continuing education pursuant to Section 2190. Each physician shall obtain 25 continuing education units per year for three years of program participation, which shall be subject to random audits by the board to ensure compliance. The board may issue a citation and administrative fine against a licensee who fails to comply with the requirements of this paragraph.
(5) The federally qualified health centers employing physicians from Mexico shall continue the peer review protocols and procedures as required by the federal government. The federally qualified health centers shall work with a California medical school approved by the board pursuant to Section 2084 or a residency program approved by the Accreditation Council for Graduate Medical Education to conduct 10 secondary reviews of randomly selected patient encounters with each licensee per six-month period, and the reviews shall be transmitted to the approved medical school or medical institution with an approved residency program in PDF format. The secondary reviews shall be undertaken every six months of each year for the three years that the physicians from Mexico are employed by federally qualified health centers. The faculty reviewers in family medicine, pediatrics, internal medicine, psychiatry, and obstetrics and gynecology from the California medical school approved by the board pursuant to Section 2084 or the residency program approved by the Accreditation Council for Graduate Medical Education shall provide feedback to the federally qualified health centers of the findings of their secondary reviews. The faculty and federally qualified health center chief medical officers shall jointly develop no less than two quality assurance (QA) seminars for all physicians from Mexico to attend during the six months of secondary reviews conducted. The purpose of the approved medical school or medical institution with an approved residency program secondary peer reviews shall be to provide feedback on compliance with medical standards, protocols, and procedures required by the federal government and assessed by the monthly or quarterly peer reviews conducted by federally qualified health centers. The associated costs for the secondary reviews and QA seminars shall be the responsibility of the federally qualified health centers on a pro rata basis.
(6) The federally qualified health centers employing physicians in the program shall be required to have medical quality assurance protocols and be accredited by The Joint Commission, National Committee for Quality Assurance, or Accreditation Association for Ambulatory Health Care.
(7) Participating hospitals shall have the authority to establish criteria necessary to allow individuals participating in this program to be granted hospital privileges in their facilities, taking into consideration the need and concerns for access to patient populations served by federally qualified health centers and attending doctors from Mexico, especially in rural areas that do not have hospitals staffed to provide deliveries of newborns.
(8) A licensee shall practice only in the nonprofit community health center that offered the licensee employment and the corresponding hospital. This three-year physician's and surgeon's license shall be deemed to be a license in good standing pursuant to the provisions of this chapter for the purpose of participation and reimbursement in all federal, state, and local health programs. These programs shall

include the Medicare Program, the fee-for-service and managed care delivery systems of the Medi-Cal program, and private insurance. A physician from Mexico shall not be denied credentials by a health plan because the physician is a participant in this state program and did not receive their medical education and training in the United States. The nonrenewable three-year physician's and surgeon's license issued pursuant to this program shall be referred to as a Physician's and Surgeon's from Mexico License and shall not include any additional notations beyond the current numerical identifiers that the board applies.

(f) (1) Notwithstanding subdivisions (a) to (d), inclusive, of Section 30, the board shall issue a nonrenewable three-year physician's and surgeon's license pursuant to this section to an applicant who has not provided an individual taxpayer identification number or social security number if the board staff determines the applicant is otherwise eligible for a license only under the program pursuant to this section, subject to the following conditions:

(A) The applicant shall immediately seek both an appropriate three-year visa and the accompanying social security number from the United States government within 14 days of being issued a medical license under this section.

(B) The applicant shall immediately provide to the board a social security number obtained in accordance with subparagraph (A) within 10 days of the federal government issuing the social security card related to the issued visa.

(C) The applicant shall not engage in the practice of medicine pursuant to this section until the board determines that the conditions in subparagraphs (A) and (B) have been met.

(2) The board, if it determines that an applicant has met the conditions in paragraph (1), shall notify the applicant that the applicant may engage in the practice of medicine under the license in accordance with this section.

(g) (1) (A) Between January 1, 2025, and January 1, 2029, the board shall coordinate with the representatives described in subparagraph (C) of paragraph (2) of subdivision (e) to ensure that no more than 155 program participants have a current and active license at the same time.

(B) During the time period described in subparagraph (A), no more than 30 of the 155 licenses may be issued to physicians whose primary area of practice is psychiatry.

(C) During the time period described in subparagraph (A), an applicant shall submit an application to the board between October 1, 2025, and December 31, 2025, except that the board may accept up to 15 applications after December 31, 2025, and before January 1, 2028.

(2) (A) Between January 1, 2029, and January 1, 2033, the board shall coordinate with the representatives described in subparagraph (C) of paragraph (2) of subdivision (e) to ensure that no more than 195 program participants have a current and active license at the same time.

(B) During the time period described in subparagraph (A), no more than 40 of the 195 licenses may be issued to physicians whose primary area of practice is psychiatry.

(C) During the time period described in subparagraph (A), an applicant shall submit an application to the board between October 1, 2029, and December 31, 2029, except that the board may accept up to 19 applications after December 31, 2029, and before January 1, 2032.

(3) (A) Between January 1, 2033, and January 1, 2037, the board shall coordinate with the representatives described in subparagraph (C) of paragraph (2) of subdivision (e) to ensure that no more than 225 program participants have a current and active license at the same time.

(B) During the time period described in subparagraph (A), no more than 40 of the 225 licenses may be issued to physicians whose primary area of practice is psychiatry.

(C) During the time period described in subparagraph (A), an applicant shall submit an application to the board between October 1, 2033, and December 31, 2033, except that the board may accept up to 22 applications after December 31, 2033, and before January 1, 2036.

(4) (A) Between January 1, 2037, and January 1, 2041, the board shall coordinate with the representatives described in subparagraph (C) of paragraph (2) of subdivision (e) to ensure that no more than 255 program participants have a current and active license at the same time.

(B) During the time period described in subparagraph (A), no more than 40 of the 255 licenses may be issued to physicians whose primary area of practice is psychiatry.
(C) During the time period described in subparagraph (A), an applicant shall submit an application to the board between October 1, 2037, and December 31, 2037, except that the board may accept up to 25 applications after December 31, 2037, and before January 1, 2040.
(5) (A) Between January 1, 2041, and January 1, 2045, the board shall coordinate with the representatives described in subparagraph (C) of paragraph (2) of subdivision (e) to ensure that no more than 275 program participants have a current and active license at the same time.
(B) During the time period described in subparagraph (A), no more than 40 of the 275 licenses may be issued to physicians whose primary area of practice is psychiatry.
(C) During the time period described in subparagraph (A), an applicant shall submit an application to the board between October 1, 2041, and December 31, 2041, except that the board may accept up to 27 applications after December 31, 2041, and before January 1, 2044.
(6) A physician's eligibility pursuant to this subdivision is subject to the physician complying with all of the requirements set forth in this section.
(h) All applicable employment benefits, salary, and policies provided by nonprofit community health centers to their current employees shall be provided to medical practitioners from Mexico participating in this program. This shall include nonprofit community health centers providing malpractice insurance coverage.
(i) Each program applicant shall be responsible for working with the governments of Mexico and the United States in order to obtain the necessary three-year visa required for program participation.

SEC. 8.
Section 2168.2 of the Business and Professions Code is amended to read:

2168.2.
An application for a special faculty permit shall be made on a form prescribed by the board and shall include any information that the board may prescribe to establish an applicant's eligibility for a permit. This information shall include, but is not limited to, the following:
(a) A statement from the dean of the medical school or dean or chief medical officer at an academic medical center at which the applicant will be employed describing the applicant's qualifications and justifying the dean's or chief medical officer's determination that the applicant satisfies the requirements of paragraph (1) of subdivision (a) of Section 2168.1.
(b) A statement by the dean of the medical school or dean or chief medical officer of the academic medical center listing every affiliated institution in which the applicant will be providing instruction as part of the medical school's or academic medical center's educational program and justifying any clinical activities at each of the institutions listed by the dean or chief medical officer.
(c) The board shall submit to the Department of Justice fingerprint images and related information required by the Department of Justice of all applicants for special faculty permits, as defined by Section 2168, to determine whether the applicant has a criminal conviction record in this state or in any other jurisdiction, including foreign countries, pursuant to Section 2042. The Department of Justice shall provide a state- and federal-level response in accordance with subdivision (p) of Section 11105 of the Penal Code for the board to determine whether the applicant is subject to denial of licensure under the provisions of Division 1.5 (commencing with Section 475).

SEC. 9.
Section 2513.5 is added to the Business and Professions Code, to read:

2513.5.
The Medical Board of California shall submit to the Department of Justice fingerprint images and related information required by the Department of Justice of all applicants for a midwife license, as defined by Section 2507, to determine whether the applicant has a criminal conviction record in this state or in any other jurisdiction, including foreign countries, pursuant to Section 2042. The Department of Justice shall provide a state- and federal-level response pursuant to subdivision (p) of Section 11105 of the Penal Code for the board to determine whether the applicant is subject to denial of licensure under the provisions of Division 1.5 (commencing with Section 475).

SEC. 10.
Section 2953.1 is added to the Business and Professions Code, to read:

2953.1.
(a) The board shall require an applicant for registration as a research psychoanalyst and applicant for registration as a student research psychoanalyst, as defined in Section 2950, to undergo a fingerprint-based state and national criminal history background check, pursuant to Section 144.
(b) The board shall submit to the Department of Justice fingerprint images and related information for individuals specified in subdivision (a) who are subject to a state and national criminal history background check, pursuant to subdivision (u) of Section 11105 of the Penal Code. The Department of Justice shall provide a state- and federal-level response pursuant to subdivision (p) of Section 11105 of the Penal Code.

SEC. 11.
Section 2960.01 is added to the Business and Professions Code, to read:

2960.01.
(a) The board shall require an applicant for licensure as a psychologist, as defined in Section 2902, to undergo a fingerprint-based state and national criminal history background check, pursuant to Section 144.
(b) The board shall submit to the Department of Justice fingerprint images and related information for individuals specified in subdivision (a) who are subject to a state and national criminal history background check, pursuant to subdivision (u) of Section 11105 of the Penal Code. The Department of Justice shall provide a state- and federal-level response pursuant to subdivision (p) of Section 11105 of the Penal Code.

SEC. 12.
Section 2960.02 is added to the Business and Professions Code, to read:

2960.02.
(a) The Board of Psychology shall require an applicant for registration as a psychological associate, as defined in Section 2913, to undergo a fingerprint-based state and national criminal history background check, pursuant to Section 144.
(b) The board shall submit to the Department of Justice fingerprint images and related information for individuals specified in subdivision (a) who are subject to a state and national criminal history background check, pursuant to subdivision (u) of Section 11105 of the Penal Code. The Department of Justice shall provide a state- and federal-level response pursuant to subdivision (p) of Section 11105 of the Penal Code.

SEC. 13.
Section 2999.106 is added to the Business and Professions Code, to read:

2999.106.
(a) The Board of Psychology shall require an applicant for registration as a psychological testing technician, as defined in Section 2999.100, to undergo a fingerprint-based state and national criminal history background check, pursuant to Section 144.
(b) The board shall submit to the Department of Justice fingerprint images and related information for individuals specified in subdivision (a) who are subject to a state and national criminal history background check, pursuant to subdivision (u) of Section 11105 of the Penal Code. The Department of Justice shall provide a state- and federal-level response pursuant to subdivision (p) of Section 11105 of the Penal Code.

SEC. 14.
Section 3575 of the Business and Professions Code is amended to read:

3575.
(a) For the purposes of this chapter, the following definitions shall apply:
(1) "Board" means the Medical Board of California.
(2) "Polysomnography" means the treatment, management, diagnostic testing, control, education, and care of patients with sleep and wake disorders. Polysomnography shall include, but not be limited to, the process of analysis, monitoring, and recording of physiologic data during sleep and wakefulness to assist in the treatment of disorders, syndromes, and dysfunctions that are sleep-related, manifest during sleep, or disrupt normal sleep activities. Polysomnography shall also include, but not be limited to, the therapeutic and diagnostic use of oxygen, the use of positive airway pressure including continuous positive airway pressure (CPAP) and bilevel modalities, adaptive servo-ventilation, and maintenance of nasal and oral airways that do not extend into the trachea.
(3) "Supervision" means that the supervising physician and surgeon shall remain available, either in person or through telephonic or electronic means, at the time that the polysomnographic services are provided.
(b) (1) Within one year after the effective date of this chapter, the board shall promulgate regulations relative to the qualifications for the registration of individuals as certified polysomnographic technologists, polysomnographic technicians, and polysomnographic trainees. The qualifications for a certified polysomnographic technologist shall include all of the following:
(A) The applicant shall have valid, current credentials as a polysomnographic technologist issued by a national accrediting agency approved by the board.
(B) The applicant shall have graduated from a polysomnographic educational program that has been approved by the board.
(C) The applicant shall have passed a national certifying examination that has been approved by the board.
(2) An applicant for registration as a certified polysomnographic technologist may satisfy the qualifications described in paragraph (1) by submitting proof to the board that they have been practicing polysomnography for at least five years in a manner that is acceptable to the board. However, beginning three years after the effective date of this chapter, all individuals seeking to obtain certification as a polysomnographic technologist shall have passed a national certifying examination that has been approved by the board.
(c) (1) In accordance with Section 2042, any person seeking registration from the board as a certified polysomnographic technologist, a polysomnographic technician, or a polysomnographic trainee shall be subject to a state- and federal-level criminal offender record information search conducted through the Department of Justice as specified in paragraph (2).

(2) The board shall submit to the Department of Justice fingerprint images and related information required by the Department of Justice of all applicants for registration as a certified polysomnographic technologist, a polysomnographic technician, or a polysomnographic trainee, as defined by this section, to determine whether the applicant has a criminal conviction record in this state or in any other jurisdiction, including foreign countries, pursuant to Section 2042. The Department of Justice shall provide a state- and federal-level response pursuant to subdivision (p) of Section 11105 of the Penal Code for the board to determine whether the applicant is subject to denial of licensure under the provisions of Division 1.5 (commencing with Section 475).
(d) An individual may use the title "certified polysomnographic technologist" and may engage in the practice of polysomnography only under the following circumstances:
(1) The individual is registered with the board and has successfully undergone a state- and federal-level criminal offender record information search pursuant to subdivision (c).
(2) The individual works under the supervision and direction of a licensed physician and surgeon.
(3) The individual meets the requirements of this chapter.
(e) Within one year after the effective date of this chapter, the board shall adopt regulations that establish the means and circumstances in which a licensed physician and surgeon may employ polysomnographic technicians and polysomnographic trainees. The board may also adopt regulations specifying the scope of services that may be provided by a polysomnographic technician or polysomnographic trainee. Any regulation adopted pursuant to this section may specify the level of supervision that polysomnographic technicians and trainees are required to have when working under the supervision of a certified polysomnographic technologist or licensed health care professional.
(f) This section shall not apply to California licensed allied health professionals, including, but not limited to, respiratory care practitioners, working within the scope of practice of their license.
(g) Nothing in this chapter shall be interpreted to authorize a polysomnographic technologist, technician, or trainee to treat, manage, control, educate, or care for patients other than those with sleep disorders or to provide diagnostic testing for patients other than those with suspected sleep disorders.

SEC. 15.
Section 4982.01 is added to the Business and Professions Code, to read:

4982.01.
(a) The Board of Behavioral Sciences shall require an applicant for marriage and family therapist licensure or registration as an associate marriage and family therapist, as defined in Sections 4980, 4980.02, and 4980.03, to undergo a fingerprint-based state and national criminal history background check, pursuant to Section 144.
(b) The board shall submit to the Department of Justice fingerprint images and related information for individuals specified in subdivision (a) who are subject to a state and national criminal history background check, pursuant to subdivision (u) of Section 11105 of the Penal Code. The Department of Justice shall provide a state- and federal-level response pursuant to subdivision (p) of Section 11105 of the Penal Code.

SEC. 16.
Section 4989.55 is added to the Business and Professions Code, to read:

4989.55.
(a) The Board of Behavioral Sciences shall require an applicant for licensure as an educational psychologist, as defined in Sections 4989.14 and 4989.20, to undergo a fingerprint-based state and national criminal history background check, pursuant to Section 144.
(b) The board shall submit to the Department of Justice fingerprint images and related information for individuals specified in subdivision (a) who are subject to a state and national criminal history

background check, pursuant to subdivision (u) of Section 11105 of the Penal Code. The Department of Justice shall provide a state- and federal-level response pursuant to subdivision (p) of Section 11105 of the Penal Code.

SEC. 17.
Section 4992.31 is added to the Business and Professions Code, to read:

4992.31.
(a) The Board of Behavioral Sciences shall require an applicant for clinical social work licensure or registration as an associate clinical social worker, as defined in Sections 4996, 4996.9, and 4996.18, to undergo a fingerprint-based state and national criminal history background check, pursuant to Section 144.
(b) The board shall submit to the Department of Justice fingerprint images and related information for individuals specified in subdivision (a) who are subject to a state and national criminal history background check, pursuant to subdivision (u) of Section 11105 of the Penal Code. The Department of Justice shall provide a state- and federal-level response pursuant to subdivision (p) of Section 11105 of the Penal Code.

SEC. 18.
Section 4999.92 is added to the Business and Professions Code, to read:

4999.92.
(a) The Board of Behavioral Sciences shall require an applicant for professional clinical counselor licensure or registration as an associate professional clinical counselor, as defined in Sections 4999.12, 4999.20, and 4999.30, to undergo a fingerprint-based state and national criminal history background check, pursuant to Section 144.
(b) The board shall submit to the Department of Justice fingerprint images and related information for individuals specified in subdivision (a) who are subject to a state and national criminal history background check, pursuant to subdivision (u) of Section 11105 of the Penal Code. The Department of Justice shall provide a state- and federal-level response pursuant to subdivision (p) of Section 11105 of the Penal Code.

SEC. 19.
Section 7503.05 is added to the Business and Professions Code, immediately following Section 7503, to read:

7503.05.
(a) The bureau shall require each applicant as a repossession agency licensee, qualified certificate holder, or registrant, as defined in Sections 7500.1 and 7500.2, to undergo a fingerprint-based state and national criminal history background check.
(b) Pursuant to subdivision (u) of Section 11105 of the Penal Code, the bureau shall submit to the Department of Justice fingerprint images and related information for each individual applicant, if the applicant is an individual, each partner described in Section 7503.3, if the applicant is a partnership, each officer and owner described in Section 7503.4, if the applicant is a corporation or limited liability company, and each qualified certificate holder described in Section 7500.1.
(c) The Department of Justice shall provide a state- and federal-level response pursuant to subdivision (p) of Section 11105 of the Penal Code.

SEC. 20.
Section 7525.3 is added to the Business and Professions Code, to read:

7525.3.
(a) The bureau shall require each applicant for a private investigator license and qualified manager, as defined in Sections 7512.6, 7512.7, and 7521, to undergo a fingerprint-based state and national criminal history background check.
(b) Pursuant to subdivision (u) of Section 11105 of the Penal Code, the bureau shall submit to the Department of Justice fingerprint images and related information for each individual applicant, if the applicant is an individual, each partner, if the applicant is a partnership, each officer, if the applicant is a corporation, each member and manager, if the applicant is a limited liability company, and each qualified manager, as defined in Sections 7512.7, 7512.14, 7512.15, and 7525.1.
(c) The Department of Justice shall provide a state- and federal-level response pursuant to subdivision (p) of Section 11105 of the Penal Code.

SEC. 21.
Section 19239 of the Business and Professions Code is amended to read:

19239.
(a) Before a permit is issued, the bureau shall require the applicant to establish ability and reasonable financial responsibility to initiate the proposed operations. The bureau shall require the applicant to establish their knowledge and ability to engage in business as a household mover by examination. The examination may be written or oral, or in the form of a demonstration of skill, or any combination of these, and any investigation of character, experience, and any tests of technical knowledge and manual skill that the bureau determines to be appropriate may be employed. In any examination, the qualification of the applicant shall be determined by an appraisal made by a member of the bureau's staff. The criteria used by the bureau staff in making the required appraisal to determine whether the applicant has met the qualifications shall be established by the bureau by rule or regulation, in accordance with the provisions of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. An applicant who has been determined to be unqualified may establish their qualifications through a subsequent examination, but no subsequent examination shall be taken prior to 30 days from the date when the applicant was found to be unqualified. If the staff member determines that the applicant is not qualified and denies the application, the bureau shall notify the applicant in writing. Within 30 days of service of the notice, the applicant may file a written request with the bureau for a hearing on the denial. Upon receipt of a timely filed request, the bureau shall request that the matter be set for a hearing. The hearing shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the director shall have all the powers granted therein. If the staff member determines that the applicant is qualified, the bureau may issue a permit without a hearing.
(b) An applicant may qualify in one of the following ways:
(1) If an individual, they may qualify by personal examination or by examination of their responsible managing employee.
(2) If a partnership or corporation, or any other type of business organization, it may qualify by examination of the responsible managing officer, an employee who works at least 32 hours per week, or a partner of the applicant firm.
(c) If the individual qualified by examination ceases to be connected with the permitholder, the permitholder shall notify the bureau in writing within 30 days after the cessation. If notice is given, the permit shall remain in force a reasonable length of time in order that another representative of the applicant may be qualified before the bureau. If the permitholder fails to notify the bureau of the cessation within a 30-day period, at the end of that period the permit shall be automatically suspended.

(d) The bureau shall require each applicant for a permit as a household mover, as defined in Section 19225.5, to undergo a fingerprint-based state and national criminal history background check.
(1) The bureau shall submit to the Department of Justice fingerprint images and related information for each individual owner of an applicant, if the applicant is an individual or sole proprietorship, each partner, if the applicant is a partnership, each officer and director, if the applicant is a corporation, or each member and manager, if the applicant is a limited liability company, pursuant to subdivision (u) of Section 11105 of the Penal Code. The fingerprint images and related information shall be submitted for the purpose of obtaining information as to the existence and content of a record of state and federal convictions and arrests, and information as to the existence and content of a record of state and federal convictions and arrests for which the Department of Justice establishes that the person is free on bail or on their own recognizance, pending trial or appeal.
(2) The Department of Justice shall provide a response to the bureau pursuant to subdivision (p) of Section 11105 of the Penal Code.
(3) The bureau shall request from the Department of Justice subsequent notification service, as provided pursuant to Section 11105.2 of the Penal Code, for applicants.
(4) The Department of Justice shall charge the applicant a fee sufficient to cover the reasonable cost of processing the requests described in this subdivision.
(e) The bureau may require, as a precondition to the issuance of a permit, the procurement of a performance bond sufficient to facilitate the collection of fines, penalties, and restitution related to enforcement actions that can be taken against the applicant.
(f) The bureau may refuse to issue a permit if it is shown that an applicant or an officer, director, partner, or associate of an applicant has committed any act constituting dishonesty or fraud; committed any act that, if committed by a permitholder, would be grounds for a suspension or revocation of the permit; misrepresented any material fact on the application; or, was convicted of an offense that is substantially related to the qualifications, functions, or duties of the business or profession, except that if the bureau determines that the applicant is otherwise suitable to be issued a permit, and granting the permit would not compromise public safety, the bureau shall conduct a thorough review of the nature of the crime, conviction, circumstances, and evidence of rehabilitation of the applicant, and shall evaluate the suitability of the applicant to be issued a permit based on the evidence found through the review.
(g) A permit shall not be issued unless it has been shown that the applicant meets one of the following residence requirements:
(1) For an individual, the applicant shall have resided in the State of California for not less than 90 days next preceding the filing of the application.
(2) For a partnership, the partner having the largest percentage interest in the partnership shall have resided in the State of California continuously for not less than 90 days next preceding the filing of the application.
(3) For a limited liability company or a corporation, the applicant shall be a domestic limited liability company or a domestic corporation or shall be qualified to transact business in the State of California as a foreign limited liability company or a foreign corporation at the time of filing the application.
(h) The bureau shall prescribe, amend, and repeal rules in accordance with law for the administration of this section.
(i) If the bureau denies an application, the bureau shall notify the applicant in writing. Within 30 days of service of the notice, the applicant may file a written request with the bureau for a hearing on the denial. Upon receipt of a timely filed request, the bureau shall request that the matter be set for hearing. The hearing shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the director shall have all the powers granted therein.

SEC. 22.
Section 33113.5 is added to the Education Code, to read:

33113.5.
(a) The department may require employees, prospective employees, volunteers, contractors, and subcontractors to undergo a fingerprint-based state and national criminal history background check.
(b) The department shall electronically submit to the Department of Justice fingerprint images and related information for individuals specified in subdivision (a) who are subject to a state and national criminal history background check, pursuant to subdivision (u) of Section 11105 of the Penal Code. The Department of Justice shall provide a state- and federal-level response pursuant to subdivision (p) of Section 11105 of the Penal Code.

SEC. 23.
Section 59009 is added to the Education Code, immediately following Section 59008, to read:

59009.
(a) The department may require employees, prospective employees, volunteers, contractors, and subcontractors for the California School for the Deaf, as defined in Section 59000, to undergo a fingerprint-based state and national criminal history background check.
(b) The department shall electronically submit to the Department of Justice fingerprint images and related information for individuals specified in subdivision (a) who are subject to a state and national criminal history background check, pursuant to subdivision (u) of Section 11105 of the Penal Code. The Department of Justice shall provide a state- and federal-level response pursuant to subdivision (p) of Section 11105 of the Penal Code.

SEC. 24.
Section 59105 is added to the Education Code, immediately following Section 59104, to read:

59105.
(a) The department may require employees, prospective employees, volunteers, contractors, and subcontractors for the California School for the Blind, as defined in Section 59100, to undergo a fingerprint-based state and national criminal history background check.
(b) The department shall electronically submit to the Department of Justice fingerprint images and related information for individuals specified in subdivision (a) who are subject to a state and national criminal history background check, pursuant to subdivision (u) of Section 11105 of the Penal Code. The Department of Justice shall provide a state- and federal-level response pursuant to subdivision (p) of Section 11105 of the Penal Code.

SEC. 25.
Section 59206 is added to the Education Code, immediately following Section 59205, to read:

59206.
(a) The department may require employees, prospective employees, volunteers, contractors, and subcontractors for the diagnostic centers, as defined in Section 59200, to undergo a fingerprint-based state and national criminal history background check.
(b) The department shall electronically submit to the Department of Justice fingerprint images and related information for individuals specified in subdivision (a) who are subject to a state and national criminal history background check, pursuant to subdivision (u) of Section 11105 of the Penal Code. The Department of Justice shall provide a state-and federal-level response pursuant to subdivision (p) of Section 11105 of the Penal Code.

SEC. 26.
Section 66611 is added to the Education Code, immediately following Section 66610, to read:

66611.
(a) The California State University may require employees, prospective employees, volunteers, contractors, and subcontractors, to undergo a fingerprint-based state and national criminal history background check.
(b) The California State University shall electronically submit to the Department of Justice fingerprint images and related information for individuals specified in subdivision (a) who are subject to a state and national criminal history background check, pursuant to subdivision (u) of Section 11105 of the Penal Code. The Department of Justice shall provide a state- and federal-level response pursuant to subdivision (p) of Section 11105 of the Penal Code.

SEC. 27.
Section 92612.3 is added to the Education Code, immediately following Section 92612.2, to read:

92612.3.
(a) The University of California may require background checks, to be completed by the Department of Justice pursuant to subdivision (b), during the final stages of the recruitment process for a prospective staff employee, contractor, or volunteer.
(b) (1) The University of California shall submit to the Department of Justice fingerprint images of a prospective staff employee, contractor, or volunteer, that the University of California obtains pursuant to subdivision (a), and related information required by the Department of Justice, for purposes of a state- and federal-level criminal history background check in accordance with subdivision (u) of Section 11105 of the Penal Code.
(2) The Department of Justice shall provide a state or federal response, or both if applicable, to the University of California pursuant to subdivision (p) of Section 11105 of the Penal Code.
(c) This section does not authorize hiring practices that are inconsistent with the requirements of Section 12952 of the Government Code.

SEC. 28.
Section 1030 of the Government Code is repealed.

1030.
(a) A law enforcement agency shall require a peace officer or a prospective peace officer, as designated under Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, to undergo a fingerprint-based state and national criminal history background check.
(b) A law enforcement agency shall submit to the Department of Justice fingerprint images and related information for an individual specified in subdivision (a) who is subject to a state and national criminal history background check, pursuant to subdivision (u) of Section 11105 of the Penal Code. The Department of Justice shall provide a state- or federal-level response pursuant to subdivision (k) of Section 11105 of the Penal Code.
(c) As used in this section, "law enforcement agency" means a police or sheriff's department, or any department or agency of the state or any political subdivision thereof that employs any peace officer, as designated as designated under Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code.

SEC. 29.
Section 1030 is added to the Government Code, to read:

1030.
(a) A law enforcement agency shall require a peace officer or a prospective peace officer, as designated under Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, to undergo a fingerprint-based state and national criminal history background check.
(b) A law enforcement agency shall submit to the Department of Justice fingerprint images and related information for an individual specified in subdivision (a) who is subject to a state and national criminal history background check, pursuant to subdivision (u) of Section 11105 of the Penal Code. The Department of Justice shall provide a state- or federal-level response pursuant to subdivision (k) of Section 11105 of the Penal Code.
(c) As used in this section, "law enforcement agency" means a police or sheriff's department, or any department or agency of the state or any political subdivision thereof that employs any peace officer, as designated as designated under Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code.

SEC. 30.
Section 733.5 is added to the Harbors and Navigation Code, to read:

733.5.
(a) The division shall require an applicant for a yacht and ship broker or salesperson license, as those terms are defined in Section 701, to undergo a fingerprint-based state and national criminal history background check.
(b) The division shall submit to the Department of Justice fingerprint images and related information for individuals specified in subdivision (a) who are subject to a state and national criminal history background check, pursuant to subdivision (u) of Section 11105 of the Penal Code. The Department of Justice shall provide a state- and federal-level response pursuant to subdivision (p) of Section 11105 of the Penal Code.

SEC. 31.
Section 53.5 is added to the Military and Veterans Code, to read:

53.5.
(a) The Military Department may require service members, employees, volunteers, contractors, and subcontractors to undergo a fingerprint-based state and national criminal history background check.
(b) The Military Department shall submit to the Department of Justice fingerprint images and related information for individuals specified in subdivision (a) who are subject to a state and national criminal history background check, pursuant to subdivision (u) of Section 11105 of the Penal Code. The Department of Justice shall provide a state- or federal-level response pursuant to subdivision (p) of Section 11105 of the Penal Code.
(c) As used in this section, "service member" means a member of the active militia as defined in Section 120 of the Military and Veterans Code.

SEC. 32.
Section 90.1 is added to the Military and Veterans Code, to read:

90.1.
(a) The Department of Veterans Affairs may require employees, prospective employees, volunteers, contractors, and subcontractors to undergo a fingerprint-based state and national criminal history background check.
(b) The Department of Veterans Affairs shall submit to the Department of Justice fingerprint images and related information for individuals specified in subdivision (a) who are subject to a state and national criminal history background check, pursuant to subdivision (u) of Section 11105 of the Penal Code. The Department of Justice shall provide a state- or federal-level response pursuant to subdivision (p) of Section 11105 of the Penal Code.

SEC. 33.
Section 11105 of the Penal Code is amended to read:

11105.
(a) (1) The Department of Justice shall maintain state summary criminal history information.
(2) As used in this section:
(A) "State summary criminal history information" means the master record of information compiled by the Attorney General pertaining to the identification and criminal history of a person, such as name, date of birth, physical description, fingerprints, photographs, dates of arrests, arresting agencies and booking numbers, charges, dispositions, sentencing information, and similar data about the person.
(B) "State summary criminal history information" does not refer to records and data compiled by criminal justice agencies other than the Attorney General, nor does it refer to records of complaints to or investigations conducted by, or records of intelligence information or security procedures of, the office of the Attorney General and the Department of Justice.
(b) The Attorney General shall furnish state summary criminal history information to the following, if needed in the course of their duties, provided that when information is furnished to assist an agency, officer, or official of state or local government, a public utility, or any other entity, in fulfilling employment, certification, or licensing duties, Chapter 1321 of the Statutes of 1974 and Section 432.7 of the Labor Code shall apply:
(1) The courts of the state.
(2) Peace officers of the state, as defined in Section 830.1, subdivisions (a) and (e) of Section 830.2, subdivision (a) of Section 830.3, subdivision (a) of Section 830.31, and subdivisions (a) and (b) of Section 830.5.
(3) District attorneys of the state.
(4) Prosecuting city attorneys or city prosecutors of a city within the state.
(5) City attorneys pursuing civil gang injunctions pursuant to Section 186.22a, drug abatement actions pursuant to Section 3479 or 3480 of the Civil Code or Section 11571 of the Health and Safety Code, or a city attorney or county counsel pursuing gun violence restraining orders pursuant to Division 3.2 (commencing with Section 18100) of Title 2 of Part 6.
(6) Probation officers of the state.
(7) Parole officers of the state.
(8) A public defender or attorney of record when representing a person in proceedings upon a petition for a certificate of rehabilitation and pardon pursuant to Section 4852.08.
(9) A public defender or attorney of record when representing a person in a criminal case or a juvenile delinquency proceeding, including all appeals and postconviction motions, or a parole, mandatory supervision pursuant to paragraph (5) of subdivision (h) of Section 1170, or postrelease community

supervision revocation or revocation extension proceeding, if the information is requested in the course of representation.
(10) An agency, officer, or official of the state if the state summary criminal history information is required to implement a statute or regulation that expressly refers to specific criminal conduct applicable to the subject person of the state summary criminal history information, and contains requirements or exclusions, or both, expressly based upon that specified criminal conduct. The agency, officer, or official of the state authorized by this paragraph to receive state summary criminal history information may perform state and federal criminal history information checks as provided for in subdivision (u). The Department of Justice shall provide a state or federal response to the agency, officer, or official pursuant to subdivision (p).
(11) A city, county, city and county, or district, if access is needed in order to assist that agency in fulfilling employment, certification, or licensing duties, and if the access is specifically authorized by the city council, board of supervisors, or governing board of the city, county, or district if the state summary criminal history information is required to implement a statute, ordinance, or regulation that expressly refers to specific criminal conduct applicable to the subject person of the state summary criminal history information, and contains requirements or exclusions, or both, expressly based upon that specified criminal conduct. The city, county, city and county, or district authorized by this paragraph may also transmit fingerprint images and related information to the Department of Justice to be transmitted to the Federal Bureau of Investigation.
(12) The subject of the state summary criminal history information under procedures established under Article 5 (commencing with Section 11120).
(13) A person or entity when access is expressly authorized by statute if the criminal history information is required to implement a statute or regulation that expressly refers to specific criminal conduct applicable to the subject person of the state summary criminal history information, and contains requirements or exclusions, or both, expressly based upon that specified criminal conduct.
(14) Health officers of a city, county, city and county, or district when in the performance of their official duties enforcing Section 120175 of the Health and Safety Code.
(15) A managing or supervising correctional officer of a county jail or other county correctional facility.
(16) A humane society, or society for the prevention of cruelty to animals, for the specific purpose of complying with Section 14502 of the Corporations Code for the appointment of humane officers.
(17) Local child support agencies established by Section 17304 of the Family Code. When a local child support agency closes a support enforcement case containing state summary criminal history information, the agency shall delete or purge from the file and destroy documents or information concerning or arising from offenses for or of which the parent has been arrested, charged, or convicted, other than for offenses related to the parent's having failed to provide support for minor children, consistent with the requirements of Section 17531 of the Family Code.
(18) County child welfare agency personnel who have been delegated the authority of county probation officers to access state summary criminal history information pursuant to Section 272 of the Welfare and Institutions Code for the purposes specified in Section 16504.5 of the Welfare and Institutions Code. Information from criminal history records provided pursuant to this subdivision shall not be used for a purpose other than those specified in this section and Section 16504.5 of the Welfare and Institutions Code. When an agency obtains records both on the basis of name checks and fingerprint checks, final placement decisions shall be based only on the records obtained pursuant to the fingerprint check.
(19) The court of a tribe, or court of a consortium of tribes, that has entered into an agreement with the state pursuant to Section 10553.1 of the Welfare and Institutions Code. This information may be used only for the purposes specified in Section 16504.5 of the Welfare and Institutions Code and for tribal approval or tribal licensing of foster care or adoptive homes. Article 6 (commencing with Section 11140) shall apply to officers, members, and employees of a tribal court receiving state summary criminal history information pursuant to this section.

(20) Child welfare agency personnel of a tribe or consortium of tribes that has entered into an agreement with the state pursuant to Section 10553.1 of the Welfare and Institutions Code and to whom the state has delegated duties under paragraph (2) of subdivision (a) of Section 272 of the Welfare and Institutions Code. The purposes for use of the information shall be for the purposes specified in Section 16504.5 of the Welfare and Institutions Code and for tribal approval or tribal licensing of foster care or adoptive homes. When an agency obtains records on the basis of name checks and fingerprint checks, final placement decisions shall be based only on the records obtained pursuant to the fingerprint check. Article 6 (commencing with Section 11140) shall apply to child welfare agency personnel receiving criminal record offender information pursuant to this section.
(21) An officer providing conservatorship investigations pursuant to Sections 5351, 5354, and 5356 of the Welfare and Institutions Code.
(22) A court investigator providing investigations or reviews in conservatorships pursuant to Section 1826, 1850, 1851, or 2250.6 of the Probate Code.
(23) A person authorized to conduct a guardianship investigation pursuant to Section 1513 of the Probate Code.
(24) A humane officer pursuant to Section 14502 of the Corporations Code for the purposes of performing the officer's duties.
(25) A public agency described in subdivision (b) of Section 15975 of the Government Code, for the purpose of oversight and enforcement policies with respect to its contracted providers.
(26) (A) A state entity, or its designee, that receives federal tax information. A state entity or its designee that is authorized by this paragraph to receive state summary criminal history information also may transmit fingerprint images and related information to the Department of Justice to be transmitted to the Federal Bureau of Investigation for the purpose of the state entity or its designee obtaining federal-level criminal offender record information from the Department of Justice. This information shall be used only for the purposes set forth in Section 1044 of the Government Code.
(B) For purposes of this paragraph, "federal tax information," "state entity" and "designee" are as defined in paragraphs (1), (2), and (3), respectively, of subdivision (f) of Section 1044 of the Government Code.
(27) The director of the State Department of State Hospitals, or their designee, for use related to research and evaluation studies described in Section 4046 of the Welfare and Institutions Code, and subject to the limitations described in that section.
(c) The Attorney General may furnish state summary criminal history information and, when specifically authorized by this subdivision, federal-level criminal history information upon a showing of a compelling need to any of the following, provided that when information is furnished to assist an agency, officer, or official of state or local government, a public utility, or any other entity in fulfilling employment, certification, or licensing duties, Chapter 1321 of the Statutes of 1974 and Section 432.7 of the Labor Code shall apply:
(1) A public utility, as defined in Section 216 of the Public Utilities Code, that operates a nuclear energy facility when access is needed in order to assist in employing persons to work at the facility, provided that, if the Attorney General supplies the data, the Attorney General shall furnish a copy of the data to the person to whom the data relates.
(2) A peace officer of the state other than those included in subdivision (b).
(3) An illegal dumping enforcement officer as defined in subdivision (i) of Section 830.7.
(4) A peace officer of another country.
(5) Public officers, other than peace officers, of the United States, other states, or possessions or territories of the United States, provided that access to records similar to state summary criminal history information is expressly authorized by a statute of the United States, other states, or possessions or territories of the United States if the information is needed for the performance of their official duties.

(6) A person when disclosure is requested by a probation, parole, or peace officer with the consent of the subject of the state summary criminal history information and for purposes of furthering the rehabilitation of the subject.
(7) The courts of the United States, other states, or territories or possessions of the United States.
(8) Peace officers of the United States, other states, or territories or possessions of the United States.
(9) An individual who is the subject of the record requested if needed in conjunction with an application to enter the United States or a foreign nation.
(10) (A) (i) A public utility, as defined in Section 216 of the Public Utilities Code, or a cable corporation as defined in subparagraph (B), if receipt of criminal history information is needed in order to assist in employing current or prospective employees, contract employees, or subcontract employees who, in the course of their employment, may be seeking entrance to private residences or adjacent grounds. The information provided shall be limited to the record of convictions and arrests for which the person is released on bail or on their own recognizance pending trial.
(ii) If the Attorney General supplies the data pursuant to this paragraph, the Attorney General shall furnish a copy of the data to the current or prospective employee to whom the data relates.
(iii) State summary criminal history information is confidential and the receiving public utility or cable corporation shall not disclose its contents, other than for the purpose for which it was acquired. The state summary criminal history information in the possession of the public utility or cable corporation and all copies made from it shall be destroyed not more than 30 days after employment or promotion or transfer is denied or granted, except for those cases where a current or prospective employee is out on bail or on their own recognizance pending trial, in which case the state summary criminal history information and all copies shall be destroyed not more than 30 days after the case is resolved.
(iv) A violation of this paragraph is a misdemeanor, and shall give the current or prospective employee who is injured by the violation a cause of action against the public utility or cable corporation to recover damages proximately caused by the violations. A public utility's or cable corporation's request for state summary criminal history information for purposes of employing current or prospective employees who may be seeking entrance to private residences or adjacent grounds in the course of their employment shall be deemed a "compelling need" as required to be shown in this subdivision.
(v) This section shall not be construed as imposing a duty upon public utilities or cable corporations to request state summary criminal history information on current or prospective employees.
(B) For purposes of this paragraph, "cable corporation" means a corporation or firm that transmits or provides television, computer, or telephone services by cable, digital, fiber optic, satellite, or comparable technology to subscribers for a fee.
(C) Requests for federal-level criminal history information received by the Department of Justice from entities authorized pursuant to subparagraph (A) shall be forwarded to the Federal Bureau of Investigation by the Department of Justice. Federal-level criminal history information received or compiled by the Department of Justice may then be disseminated to the entities referenced in subparagraph (A), as authorized by law.
(11) A campus of the California State University or the University of California, or a four-year college or university accredited by a regional accreditation organization approved by the United States Department of Education, if needed in conjunction with an application for admission by a convicted felon to a special education program for convicted felons, including, but not limited to, university alternatives and halfway houses. Only conviction information shall be furnished. The college or university may require the convicted felon to be fingerprinted, and any inquiry to the department under this section shall include the convicted felon's fingerprints and any other information specified by the department.
(12) A foreign government, if requested by the individual who is the subject of the record requested, if needed in conjunction with the individual's application to adopt a minor child who is a citizen of that foreign nation. Requests for information pursuant to this paragraph shall be in accordance with the

process described in Sections 11122 to 11124, inclusive. The response shall be provided to the foreign government or its designee and to the individual who requested the information.
(d) Whenever an authorized request for state summary criminal history information pertains to a person whose fingerprints are on file with the Department of Justice and the department has no criminal history of that person, and the information is to be used for employment, licensing, or certification purposes, the fingerprint card accompanying the request for information, if any, may be stamped "no criminal record" and returned to the person or entity making the request.
(e) Whenever state summary criminal history information is furnished as the result of an application and is to be used for employment, licensing, or certification purposes, the Department of Justice may charge the person or entity making the request a fee that it determines to be sufficient to reimburse the department for the cost of furnishing the information. In addition, the Department of Justice may add a surcharge to the fee to fund maintenance and improvements to the systems from which the information is obtained. Notwithstanding any other law, a person or entity required to pay a fee to the department for information received under this section may charge the applicant a fee sufficient to reimburse the person or entity for this expense. All moneys received by the department pursuant to this section, Sections 11105.3 and 26190, and former Section 13588 of the Education Code shall be deposited in a special account in the General Fund to be available for expenditure by the department to offset costs incurred pursuant to those sections and for maintenance and improvements to the systems from which the information is obtained upon appropriation by the Legislature.
(f) Whenever there is a conflict, the processing of criminal fingerprints and fingerprints of applicants for security guard or alarm agent registrations or firearms qualification permits submitted pursuant to Section 7583.9, 7583.23, 7596.3, or 7598.4 of the Business and Professions Code shall take priority over the processing of other applicant fingerprints.
(g) It is not a violation of this section to disseminate statistical or research information obtained from a record, provided that the identity of the subject of the record is not disclosed.
(h) It is not a violation of this section to include information obtained from a record in (1) a transcript or record of a judicial or administrative proceeding or (2) any other public record if the inclusion of the information in the public record is authorized by a court, statute, or decisional law.
(i) Notwithstanding any other law, the Department of Justice or a state or local law enforcement agency may require the submission of fingerprints for the purpose of conducting state summary criminal history information checks that are authorized by law.
(j) The state summary criminal history information shall include any finding of mental incompetence pursuant to Chapter 6 (commencing with Section 1367) of Title 10 of Part 2 arising out of a complaint charging a felony offense specified in Section 290.
(k) (1) This subdivision shall apply whenever state or federal summary criminal history information is furnished by the Department of Justice in accordance with federal law and as the result of an application by an authorized agency or organization and the information is to be used for peace officer employment or certification purposes. As used in this subdivision, a peace officer is defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2.
(2) Notwithstanding any other law, whenever state or federal summary criminal history information is initially furnished pursuant to paragraph (1), the Department of Justice shall disseminate the following information:
(A) Every conviction rendered against the applicant.
(B) Every arrest for an offense for which the applicant is presently awaiting trial, whether the applicant is incarcerated or has been released on bail or on their own recognizance pending trial.
(C) Every arrest or detention, except for an arrest or detention resulting in an exoneration, provided, however, that where the records of the Department of Justice do not contain a disposition for the arrest, the Department of Justice first makes a genuine effort to determine the disposition of the arrest.
(D) Every successful diversion.

(E) Every date and agency name associated with all retained peace officer or nonsworn law enforcement agency employee preemployment criminal offender record information search requests.
(F) Sex offender registration status of the applicant.
(G) Sentencing information, if present in the department's records at the time of the response.
(l) (1) This subdivision shall apply whenever state or federal summary criminal history information is furnished by the Department of Justice in accordance with federal law and as the result of an application by a criminal justice agency or organization as defined in Section 13101, and the information is to be used for criminal justice employment, licensing, or certification purposes.
(2) Notwithstanding any other law, whenever state or federal summary criminal history information is initially furnished pursuant to paragraph (1), the Department of Justice shall disseminate the following information:
(A) Every conviction rendered against the applicant.
(B) Every arrest for an offense for which the applicant is presently awaiting trial, whether the applicant is incarcerated or has been released on bail or on their own recognizance pending trial.
(C) Every arrest for an offense for which the records of the Department of Justice do not contain a disposition or that did not result in a conviction, provided that the Department of Justice first makes a genuine effort to determine the disposition of the arrest. However, information concerning an arrest shall not be disclosed if the records of the Department of Justice indicate or if the genuine effort reveals that the subject was exonerated, successfully completed a diversion or deferred entry of judgment program, or the arrest was deemed a detention, or the subject was granted relief pursuant to Section 851.91.
(D) Every date and agency name associated with all retained peace officer or nonsworn law enforcement agency employee preemployment criminal offender record information search requests.
(E) Sex offender registration status of the applicant.
(F) Sentencing information, if present in the department's records at the time of the response.
(m) (1) This subdivision shall apply whenever state or federal summary criminal history information is furnished by the Department of Justice in accordance with federal law and as the result of an application by an authorized agency or organization pursuant to Section 1522, 1568.09, 1569.17, or 1596.871 of the Health and Safety Code, or a statute that incorporates the criteria of any of those sections or this subdivision by reference, and the information is to be used for employment, licensing, or certification purposes.
(2) Notwithstanding any other law, whenever state or federal summary criminal history information is initially furnished pursuant to paragraph (1), the Department of Justice shall disseminate the following information:
(A) Every conviction of an offense rendered against the applicant, except a conviction for which relief has been granted pursuant to Section 1203.49.
(B) Every arrest for an offense for which the applicant is presently awaiting trial, whether the applicant is incarcerated or has been released on bail or on their own recognizance pending trial.
(C) Every arrest for an offense for which the State Department of Social Services is required by paragraph (1) of subdivision (a) of Section 1522 of the Health and Safety Code to determine if an applicant has been arrested. However, if the records of the Department of Justice do not contain a disposition for an arrest, the Department of Justice shall first make a genuine effort to determine the disposition of the arrest.
(D) Sex offender registration status of the applicant.
(E) Sentencing information, if present in the department's records at the time of the response.
(3) Notwithstanding the requirements of the sections referenced in paragraph (1) of this subdivision, the Department of Justice shall not disseminate information about an arrest subsequently deemed a detention or an arrest that resulted in the successful completion of a diversion program, exoneration, or a grant of relief pursuant to Section 851.91.

(n) (1) This subdivision shall apply whenever state or federal summary criminal history information, to be used for employment, licensing, or certification purposes, is furnished by the Department of Justice in accordance with federal law and as the result of an application by an authorized agency, organization, or individual pursuant to any of the following:
(A) Paragraph (10) of subdivision (c), when the information is to be used by a cable corporation.
(B) Section 11105.3 or 11105.4.
(C) Section 15660 of the Welfare and Institutions Code.
(D) A statute that incorporates the criteria of any of the statutory provisions listed in subparagraph (A), (B), or (C), or of this subdivision, by reference.
(2) Notwithstanding any other law, whenever state or federal summary criminal history information is initially furnished pursuant to paragraph (1), the Department of Justice shall disseminate the following information:
(A) Every conviction, except a conviction for which relief has been granted pursuant to Section 1203.49, rendered against the applicant for a violation or attempted violation of an offense specified in subdivision (a) of Section 15660 of the Welfare and Institutions Code. However, with the exception of those offenses for which registration is required pursuant to Section 290, the Department of Justice shall not disseminate information pursuant to this subdivision unless the conviction occurred within 10 years of the date of the agency's request for information or the conviction is over 10 years old but the subject of the request was incarcerated within 10 years of the agency's request for information.
(B) Every arrest for a violation or attempted violation of an offense specified in subdivision (a) of Section 15660 of the Welfare and Institutions Code for which the applicant is presently awaiting trial, whether the applicant is incarcerated or has been released on bail or on their own recognizance pending trial.
(C) Sex offender registration status of the applicant.
(D) Sentencing information, if present in the department's records at the time of the response.
(o) (1) This subdivision shall apply whenever state or federal summary criminal history information is furnished by the Department of Justice in accordance with federal law and as the result of an application by an authorized agency or organization pursuant to Section 379 or 1300 of the Financial Code or a statute that incorporates the criteria of either of those sections or this subdivision by reference, and the information is to be used for employment, licensing, or certification purposes.
(2) Notwithstanding any other law, whenever state or federal summary criminal history information is initially furnished pursuant to paragraph (1), the Department of Justice shall disseminate the following information:
(A) Every conviction rendered against the applicant for a violation or attempted violation of an offense specified in Section 1300 of the Financial Code, except a conviction for which relief has been granted pursuant to Section 1203.49.
(B) Every arrest for a violation or attempted violation of an offense specified in Section 1300 of the Financial Code for which the applicant is presently awaiting trial, whether the applicant is incarcerated or has been released on bail or on their own recognizance pending trial.
(C) Sentencing information, if present in the department's records at the time of the response.
(p) (1) This subdivision shall apply whenever state or federal criminal history information is furnished by the Department of Justice in accordance with federal law and as the result of an application by an agency, organization, or individual not defined in subdivision (k), (l), (m), (n), or (o), or a statute that incorporates the criteria of that section or this subdivision by reference, and the information is to be used for employment, licensing, or certification purposes.
(2) Notwithstanding any other law, whenever state or federal summary criminal history information is initially furnished pursuant to paragraph (1), the Department of Justice shall disseminate the following information:
(A) Every conviction rendered against the applicant, except a conviction for which relief has been granted pursuant to Section 1203.4, 1203.4a, 1203.41, 1203.42, 1203.425, 1203.44, or 1203.49. The

Commission on Teacher Credentialing, school districts, county offices of education, charter schools, private schools, state special schools for the blind and deaf, or any other entity required to have a background check because of a contract with a school district, county office of education, charter school, private school, or state special school for the blind and deaf, shall receive every conviction rendered against an applicant, retroactive to January 1, 2020, regardless of relief granted pursuant to Section 1203.4, 1203.4a, 1203.41, 1203.42, 1203.425, or 1203.49.
(B) Notwithstanding subparagraph (A) or any other law, information for a conviction for a controlled substance offense listed in Section 11350 or 11377, or former Section 11500 or 11500.5, of the Health and Safety Code that is more than five years old, for which relief is granted pursuant to Section 1203.4, 1203.4a, 1203.41, 1203.42, 1203.425, or 1203.49, shall not be disseminated.
(C) Every arrest for an offense for which the applicant is presently awaiting trial, whether the applicant is incarcerated or has been released on bail or on their own recognizance pending trial.
(D) Sex offender registration status of the applicant.
(E) Sentencing information, if present in the department's records at the time of the response.
(q) All agencies, organizations, or individuals defined in subdivisions (k), (l), (m), (n), (o), and (p) may contract with the Department of Justice for subsequent notification pursuant to Section 11105.2. This subdivision shall not supersede sections that mandate an agency, organization, or individual to contract with the Department of Justice for subsequent notification pursuant to Section 11105.2.
(r) This section does not require the Department of Justice to cease compliance with any other statutory notification requirements.
(s) The provisions of Section 50.12 of Title 28 of the Code of Federal Regulations are to be followed in processing federal criminal history information.
(t) Whenever state or federal summary criminal history information is furnished by the Department of Justice as the result of an application by an authorized agency, organization, or individual defined in subdivisions (k) to (p), inclusive, and the information is to be used for employment, licensing, or certification purposes, the authorized agency, organization, or individual shall expeditiously furnish a copy of the information to the person to whom the information relates if the information is a basis for an adverse employment, licensing, or certification decision. When furnished other than in person, the copy shall be delivered to the last contact information provided by the applicant.
(u) (1) If a fingerprint-based criminal history information check is required pursuant to any statute, that check shall be requested from the Department of Justice and shall be applicable to the person identified in the referencing statute. The agency or entity identified in the statute shall submit to the Department of Justice fingerprint images and related information required by the Department of Justice of the types of applicants identified in the referencing statute, for the purpose of obtaining information as to the existence and content of a record of state or federal convictions and state or federal arrests and also information as to the existence and content of a record of the state or federal arrests for which the Department of Justice establishes that the person is free on bail or on their own recognizance pending trial or appeal.
(2) If requested, the Department of Justice shall transmit fingerprint images and related information received pursuant to this section to the Federal Bureau of Investigation for the purpose of obtaining a federal criminal history information check. The Department of Justice shall review the information returned from the Federal Bureau of Investigation, and compile and disseminate a response to the agency or entity identified in the referencing statute, pursuant to the identified subdivision. The Department of Justice shall not disseminate federal criminal history information to a private entity that is unauthorized to receive it under federal law.
(3) The Department of Justice shall provide a state response to the agency or entity identified in the referencing statute, pursuant to the identified subdivision.
(4) The agency or entity identified in the referencing statute shall request from the Department of Justice subsequent notification service, as provided pursuant to Section 11105.2, for persons described in the referencing statute.

(5) The Department of Justice shall charge a fee sufficient to cover the reasonable cost of processing the request described in this subdivision.

SEC. 34.
Section 11105.001 is added to the Penal Code, to read:

11105.001.
(a) A government entity specified in subdivision (c) may require employees, prospective employees, volunteers, contractors, and subcontractors to undergo a fingerprint-based state and national criminal history background check.
(b) A government entity specified in subdivision (c) shall submit to the Department of Justice fingerprint images and related information for individuals specified in subdivision (a) who are subject to a state and national criminal history background check, pursuant to subdivision (u) of Section 11105. The Department of Justice shall provide a state- and federal-level response pursuant to subdivision (p) of Section 11105.
(c) The following government entities are authorized pursuant to this section:
(1) The University of California, as defined in Section 9 of Article IX of the Constitution.
(2) The California State Summer School for the Arts, as defined in Section 8950 of the Education Code.
(3) The State Department of Education, for the following entities:
(A) The State Department of Education, as defined in Section 33300 of the Education Code.
(B) The California School for the Deaf, as defined in Section 59000 of the Education Code.
(C) The California School for the Blind, as defined in Section 59100 of the Education Code.
(D) Diagnostic centers, as defined in Section 59200 of the Education Code.
(4) Commission on Teacher Credentialing, as defined in Section 44210 of the Education Code.
(5) The California State University, as defined in Chapter 1 (commencing with Section 89000) of Part 55 of Division 8 of Title 3 of the Education Code.
(6) The Department of Fish and Wildlife, as defined in Section 700 of the Fish and Game Code.
(7) California Exposition and State Fair, as defined in Section 3301 of the Food and Agriculture Code.
(8) Exposition Park, as defined in Section 4101 of the Food and Agriculture Code.
(9) The Office of Emergency Services, as defined in Section 8585 of the Government Code.
(10) The Department of FISCal, as defined in Section 11890 of the Government Code.
(11) The Secretary of State's Office, as defined in Section 12172.5 of the Government Code.
(12) The State Treasurer's Office, as defined in Chapter 4 (commencing with Section 12302) of Part 2 of Division 3 of Title 2 of the Government Code.
(13) The State Controller's Office, as defined in Section 12402 of the Government Code.
(14) The California Health and Human Services Agency, as defined in Section 12800 of the Government Code.
(15) The California Department of Tax and Fee Administration, as defined in Chapter 1 (commencing with Section 15570) of Part 8.7 of Division 3 of Title 2 of the Government Code.
(16) Emergency Medical Services Authority, as defined in Section 1797.100 of the Health and Safety Code.
(17) The State Department of Health Care Services, as defined in Section 100100 of the Health and Safety Code.
(18) The State Department of Public Health, as defined in Section 131050 of the Health and Safety Code.
(19) The Military Department, as defined in Section 50 of the Military and Veterans Code. The Military Department may require service members to undergo a fingerprint-based state and national criminal history background check, pursuant to subdivision (a). For purposes of this section, "service member" means a member of the active militia as defined in Section 120 of the Military and Veterans Code.
(20) The Department of Veterans Affairs, as defined in Section 63 of the Military and Veterans Code.

(21) The Department of Parks and Recreation, as defined in Section 501 of the Public Resources Code.
(22) The Employment Development Department, as defined in Section 301 of the Unemployment Insurance Code.
(23) The California Department of Aging, as defined in Section 9100 of the Welfare and Institutions Code.
(d) The provisions of this section are severable. If any provision of this section or its application is held invalid pursuant to state or federal law, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

SEC. 35.
Section 11105.002 is added to the Penal Code, to read:

11105.002.
(a) A government entity specified in subdivision (c) shall require specified applicants to undergo a fingerprint-based state and national criminal history background check.
(b) The government entities specified in this section shall submit to the Department of Justice fingerprint images and related information for individuals specified in subdivision (a) who are subject to a state and national criminal history background check, pursuant to subdivision (u) of Section 11105.
(c) The following government entities are authorized pursuant to this section:
(1) (A) Law enforcement agencies for peace officers and prospective peace officers, as designated in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2. The Department of Justice shall provide a state- and federal-level response pursuant to subdivision (k) of Section 11105.
(B) As used in this subdivision, "law enforcement agencies" means a police or sheriff's department, or any department or agency of the state or any political subdivision thereof that employs any peace officer, as designated in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2.
(2) Criminal justice agencies, as defined in Section 13101, for employees, prospective employees, volunteers, contractors, and subcontractors. The Department of Justice shall provide a state- and federal-level response pursuant to subdivision (l) of Section 11105.
(d) The provisions of this section are severable. If any provision of this section or its application is held invalid pursuant to state or federal law, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

SEC. 36.
Section 11105.05 is added to the Penal Code, to read:

11105.05.
(a) Criminal justice agencies, as defined in Section 13101, shall require employees, prospective employees, volunteers, contractors, and subcontractors, to undergo a fingerprint-based state and national criminal history background check.
(b) Criminal justice agencies shall submit to the Department of Justice fingerprint images and related information for individuals specified in subdivision (a) who are subject to a state and national criminal history background check, pursuant to subdivision (u) of Section 11105. The Department of Justice shall provide a state- or federal-level response pursuant to subdivision (l) of Section 11105.

SEC. 37.
Section 11105.2 is added to the Penal Code, to read:

11105.2.
(a) (1) The Department of Justice may provide to any entity authorized by state or federal law to receive state or federal summary criminal history information, subsequent state or federal arrest or

disposition notification to assist in fulfilling employment, licensing, or certification duties, or the duties of approving relative caregivers, nonrelative extended family members, and resource families upon the arrest or disposition of any person whose fingerprints are maintained on file at the Department of Justice or the Federal Bureau of Investigation as the result of an application for licensing, employment, certification, or approval. The Department of Justice is authorized to submit fingerprints to the Federal Bureau of Investigation where the fingerprints will be retained for the purpose of being searched by future submissions to the Federal Bureau of Investigation, including latent fingerprint searches. The Department of Justice is authorized to search latent print images against all retained fingerprint submissions. This section does not authorize the notification of a subsequent disposition pertaining to a disposition that does not result in a conviction, unless the department has previously received notification of the arrest and has previously lawfully notified a receiving entity of the pending status of that arrest. If the department supplies subsequent arrest or disposition notification to a receiving entity, the entity shall, at the same time, expeditiously furnish a copy of the information to the person to whom it relates if the information is a basis for an adverse employment, licensing, or certification decision. If the copy is not furnished in person, the copy shall be delivered to the last contact information provided by the applicant.

(2) The Department of Justice is authorized to collect all fees related to subsequent notification services from eligible entities who may participate and remit collected fees to the Federal Bureau of Investigations.

(3) An entity that submits the fingerprints of applicants for licensing, employment, or certification, or approval to the Department of Justice for the purpose of establishing a record of the applicant to receive notification of subsequent state or federal arrests or dispositions pursuant to paragraph (1) shall comply with subdivision (d).

(4) The Department of Justice shall provide to the State Department of Social Services, the Medical Board of California, and the Osteopathic Medical Board of California, pursuant to state or federal law authorizing those departments to receive state or federal summary criminal history information subsequent state or federal arrest or disposition notification to assist in fulfilling employment, licensing, or certification duties, or the duties of approving relative caregivers, nonrelative extended family members, and resource families upon the arrest or disposition of any person whose fingerprints are maintained on file at the Department of Justice or the Federal Bureau of Investigation as the result of an application for licensing, employment, certification, or approval.

(b) For purposes of this section, "approval" means those duties described in subdivision (d) of Section 309 of the Welfare and Institutions Code for approving the home of a relative caregiver or of a nonrelative extended family member for placement of a child supervised by the juvenile court, and those duties in Section 16519.5 of the Welfare and Institutions Code for resource families.

(c) An entity shall enter into a contract with the Department of Justice in order to receive notification of subsequent state or federal arrests or dispositions for licensing, employment, or certification purposes.

(d) An entity that submits the fingerprints of applicants for licensing, employment, certification, or approval to the Department of Justice for the purpose of establishing a record of the applicant to receive notification of subsequent state or federal arrests or dispositions shall immediately notify the department when the employment of the applicant is terminated, when the applicant's license or certificate is revoked, when the applicant may no longer renew or reinstate the license or certificate, or when a relative caregiver's or nonrelative extended family member's approval is terminated. For each volunteer for whom an entity requests notification of subsequent state or federal arrests or dispositions, the entity shall, not less than every six months, verify that each individual for whom the service has not been terminated is still a volunteer with the entity. The Department of Justice shall terminate state or federal subsequent notification on any applicant upon the request of the licensing, employment, certifying, or approving authority.

(e) An entity that receives a notification of a state or federal subsequent arrest or disposition for a person unknown to the entity, or for a person no longer employed by the entity, or no longer eligible to

renew the certificate or license for which subsequent notification service was established shall immediately inform the department that the entity is no longer interested in the applicant. The entity shall not record or otherwise retain any information received as a result of the subsequent notice.
(f) An entity that submits the fingerprints of an applicant for employment, licensing, certification, or approval to the Department of Justice for the purpose of establishing a record at the department or the Federal Bureau of Investigation to receive notification of subsequent arrest or disposition shall immediately notify the department if the applicant is not subsequently employed, or if the applicant is denied licensing certification, or approval.
(g) An entity that fails to provide the Department of Justice with notification as set forth in subdivisions (c), (d), and (e) may be denied further subsequent notification service.
(h) Notwithstanding subdivisions (c), (d), and (f), subsequent notification by the Department of Justice and retention by the employing agency shall continue as to retired peace officers listed in subdivision (c) of Section 830.5.
(i) For purposes of this section, "employment" shall include contract employment and volunteer service.
(j) This section shall become operative on January 1, 2028.

SEC. 38.
Section 11107.6 is added to the Penal Code, to read:

11107.6.
The Department of Justice shall inform the Joint Legislative Budget Committee, the Senate Standing Committee on Public Safety, and the Assembly Committee on Public Safety within 30 days of determining that a legislative enactment is likely to be needed for an entity that is authorized to receive criminal history information pursuant to state or federal law to reestablish or retain proper authorization for an applicant population.

SEC. 39.
Section 26330 is added to the Penal Code, to read:

26330.
(a) A law enforcement agency may require a retiring or a retired peace officer seeking an endorsement on the officer's identification certificate stating that the issuing agency approves the officer's carrying of a concealed firearm, as described in Chapter 2 (commencing with Section 25400) and Chapter 5 (commencing with Section 26300) of Division 4 of Title 4, to undergo a fingerprint-based state and national criminal history background check.
(b) A law enforcement agency shall submit to the Department of Justice fingerprint images and related information for an individual specified in subdivision (a) who is subject to a state and national criminal history background check, pursuant to subdivision (u) of Section 11105. The Department of Justice shall provide a state- or federal-level response pursuant to subdivision (k) of Section 11105.
(c) (1) The Department of Justice shall notify a law enforcement agency as to whether an individual specified in subdivision (a) is prohibited from possessing, receiving, owning, or purchasing a firearm pursuant to state or federal law. If the prohibition is temporary, the notice shall indicate the date that the prohibition expires. However, the notice shall not provide any other information with respect to the basis for the prohibition. The Department of Justice may charge the applicant a fee sufficient to reimburse its costs for furnishing this information.
(2) If the department is unable to ascertain the final disposition of an arrest or criminal charge, the outcome of the mental health treatment or evaluation, or the applicant's eligibility to possess, receive, own, or purchase a firearm, the department shall notify the law enforcement agency.
(3) No endorsement shall be issued by any law enforcement agency unless the information described in paragraph (1) confirms the applicant's eligibility to possess, receive, own, or purchase a firearm.

(d) As used in this section, “law enforcement agency” means a police or sheriff’s department, any department or agency of the state, or any political subdivision thereof that employs any peace officer, as designated under Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2.

SEC. 40.
No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because, in that regard, this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.
However, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

SEC. 41.
For the 2025–26 fiscal year, the sum of ten thousand dollars ($10,000) is hereby appropriated from the General Fund to the Department of Justice for purposes of administering the fingerprint requirements added by this act.

SEC. 42.
This act is a bill providing for appropriations related to the Budget Bill within the meaning of subdivision (e) of Section 12 of Article IV of the California Constitution, has been identified as related to the budget in the Budget Bill, and shall take effect immediately.

CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS

BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR

SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY & HEARING AID DISPENSERS BOARD
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MEMORANDUM

DATE	March 25, 2026
TO	Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Maria Liranzo, Legislation/Regulation/Budget Analyst
SUBJECT	Agenda Item 7: Legislative Report: Update, Review, and Possible Action on Proposed Legislation

a) Legislative Calendar and Deadlines

- January 1 – Statutes chaptered in 2025 take effect unless otherwise stated.
- January 5 – Legislature reconvenes.
- January 16 – Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house in the odd-numbered year.
- January 23 – Last day for any committee to hear and report to the Floor bills introduced in that house in the odd-numbered year. Last day to submit bill requests to the Office of Legislative Counsel.
- January 31 – Last day for each house to pass bills introduced in that house in the odd-numbered year.
- February 20 – Last day for bills to be introduced.
- April 24 – Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house.
- May 1 – Last day for policy committees to hear and report to the Floor nonfiscal
- bills introduced in their house.
- May 15 – Last day for fiscal committees to hear and report to the Floor bills introduced in their house.
- May 29 – Last day for each house to pass bills introduced in that house.
- June 15 – Budget Bill must be passed by midnight.
- July 2 – Last day for policy committees to meet and report bills. Summer Recess begins upon adjournment, provided Budget Bill has been passed.

b) Implemented Legislation

i. Assembly Bill (AB) 45 (Bauer-Kahan) Privacy: health data: location and research.

Status: This bill was approved by the Governor and chaptered by Secretary of State (Chapter 134, Statutes of 2025.)

Summary: This bill prohibits geofencing, or selling or sharing personal information with a third party to geofence an entity that provides in-person health care services in California for purposes specified in the bill, and prohibits the use of personal information obtained in violation of these geofencing provisions. The bill provides that a statement signed under penalty of perjury that the personal information will not be used for selling or sharing personal information in violation of these geofencing provisions is prima facie evidence that the personal information was not sold or shared in violation of these geofencing provisions. The bill provides that violators are subject to an injunction and liable for a civil penalty assessed and recovered in a civil action brought by the Attorney General, and deposited in the California Reproductive Justice and Freedom Fund. This bill excludes any person that owns, operates, manages, or otherwise provides services to an in-person health care entity from geofencing the entity's own location to provide necessary health care services as specified in the bill.

Impact on Licensees: Licensees who provide in-person health care services in California cannot geofence their own locations except for what is exempt by the law, nor allow a third party to geofence their location. The use of personal information obtained in violation of these geofencing provisions can be subject to an injunction and liable for a civil penalty assessed and recovered in a civil action brought by the Attorney General.

Implementation Status: Advisory was sent to licensees on December 31, 2025 and published on the Board's website at https://www.speechandhearing.ca.gov/board_activity/lawsregs/upcomingleg.shtml. No further action is required of the Board.

ii. **AB 82 (Ward) Health care: legally protected health care activity.**

Status: This bill was approved by the Governor and chaptered by Secretary of State (Chapter 679, Statutes of 2025.)

Summary: This bill redefines "reproductive health services" to "designated health care services" and includes gender-affirming health care services. The bill expands current address confidentiality and online privacy laws for reproductive health services providers, employees, volunteers, and patients who face threats or violence because of their work for a public entity to providers, employees, volunteers, and patients of gender-affirming health care services as defined by law. The bill makes related and conforming changes, and incorporates additional changes proposed by other bills.

Impact on Licensees: Licensees who provide gender-affirming health care services who face threats or violence because of their work for a public entity, as defined by the law, can protect the confidentiality of their home addresses by means of the address confidentiality program operated by the Secretary of State. The use of personal information or images of a gender-affirming health care services provider, employee, volunteer, or patient who face threats or violence is prohibited on the internet or social media.

Implementation Status: Advisory was sent to licensees on December 31, 2025 and published on the Board's website at https://www.speechandhearing.ca.gov/board_activity/lawsregs/upcomingleg.shtml. No further action is required of the Board.

iii. AB 144 (Committee on Budget) Health.

Status: This bill was approved by the Governor and chaptered by Secretary of State (Chapter 105, Statutes of 2025.)

Summary: This bill exempts health care practitioners licensed in another state, territory, or country from licensure, certification, or registration requirements if they have been invited by the Los Angeles Organizing Committee for the 2028 Olympic and Paralympic Games (Committee) to provide professional services within their scope of licensure, certification, or registration at Olympic and Paralympic activities. The bill requires the Committee to provide DCA information specified by the law about the health care practitioner which will be forwarded to the applicable licensing entity. The bill removes the exemption if a request is made by the DCA on behalf of an applicable licensing entity. The bill specifies requirements in the event the consent of the parent, guardian, or legal representative of a team member cannot be obtained, and prohibits a person and prohibits on behalf of an applicable licensing entity. The bill does not exempt health care practitioners licensed in another state, territory, or country who engage in the practice of pharmacy or pharmacy audit.

Impact on Licensees: No impact on licensees. Health care practitioners licensed in another state, territory, or country are exempt from licensure, or registration requirements if they are invited to provide professional services at the Olympic and Paralympic Games. They will be required to provide the Board information of their participation, and the Board can request a health care practitioner from not being exempted.

Implementation Status: Advisory was sent to licensees on December 31, 2025 and published on the Board's website at https://www.speechandhearing.ca.gov/board_activity/lawsregs/upcomingleg.shtml. Board staff will work with DCA to collect the required information from out-of-state health care practitioners licensed invited to provide services during 2028 Olympic and Paralympic Games, and will notify the licensees, stakeholders, and the public when this becomes available.

iv. AB 489 (Bonta) Health care professions: deceptive terms or letters: artificial intelligence.

Status: This bill was approved by the Governor and chaptered by Secretary of State (Chapter 615, Statutes of 2025.)

Summary: This bill prohibits the use of terms, letters, or phrases that indicate or imply possession of a license to practice a health care profession without at that time having the appropriate license required for that practice or profession by a person or entity who develops or deploys a system or device that uses one or more of those terms, letters, or phrases in the advertising or functionality of an artificial intelligence (AI) or a generative artificial intelligence (GenAI) program, device, or similar technology. This bill also prohibits the use of terms, letters, or phrases in the advertising or functionality of an AI or GenAI system, program, device, or similar technology that indicates or implies that the care, advice, reports, or assessments being offered through the AI or GenAI technology is being provided by a natural person in possession of the appropriate license to practice as a health care professional. The bill makes this violation subject to the jurisdiction of the appropriate health care profession board, and would make each use of a prohibited term, letter, or phrase punishable as a separate violation. The bill also permits the authority for a health care professional licensing board or enforcement agency to pursue an injunction or restraining order to enforce these provisions as authorized by Business and Professions Code (BPC) section 125.5, and any remedy otherwise authorized under the law.

Impact on Licensees: Licensees who use AI or GenAI technology cannot use AI or GenAI that uses one or more terms, letters, or phrases that indicates or implies that (1) it possess a license or registration to practice a health care profession, or (2) the care, advice, reports, or assessments being offered through the AI or GenAI technology is being provided by a natural person in possession of the appropriate license or registration to practice as a health care professional. The Board can pursue an injunction or restraining order as authorized by BPC section 125.5, and any remedy otherwise authorized under the law brought by the Board for the use of prohibited term, letter, or phrase.

Implementation Status: Advisory was sent to licensees on December 31, 2025 and published on the Board's website at https://www.speechandhearing.ca.gov/board_activity/lawsregs/upcomingleg.shtml. No further action is required of the Board.

v. **AB 784 (Hoover) Special education: specialized deaf and hard-of-hearing services.**

Status: This bill was approved by the Governor and chaptered by Secretary of State (Chapter 44, Statutes of 2025.)

Summary: This bill prohibits provisions from being construed to prohibit an individualized education program from including specialized deaf and hard-of-hearing related services as the only services.

Impact on Licensees: Licensees can include deaf and hard-of-hearing related services as the only services in an individualized education program.

Implementation Status: Advisory was sent to licensees on December 31, 2025 and published on the Board's website at https://www.speechandhearing.ca.gov/board_activity/lawsregs/upcomingleg.shtml. No further action is required of the Board.

vi. **AB 1327 (Aguiar-Curry) Home improvement and home solicitation: right to cancel contracts: notice.**

Status: This bill was approved by the Governor and chaptered by Secretary of State (Chapter 348, Statutes of 2025.)

Summary: This bill requires that a notice of cancellation of a home solicitation contract or offer to also be delivered by email and requires the seller to include in the contract an address and email address to which the notice of cancellation is to be sent and a telephone number of a support line to assist the buyer with locating and completing the notice of cancellation. This bill makes conforming changes for home improvement contracts, and incorporates additional changes proposed by other bills.

Impact on Licensees: Licensees providing a notice of cancellation of a home solicitation contract or offer must also include an email address to which the notice of cancellation can be sent and a telephone number to assist the buyer with locating and completing the notice of cancellation.

Implementation Status: Advisory was sent to licensees on December 31, 2025 and published on the Board's website at https://www.speechandhearing.ca.gov/board_activity/lawsregs/upcomingleg.shtml. No further action is required of the Board.

vii. Senate Bill (SB) 81 (Arreguín) Health and care facilities: information sharing.

Status: This bill was approved by the Governor and chaptered by Secretary of State (Chapter 123, Statutes of 2025.)

Summary: To take effect immediately as an urgency statute, this bill revises the definition of "medical information" to include immigration status, including current and prior immigration status, and place of birth. This bill defines "immigration enforcement" to mean any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal civil immigration law and federal criminal immigration that penalizes a person's presence in, entry or reentry to, or employment in, the United States. The bill additionally requires that a provider of health care, health care service plan, or contractor disclose medical information regarding a patient of the provider of health care or an enrollee or subscriber or a health care service plan without first obtaining an authorization if the disclosure is compelled by a court order issued by a valid state or a federal court order, and a valid search warrant issued by a judicial officer to a governmental law enforcement agency as long it does not interfere with California law. The bill prohibits a provider of health care, health care service plan, contractor, or corporation and its subsidiaries and affiliates from disclosing medical information for immigration enforcement except to the extent expressly authorized by a patient, enrollee, or subscriber, or as otherwise required by law. This bill requires health care provider entities to establish or amend procedures for monitoring and receiving visitors to health care provider entities, and encourage them to post a "notice to authorities" at facility entrances. This bill requires health care provider entity personnel to notify health care provider entity management, administration, or legal counsel of any request for access to a health care provider entity site or patient for immigration enforcement, review of health care provider entity documents, especially for immigration enforcement. The bill requires a health care provider entity to designate areas where patients are receiving treatment or care or where a patient is discussing protected health information as nonpublic, and encourage to designate these areas through mapping, signage, key entry, policy, or a combination of those. The bill prohibits a health care provider entity and its personnel from allowing access to the nonpublic areas of the facility for immigration enforcement purposes unless required by state or federal law or a valid judicial warrant or court order that specifically grants access to the nonpublic areas of the facility. The bill requires a health care provider entity and its personnel to have the denial of permission for access to nonpublic areas of the facility witnessed and documented by at least one health care provider entity personnel, and requires health care provider entities to inform staff and relevant volunteers on how to respond to requests relating to immigration enforcement that grants access to health care provider entity sites or to patients. This bill defines "health care provider entity" and "immigration enforcement" for the purposes of these provisions. The bill prohibits a health care provider entity and its personnel from allowing access to nonpublic areas of the provider's facilities for immigration enforcement without a valid judicial warrant or court order to the extent permitted by state and federal law, and require health care provider entities to inform staff and relevant volunteers on how to respond to requests relating to immigration enforcement that grants access to health care provider entity sites or to patients. The bill does not prohibit a person who is in lawful custody from being accompanied to access health care services and for their transportation and arrangement to health care provider entities, and does not prohibit any person from entering nonpublic areas of a hospital to receive care for themselves or someone in their care or custody. The bill applies to all health care provider entities that receive public funding, and all other health care provider entities that are not subject to this bill are encouraged to adopt the requirements specified in this bill. The bill requires health care provider entities to comply with the requirements contained in the bill within 45 days from the effective date of the bill.

Impact on Licensees: Licensees are prohibited from disclosing medical information regarding immigration status as defined by the law except for what is exempt by the law. Licensees who operate a health care provider entity as defined by the law and receive public funding are required to (1) establish or amend procedures for monitoring, documenting, and receiving visitors for immigration enforcement, and (2) designate areas where patients are receiving treatment or care, or where a patient is discussing protected health information, as nonpublic.

Implementation Status: Advisory was sent to licensees on December 31, 2025 and published on the Board's website at https://www.speechandhearing.ca.gov/board_activity/lawsregs/upcomingleg.shtml. No further action is required of the Board.

viii. SB 82 (Umberg) Contracts: consumer goods and services: dispute resolution provisions.

Status: This bill was approved by the Governor and chaptered by Secretary of State (Chapter 350, Statutes of 2025.)

Summary: This bill limits the dispute resolution terms and conditions to the use, payment, or provision of the good, service, money, or credit provided by the consumer use agreement. The bill makes a waiver of these provisions void and unenforceable, and requires that the provisions be liberally construed for the purpose of protecting consumers. The bill provides that the duties and obligations it imposes are cumulative with, and do not limit or expand, duties and obligations imposed under any other law, and do not limit any rights or remedies under any other law. The bill defines terms for purposes of these provisions.

Impact on Licensees: Licensee who use a dispute resolution terms and conditions in a consumer use agreement shall be limited to the use, payment, or provision of the good, service, money, or credit provided by that consumer use agreement. Any waiver of these provisions is void and unenforceable.

Implementation Status: Advisory was sent to licensees on December 31, 2025 and published on the Board's website at https://www.speechandhearing.ca.gov/board_activity/lawsregs/upcomingleg.shtml. No further action is required of the Board.

ix. **SB 294 (Reyes) The Workplace Know Your Rights Act.**

Status: This bill was approved by the Governor and chaptered by Secretary of State (Chapter 667, Statutes of 2025.)

Summary: This bill establishes the Workplace Know Your Rights Act, which requires an employer to provide a stand-alone written notice to each current employee, each new employee upon hire, and an employee's authorized representative, if any, of workers' rights information specified in the Act in a manner specified in the Act after the Labor Commissioner posts a template notice on its internet website, and every year thereafter. This bill requires an employer to notify the designated emergency contact if the employee is arrested or detained on their worksite if the employee has designated an emergency contact for this purpose and, if the arrest or detention occurs during work hours or the performance of the employee's job duties but not on the worksite, only if the employer has actual knowledge of the arrest or detention of the employee is the employer required to notify the designated emergency contact. This bill prohibits an employer from discharging, threatening to discharge, demoting, suspending, or in any manner discriminating or retaliating against an employee for exercising or attempting to exercise their rights under the Act. The bill provides that an employer who violates the provision under this Act may be subject to a civil penalty per employee.

Impact on Licensees: Licensees who are employers must comply with the provisions specified in the law known as the *Workplace Know Your Rights Act*. A template of the required notice will be provided by the Labor Commissioner. Any violation of this act is enforced by the Labor Commissioner.

Implementation Status: Advisory was sent to licensees on December 31, 2025 and published on the Board's website at https://www.speechandhearing.ca.gov/board_activity/lawsregs/upcomingleg.shtml. No further action is required of the Board.

x. **SB 402 (Valladares) Health care coverage: autism.**

Status: This bill was approved by the Governor and chaptered by Secretary of State (Chapter 413, Statutes of 2025.)

Summary: This bill defines "qualified autism service provider," "qualified autism service professional," and "qualified autism service paraprofessional" in the Business and

Professions Code. The bill also makes technical and conforming changes, and incorporates additional changes proposed by other bills.

Impact on Licensees: No impact on licensees. No requirements were changed as a result of this bill.

Implementation Status: Advisory was sent to licensees on December 31, 2025 and published on the Board's website at https://www.speechandhearing.ca.gov/board_activity/lawsregs/upcomingleg.shtml. No further action is required of the Board.

xi. SB 446 (Hurtado) Data breaches: customer notification.

Status: This bill was approved by the Governor and chaptered by Secretary of State (Chapter 319, Statutes of 2025.)

Summary: This bill requires that data breach disclosure be made within 30 calendar days of discovery or notification of the data breach and permit an individual or business to delay the disclosure to accommodate the legitimate needs of law enforcement or to determine the scope of the breach and restore the reasonable integrity of the data system. This bill also requires an individual or business that is required to issue the security breach notification to more than 500 California residents as a result of a single breach of the security system to electronically submit a single sample copy of that security breach notification, excluding any personally identifiable information, to the Attorney General within 15 calendar days of notifying affected consumers of the security breach.

Impact on Licensees: Licensees who conduct business in California must disclose any data breach within 30 calendar days of discovery or notification of the data breach. The notification may be delayed for the reasons stated in the law. Licensees must submit a single sample copy of the notification to the Attorney General within 15 calendar days of notifying affected consumers if the security breach required notifying more than 500 California residents.

Implementation Status: Advisory was sent to licensees on December 31, 2025 and published on the Board's website at https://www.speechandhearing.ca.gov/board_activity/lawsregs/upcomingleg.shtml. No further action is required of the Board.

xii. SB 470 (Laird) Bagley-Keene Open Meeting Act: teleconferencing.

Status: This bill was approved by the Governor and chaptered by Secretary of State (Chapter 222, Statutes of 2025.)

Summary: This bill extends the additional, alternative set of provisions under which a state body may hold a meeting by teleconference through January 1, 2030.

Impact on Licensees: No impact on licensees. The Board may continue to choose to conduct teleconference meetings using the additional, alternative set of provisions that were established under SB 544 (Laird, Chapter 212, Statutes of 2023).

Implementation Status: Advisory was sent to licensees on December 31, 2025 and published on the Board's website at https://www.speechandhearing.ca.gov/board_activity/lawsregs/upcomingleg.shtml. No further action is required of the Board.

xiii. SB 497 (Wiener) Legally protected health care activity.

Status: This bill was approved by the Governor and chaptered by Secretary of State (Chapter 764, Statutes of 2025.)

Summary: To take effect immediately as an urgency statute, this bill prohibits a provider of health care, a health care service plan, or a contractor from releasing medical information related to a person seeking or obtaining gender-affirming health care in response to any subpoena or request, including a foreign subpoena, based on another state's law that interferes with an individual's right to seek or obtain gender-affirming health care, or authorizes a person to bring a civil or criminal action against a person receiving gender-affirming health care or gender-affirming mental health care. The bill also prohibits a provider of health care, health care service plan, contractor, or employer from cooperating with or providing medical information to an individual, agency, or department from another state or, to the extent permitted by federal law, to a federal law enforcement agency that would identify an individual and that is related to an individual seeking or obtaining gender-affirming health care that is lawful under the laws of this state. The bill does not prohibit the release of such medical information for purposes specified in the bill. The bill also makes technical and conforming changes, and incorporates additional changes proposed by other bills.

Impact on Licensees: Licensees cannot release medical information related to a person seeking or obtaining gender-affirming health care except for what is exempt by the law.

Implementation Status: Advisory was sent to licensees on December 31, 2025 and published on the Board's website at https://www.speechandhearing.ca.gov/board_activity/lawsregs/upcomingleg.shtml. No further action is required.

xiv. SB 744 (Cabaldon) Accrediting agencies.

Status: This bill was approved by the Governor and chaptered by Secretary of State (Chapter 425, Statutes of 2025.)

Summary: This bill requires national or regional accrediting agency recognized by the United States Department of Education as of January 1, 2025, to retain that recognition until July 1, 2029, provided that the accrediting agency continues to operate in substantially the same manner as it did on January 1, 2025. The bill repeals those provisions on January 1, 2030, and makes technical and conforming changes.

Impact on Licensees: No impact on licensees. The Board may accept applications with educational institution accredited by a national or regional accrediting agency that is no longer recognized by the United States Department of Education as of January 1, 2025, if the accrediting agency operates in substantially the same manner as it did on January 1, 2025. This is effective until July 1, 2029.

Implementation Status: Advisory was sent to licensees on December 31, 2025 and published on the Board's website at https://www.speechandhearing.ca.gov/board_activity/lawsregs/upcomingleg.shtml. Board staff will be educated to ensure that applications are not denied for accreditation that qualify under this law.

xv. **SB 861 (Committee on Business, Professions and Economic Development) Consumer affairs.**

Status: This bill was approved by the Governor and chaptered by Secretary of State (Chapter 592, Statutes of 2025.)

Summary: This bill replaces gendered pronouns with non-gendered pronouns and replace the Board's former name with its current name. The bill makes nonsubstantive technical changes for other boards and bureau under the jurisdiction of the Department of Consumer Affairs. The bill makes conforming changes, and incorporates additional changes proposed by other bills.

Impact on Licensees: No impact on licensees. No requirements were changed as a result of this bill.

Implementation Status: Advisory was sent to licensees on December 31, 2025 and published on the Board's website at https://www.speechandhearing.ca.gov/board_activity/lawsregs/upcomingleg.shtml. No further action is required.

c) Bills on Watch Status

i. **AB 322 (Ward) Precise geolocation information.**

Status: This bill is in the Senate Appropriations Committee on Suspense File.

Summary: This bill would require a business that collects precise geolocation information to prominently display a notice to the consumer whose information is being collected in a manner and for the reasons specified in the bill. This bill would prohibit a business that collects precise geolocation information from retaining the information longer than necessary to provide the goods or services requested by the consumer or longer than one year after the consumer's last intentional interaction with the business, whichever is earlier.

Current law, known as the California Consumer Privacy Act of 2018 (CCPA), grants a consumer various rights with respect to personal information that is collected by a business including the right to direct a business that collects sensitive personal information about the consumer to limit its use. Current law defines "sensitive personal information" to mean personal information that reveals a consumer's precise geolocation, among other things.

ii. **AB 346 (Nguyen) In-home supportive services: licensed health care professional certification.**

Status: This bill is in the Senate Appropriations Committee on Suspense File.

Summary: This bill would define "licensed health care professional" to mean individual licensed in California by the appropriate California regulatory agency, acting within the scope of their license or certificate, as defined in the Business and Professions Code, including a physician or surgeon, physician assistant, podiatrist, dentist, or nurse practitioner.

Current law defines a licensed health care professional to mean an individual licensed in California by the appropriate California regulatory agency, acting within the scope of their license or certificate as defined in the Business and Professions Code. Current law also defines supportive services to include those necessary paramedical services that are ordered by a licensed health care professional for purposes of the IHSS program Current law requires an applicant for, or recipient of, IHSS services obtain a certification from a licensed health care professional declaring that the applicant or recipient is unable to perform some activities of daily living independently, and that without services to assist the applicant or recipient with activities of daily living, the applicant or recipient is at risk of placement in out-of-home care.

iii. **AB 364 (DeMaio) Personal information: maintenance.**

Status: This bill died in the Assembly Committee on Privacy and Consumer Protection. It failed to meet the deadline pursuant to Sec. 10(c) of Article IV of the Constitution.

Summary: This bill would enact the Stop Foreign Governments from Accessing Californians' Sensitive Personal Information Act as Sections 1798.100 and 1798.122 of the Civil Code and would additionally require a business to disclose to a consumer if the business intends to maintain the consumer's personal information outside of the United States. The bill would prohibit a business from maintaining a consumer's personal information outside of the United States unless, among other things, the consumer explicitly consented to the business maintaining the consumer's personal information outside of the United States. The bill would also prohibit a business from maintaining personal information that is health care information, financial information, or geolocation data in the custody of a foreign government or a third party that is owned or controlled by a foreign government.

Current law, known as the California Consumer Privacy Act of 2018, grants a consumer various rights with respect to personal information that is collected by a business including the right to direct a business that sells or shares personal information about the consumer to third parties not to sell or share the consumer's personal information. Current law requires a business that controls the collection of a consumer's personal information to, at or before the point of collection, inform a consumer of, among other things, the categories of personal information to be collected, the purposes for which the categories of personal information are collected or used, and whether that information is sold or shared.

iv. **AB 410 (Wilson) Bots: disclosure.**

Status: This bill is in the Senate Appropriations Committee on Suspense File.

Summary: The bill would redefine “bot” to mean an automated online account or application that a reasonable person could believe is a human being and with respect to which substantially all of the actions or posts of that account or application are the outputs of generative artificial intelligence. This bill would require a person who uses a bot to autonomously communicate with another to ensure that the bot discloses to any person with whom the bot communicates when the bot first communicates with the person that the bot is a bot and not a human being, answer truthfully any query from a person regarding its identity as a bot or a human, and refrain from attempting to mislead a person regarding its identity as a bot. The bill would define “generative artificial intelligence” to mean artificial intelligence that can generate derived synthetic content, including text, images, video, and audio that emulates the structure and characteristics of the system’s training data. The bill would also define “artificial intelligence” to mean an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments. The bill would exempt a person who uses a bot that is required to comply with a more prescriptive disclosure scheme. The bill would remove the definition of online platform and exemption for service providers of online platforms. The bill would permit the Attorney General, a district attorney, a county counsel, a city attorney, or a city prosecutor to bring an action against a person who violates this law to obtain either an injunctive relief or a civil penalty of one thousand dollars ($1,000) per violation.

Current law makes it unlawful for any person to use a bot to communicate or interact with another person online, in this state, with the intent to mislead the other person about its artificial identity for the purposes of knowingly deceiving the person about the content of the communication in order to incentivize a purchase or sale of goods or services in a commercial transaction or to influence a vote in an election, unless the person using the bot discloses that it is a bot. Current law defines a “bot” as an automated online account where all or substantially all of the actions or posts of that account are not the result of a person.

v. AB 485 (Ortega) Labor Commissioner: unsatisfied judgments: nonpayment of wages.

Status: This bill is in the Senate Appropriations Committee on Suspense File.

Summary: This bill would require any state agency to deny a new license or permit or the renewal of an existing license if the applicant, licensee, or registrant is in violation of Section 238 of the Labor Code regarding unpaid wages. The bill would also require the Labor Commissioner to notify the state agency of any licensees or registrants who are in violation of Section 238 of the Labor Code. This bill would repeal similar provisions applicable to employers in the long-term care industry and instead would permit the State Public Health Officer to exempt a hospital employer from the bill’s requirements upon a determination that a denial, suspension, or revocation of the hospital’s license, permit, or renewal could have imminent or substantial adverse effects upon public health or safety or would violate constitutional law.

Current law generally prohibits an employer with an unsatisfied final judgment for nonpayment of wages from continuing to conduct business in California, unless that employer has obtained a bond from a surety company and filed that bond with the Labor

Commissioner. Current law requires the State Department of Public Health or the State Department of Social Services to deny a new license or the renewal of an existing license if an employer who is required to obtain a license from such department has violated this law. Current law requires the Labor Commissioner to notify those departments upon finding that an employer in the long-term care industry is violating this law.

vi. AB 970 (McKinnor) Child abuse and neglect reporting.

Status: This bill died in the Assembly Committee on Public Safety. It failed to meet the deadline pursuant to Sec. 10(c) of Article IV of the Constitution.

Summary: This bill would authorize the County of Los Angeles to establish a *2-year* pilot program to test a new model for the mandatory reporting of child abuse or neglect. The bill would require the pilot program to include a comprehensive County of Los Angeles mandated reporter training that may be made available to all mandated reporters in the county. The bill would also require the pilot program to also include the development and deployment of an internet-based decision-support tool, developed through a collaborative process with, among others, the State Department of Social Services for mandated reporters who have completed that training. The bill would also require the decision-support tool to, among other things, make a recommendation on whether or not to report and would prohibit the decision-support tool from using predictive analysis. The bill would, during the time the pilot program is in effect, deem a mandated reporter to have satisfied their reporting duties if the reporter completed the training, used the decision-support tool, and complied with the recommended action. The bill would shield a mandated reporter who satisfied their reporting duties pursuant to this bill, from civil liability or criminal penalty, and from penalties impacting their professional licenses, credentials, and certifications, for failing to report known or suspected child abuse or neglect, as well as the reporter's supervisor, employer, superior, or principal. The bill would repeal its provisions on January 1, 2030.

Current law authorizes a county welfare agency to develop a program for internet-based reporting of child abuse and neglect. Current law also authorizes a mandated reporter in a county where the program is active to use the internet-based reporting tool in lieu of the required initial telephone report.

vii. AB 1015 (Patel) Discrimination and harassment prevention training.

Status: This bill died in the Assembly Committee on Labor and Employment. It failed to meet the deadline pursuant to Sec. 10(c) of Article IV of the Constitution.

Summary: This bill would authorize an employer to satisfy the training requirements by demonstrating that the employee possesses a certificate of completion within the past two (2) years.

Current law requires an employer with five (5) or more employees to provide at least two (2) hours of classroom or other effective interactive training and education regarding sexual harassment to all supervisory employees and at least one (1) hour of classroom or other effective interactive training and education regarding sexual harassment to all nonsupervisory employees in California. Current law requires each employer provide sexual harassment training and education to each employee in California once every two years. Current law requires that an employee who has received training in compliance with the law within the prior two (2) years, either from a current or a prior employer, be given, and be required to read and acknowledge receipt of, the employer's antiharassment policy and requires that the employee then be put on a two-year tracking schedule based on the employee's last training. Current law places the burden of establishing that prior training was legally compliant on the employer.

viii. AB 1110 (Ortega) Safety rules and regulations: notice.

Status: This bill died in the Assembly Appropriations Committee . It failed to meet the deadline pursuant to Sec. 10(c) of Article IV of the Constitution.

Summary: This bill would additionally require the notice containing information regarding safety rules and regulations in the workplace to contain the email address of the nearest division office.

Current law requires the Division of Occupational Safety and Health of the Department of Industrial Relations to prepare a notice, to be posted by employers, containing information regarding safety rules and regulations in the workplace. Current law requires the notice to contain specified items of information, including, among other things, the address and telephone number of the nearest division office.

ix. AB 1192 (Carrillo) Child abuse or neglect: reporting.

Status: This bill died in the Assembly Appropriations Committee. It failed to meet the deadline pursuant to Sec. 10(c) of Article IV of the Constitution.

Summary: This bill would require an employee of an agency specified in Section 11165.9 of the Penal Code to additionally send a copy of the report to the attorney who represents a parent or legal guardian of the child, except when a parent whose parental rights have been terminated or a parent who is not entitled to reunification services. The bill would require the agency to redact all personal identifying information regarding all persons, other than the child, who are identified in the report. The bill would also require an employee of the agency to send a copy of the report to all attorneys who represent children with an open dependency case in that placement, subject to specified redaction if the suspected abuse or neglect occurred in a placement.

Current law requires certain professionals, including specified health practitioners and social workers, known as "mandated reporters," employed by an agency specified in Section 11165.9 of the Penal Code to report known or suspected child abuse or neglect to a local law enforcement agency or a county welfare or probation department. Current law requires the agency to maintain a copy of the written report and provide all information requested by the attorney for the child or the child's guardian ad litem within 30 days of the request. Current law also requires an employee of those agencies to send or have sent, within 36 hours, a copy of a report made pursuant to these laws to the attorney who represents the child, who is the subject of the report, in dependency court.

d) Bills with Position Recommendation

i. AB 2233 (Ta) Behavioral health treatment plans.

Status: This bill is in the Assembly Committee on Health.

Summary: This bill would prohibit a health care service plan or health insurer from imposing restrictions on the utilization of authorized treatment hours within the treatment plan's 6-month authorization period. The bill would require authorized hours to remain available for use throughout the authorization period.

Current law requires a health care service plan contract or health insurance policy to provide coverage for behavioral health treatment for pervasive developmental disorder or autism under a prescribed treatment plan that is reviewed no less than every 6 months by the qualified autism service provider and modified whenever appropriate.

Position Recommendation: Support

ii. SB 1130 (Reyes) Crimes: invasion of privacy: wearable recording devices.

Status: This bill is in the Assembly Committee on Public Safety.

Summary: This bill would additionally prohibit a person from operating a wearable recording device to capture sound or video of any other person in any area within a place of business where the person has a reasonable expectation of privacy unless the person operating the device has the explicit consent of that person to capture sound or video of that person. The bill would prohibit a person from disabling any light or other device on a wearable recording device that indicates that the device is capturing sound or video. The bill would prohibit a person or entity from manufacturing, selling, delivering, holding, or offering for sale in commerce any technology that enables a person to disable any light or other device on a wearable recording device that indicates that the device is capturing sound or video and would prohibit a person from purchasing, trading for, otherwise acquiring, or using that technology. This bill would make a violation of these provisions punishable by a fine not exceeding $2,500, by imprisonment as either a misdemeanor or a felony, or by both the fine and imprisonment. If that person has previously been convicted of a violation of any of the prohibitions described above, the bill would make a violation of these provisions punishable by a fine not exceeding $10,000, by imprisonment as either a misdemeanor or a felony, or by both the fine and imprisonment. The bill would make a violation of the prohibitions in this bill applicable to the enhanced fine for a subsequent violation of any of the prohibitions described above, except for the prohibition on trespassing, and would make the exemptions from the provisions described above applicable to violations of the bill's prohibitions.

Current law prohibits wiretapping, eavesdropping, intercepting or recording, or assisting with the interception or reception of a communication without the consent of all parties, and prohibits trespassing on property for the purpose of committing or attempting to commit a violation of those prohibitions. A violation of those provisions is punishable by a fine not exceeding $2,500, by imprisonment as either a misdemeanor or a felony, or by both the fine and imprisonment, unless otherwise exempted. If that person has previously been convicted of a violation of any of those provisions, a violation of any of those provisions is punishable by a fine not exceeding $10,000, by imprisonment as either a misdemeanor or a felony, or by both the fine and imprisonment.

Position Recommendation: Neutral if Amended

iii. **SB 1368 (Wahab) Hearing aid dispensers.**

Status: This bill is in the Senate Committee on Business, Professions, and Economic Development.

Summary: This bill would specify that some of those provisions apply to hearing aid dispensers instead of licensees, and would change some of those provisions so they apply to an address or addresses instead of a place of business. This bill would instead require a hearing aid dispenser engaged in the practice of fitting or selling hearing aids at more than one place of business to apply for and procure a branch office license, as specified. The bill would define “temporary basis” for purposes of the provisions described above. This bill would instead require a hearing aid dispenser engaged in the practice of fitting or selling hearing aids at more than one place of business to apply for and procure a branch office license, as specified. The bill would define “temporary basis” for purposes of the provisions described above.

Current law imposes various requirements regarding the place of business of a “licensee,” which is defined as person holding a hearing aid dispenser license. Current law defines a “hearing aid dispenser” as a person engaged in the practice of fitting or selling hearing aids to an individual with impaired hearing. Current law requires a licensee to apply for and procure a duplicate license if the licensee maintains more than one place of business. Current law authorizes a hearing aid dispenser to engage on a temporary basis in the practice of fitting or selling hearing aids at the primary or branch location of another licensee’s business without obtaining a duplicate license if certain requirements are satisfied.

Position Recommendation: Board Sponsored

e) Bills with Watch Status Recommendation

i. **AB 1542 (Ward) Sensitive personal information.**

Status: This bill is in the Assembly Committee on Privacy and Consumer Protection.

Summary: This bill would prohibit a business, service provider, or contractor from selling or sharing sensitive personal information to a third party.

Current law allows a consumer to have the right, at any time, to direct a business that collects sensitive personal information about the consumer to limit its use of the consumer’s sensitive personal information to that use that is necessary to perform the services or provide the goods reasonably expected by an average consumer who requests those goods or services, to perform the services set forth by the law. Current laws require a business that uses or discloses a consumer’s sensitive personal information for purposes other than those specified by the law to provide notice to consumers that their information may be used, or disclosed to a service provider or contractor, for additional, specified purposes and that consumers have the right to limit the use or disclosure of their sensitive personal information. Current laws require a business that has received direction from a consumer not to use or disclose the consumer's sensitive personal information, except as authorized by law to not use of disclose the consumer's sensitive personal information for any other purpose after its receipt of the consumer's direction unless the consumer subsequently provides consent for the use or disclosure of the consumer's sensitive personal information for additional purposes. Current laws require a service provider or contractor that assists a business in performing the purposes authorized by the law to not use the sensitive personal information after it has received instructions from the business and to the extent it has actual knowledge that the personal information is sensitive personal information for any other purpose. A service provider or contractor is only required to limit its use of sensitive personal information received pursuant to a written contract with the business in response to instructions from the business and only with respect to its relationship with that business. Current laws do not require that sensitive personal information collected or processed without the purpose of inferring characteristics about a consumer to be not subject to this law or be treated as personal information.

ii. AB 1564 (Ahrens) Employer-employee relations: confidential communications.

Status: This bill is in the Assembly Appropriations Committee .

Summary: This bill would prohibit a public employer from questioning a public employee, a representative of a recognized employee organization, or an exclusive representative regarding communications made in confidence between an employee and an employee representative in connection with representation relating to any matter within the scope of the recognized employee organization's representation. The bill would also prohibit a public employer from compelling a public employee, a representative of a recognized employee organization, or an exclusive representative to disclose those confidential communications to a third party. The bill would not apply to a criminal investigation or when a public safety officer is under investigation and certain circumstances exist.

Current law governs the labor relations of public employees and employers, including prohibiting employers from taking certain actions relating to employee organization. Current law further prohibits denying to employee organizations the rights guaranteed to them by the law.

iii. AB 1566 (Jackson) Crimes: mandated reporters: severe neglect.

Status: This bill is on the Assembly Floor, Third Reading.

Summary: This bill would recast the second definition of "severe neglect" to mean if any person having the care or custody of a child, willfully causes or permits serious illness or serious injury to the child, willfully causes or permits the death of the child, or causes the child to be placed at imminent risk of serious illness, serious injury, or death, including, but not limited to, the willful failure to provide adequate food, clothing, shelter, or medical care.

Current law defines “severe neglect” as the negligent failure of a person having the care or custody of a child to protect the child from severe malnutrition or medically diagnosed nonorganic failure to thrive, as well as those situations of neglect where any person having the care or custody of a child willfully causes or permits the person or health of the child to be placed in a situation such that their person or health is endangered as proscribed by specified law, including the intentional failure to provide adequate food, clothing, shelter, or medical care.

iv. **AB 1593 (Dixon) State agencies: revenue: report.**
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Status: This bill is in the Assembly Appropriations Committee.

Summary: The bill will require a state agency that imposes a monetary charge, including a regulatory fee or administrative penalty, to report on its internet website the revenue generated from those charges, organized by category on or before January 1, 2028, and annually thereafter. This bill would require the reports to be made available for download in a machine-readable format and made available for download on the department’s internet website in accordance with standards established by the Department of Finance.

Current law imposes various reporting requirements on state agencies.

v. **AB 1652 (Patterson) State agencies: regulations and legislation: nondisclosure agreements.**

Status: This bill is in the Assembly Appropriations Committee with recommendation to Consent Calendar.

Summary: This bill would prohibit an elective or appointive officer of a state agency acting in their official capacity from entering into, or requesting that another party enter into, a nondisclosure agreement relating to the drafting, negotiation, or discussion of a proposed regulation or legislation. The bill would also make any nondisclosure agreement relating to the drafting, negotiation, or discussion of a proposed regulation or legislation entered into by an elective or appointive officer of a state agency acting in their official capacity after the effective date of this bill void and unenforceable. The bill would provide an exception for nondisclosure agreements, or portions thereof, that prevent only the disclosure of trade secrets, private financial information, or proprietary information.

Current law prohibits Members of the Legislature from entering into, or requesting that another party enter into, a nondisclosure agreement relating to the drafting, negotiation, or discussion of proposed legislation, and makes any nondisclosure agreement relating to the drafting, negotiation, or discussion of proposed legislation void and unenforceable. Current law provides an exception for nondisclosure agreements, or portions thereof, that prevent only the disclosure of trade secrets, financial information, or proprietary information as specified by the law.

vi. **AB 1671 (Tangipa) Rural medical services grant program.**

Status: This bill is in the Assembly Appropriations Committee.

Summary: This bill would require the Office of Rural Health upon appropriation to develop and administer a competitive grant program to compensate qualified providers for the delivery of medical services, or the support, sustenance, or expansion of the delivery of medical services, to individuals who reside in rural areas of California. This bill would authorize the Office of Rural Health upon appropriation to expend up to three million dollars ($3,000,000) annually and would authorize a qualified provider to apply to the Office of Rural Health once per year for a grant of up to ten thousand dollars ($10,000). The bill would require the Office of Rural Health to establish criteria and standards for eligibility and publish this information on its internet website and, on or before January 1, 2028, and annually thereafter.

Current law establishes the Office of Rural Health within the California Health and Human Services Agency to promote a strong working relationship between state government and local and federal agencies, universities, private and public interest groups, rural consumers, health care providers, foundations, and other offices of rural health, as well as to develop health initiatives and maximize the use of existing resources without duplicating existing effort. Current law requires the office to serve as a key information and referral source to promote coordinated planning for the delivery of health services in rural California.

vii. AB 1688 (Carrillo) Child abuse or neglect: reporting.

Status: This bill is in the Assembly Committee on Public Safety.

Summary: This bill would require agencies specified by the law who receive reports from a mandated reporter of a child in protective custody to additionally send a copy of the report to the attorney who represents a parent or legal guardian of the child within 36 hours, except for when a parent whose parental rights have been terminated. The bill would prohibit the notice from disclosing any information concerning the substance of the report, including the identity of any person named or referenced in the report. The bill would also require agencies specified by the law to send a copy of the report to all attorneys who represent children with an open dependency case in that placement if the suspected abuse or neglect occurred in a placement as defined by the bill.

Current law requires agencies as specified by the law who receive reports from a mandated reporter to notify the licensing office with jurisdiction over the facility within 24 hours if it occurred in facilities licensed by the State Department of Social Services. Current law also requires an employee of an agency specified by the law, in certain circumstances, to send or have sent a copy of a report from a mandated reporter to the attorney who represents the child in dependency court within 36 hours. Current law requires agencies specified by the law to maintain a copy of the written report and provide all information when requested by the attorney for the child or the child’s guardian ad litem within 30 days of the request. Current law also requires agencies specified by the law to notify the attorney who represents the minor parent or non-minor dependent in dependency court of a report from a mandated reporter within 36 hours.

viii. AB 1803 (Lowenthal) Employment: sexual harassment training and education: anti-hate speech training.

Status: This bill is in the Assembly Committee on Judiciary.

Summary: This bill would additionally require an employer having five or more employees to include anti-hate speech training as a component of the training and education regarding sexual harassment.

Current law requires an employer having five or more employees to provide at least two hours of classroom or other effective interactive training and education regarding sexual harassment to all supervisory employees and at least one hour of classroom or other effective interactive training and education regarding sexual harassment to all nonsupervisory employees in California.

ix. **AB 1898 (Schultz) Workplace artificial intelligence tools.**

Status: This bill is in the Assembly Committee on Privacy and Consumer Protection with referral to the Assembly Committee on Judiciary.

Summary: This bill would require a worker to provide a written notice to an employee that a workplace AI tool was used to assist the employer in making employment-related decisions or to surveil the workplace. This bill would require the notice to be given to a worker within a specified time and would require the notice to contain specified information This bill would require the employer to have the worker sign the notice to confirm they received and understand the notice and prohibit the employer from using the workplace AI tool until the affected workers return their signed notices. This bill would require an employer to maintain an updated list of all workplace AI tools currently in use a nd their impact on jobs and to provide the list to workers annually. This bill would provide for enforcement by the Labor Commissioner or a public prosecutor, and would authorize any worker who has suffered damages, or their exclusive representative, to file a civil action for damages caused by the adverse action. This bill would establish remedies and penalties for violations, including a penalty of up to $500 for each violation.

Current law establishes the Division of Labor Standards Enforcement within the Department of Industrial Relations to administer and enforce various laws relating to employment and working conditions.

x. **AB 2021 (Schiavo) California Consumer Privacy Act of 2018: whistleblower complaints.**

Status: This bill is in the Assembly Committee on Privacy and Consumer Protection with referral to the Assembly Committee on Judiciary.

Summary: This bill would authorize a person to submit to the California Privacy Protection Agency, a whistleblower complaint and would make the whistleblower eligible for an award if the agency designates a complaint for administrative enforcement and certain requirements are met. This bill would create the Consumer Privacy Whistleblower Subfund within the Consumer Privacy Fund and would require the funds awarded by the California Privacy Protection Agency to a whistleblower or for attorney’s fees to be deposited into the Consumer Privacy Whistleblower Subfund. This bill would make those funds available for payment to the whistleblower or the whistleblower’s attorney, upon appropriation by the Legislature. This bill would require an eligible whistleblower to receive at least 15% but not more than 33% of the fines collected through an administrative enforcement action or settlement, calculated after the allocation to Consumer Privacy Grant Subfund. This bill would require the California Privacy Protection Agency to consider certain factors in determining the amount of the award. This bill would additionally authorize the California Privacy Protection Agency to assess an administrative penalty against a person who violates the California Consumer Privacy Act of 2018 in an amount to cover the reasonable attorney's fees of the whistleblower. This bill would require the whistleblower, in order to be eligible for a whistleblower award, to meet certain requirements, including that the whistleblower be represented by an attorney and declare under penalty of perjury that the information submitted with the whistleblower complaint is true and correct to the best of the whistleblower's knowledge and belief. This bill would authorize a person to submit a whistleblower complaint anonymously, subject to certain conditions, including that the whistleblower's attorney certify, under penalty of perjury, that the attorney has taken certain actions, including verifying the whistleblower's identity. This bill would make a whistleblower's identity confidential, except as provided, and would exempt disclosure of the whistleblower's identity from the California Public Records Act. This bill would entitle an employee, contractor, or agent to bring a civil action to seek specified relief and damages if the employee, contractor, or agent is subject to specified forms of discrimination in the terms and conditions of their employment because of lawful acts done by the employee, contractor, agent, or associated others in furtherance of a whistleblower complaint or administrative enforcement action under the bill or other efforts to stop one or more violations of the California Consumer Privacy Act of 2018.

Current law, known as the California Consumer Privacy Act of 2018, establishes the California Privacy Protection Agency with full administrative power, authority, and jurisdiction to implement and enforce the California Consumer Privacy Act of 2018. Current law creates the Consumer Privacy Fund in the State Treasury and makes moneys in the fund available upon appropriation by the Legislature to be used exclusively by the agency in carrying out its duties or to administer and distribute grants to promote and protect consumer privacy, educate children in the area of online privacy, and fund cooperative programs with international law enforcement organizations to combat fraudulent activities with respect to consumer data breaches. Current law makes a business, service provider, contractor, or other person that violates the California Consumer Privacy Act of 2018 liable for an administrative fine.

xi. AB 2063 (Wallis) Legislative information system: bill position letters.

Status: This bill is at the Assembly Desk.

Summary: This bill would additionally require all letters submitted through the Legislature's internet portal, in connection with each bill commencing with bills introduced during the 2027–28 Regular Session, to be publicly available in electronic form.

Current law requires the Legislative Counsel, with the advice of the Assembly Committee on Rules and the Senate Committee on Rules, to make certain legislative information available to the public in electronic form, including the legislative calendar, text of each bill introduced, bill history of each bill introduced and amended, among other legislative information.

xii. **AB 2064 (Sharp-Collins) Discrimination: formerly incarcerated status.**

Status: This bill is in the Assembly Committee on Judiciary.

Summary: This bill would add formerly incarcerated status to the list of protected characteristics under the Unruh Civil Rights Act.

Current law, the Unruh Civil Rights Act, provides that all persons within the jurisdiction of this state are entitled to full and equal accommodations in all business establishments regardless of their sex, race, color, religion, ancestry, national origin, disability, medical condition, genetic information, marital status, sexual orientation, citizenship, primary language, or immigration status.

xiii. **AB 2095 (Lee) Employment discrimination: conviction history.**

Status: This bill is in the Assembly Committee on Labor and Employment with referral to the Assembly Committee on Judiciary.

Summary: This bill would additionally prohibit an employer with five or more employees from requesting consent for or beginning a conviction history background check before providing the applicant with a list of all specific job duties of the position with which a conviction may have a direct and adverse relationship and potentially result in an adverse action; requiring a job applicant to cover the cost of a conviction history background check; and requiring that an applicant self-disclose conviction history or provide the employer with any documentary evidence related to conviction history or rehabilitation at any time before or after the conditional job offer. This bill would require an employer to rebut the presumption in their individualized assessment that the relationship between the applicant's conviction and the position is not sufficiently direct and adverse to justify denying the applicant the position the applicant has completed a sentence for the conviction of the crime or the applicant possesses a license, certificate, authorization, or any other similar credential from a licensing, regulatory, or other government agency or board that is required for the position. This bill would require that the individualized assessment be provided to the applicant when notifying them of the preliminary decision and final decision that the applicant's conviction history disqualifies the applicant from employment. This bill would remove the exemption for farm labor contractors and add additional requirements to be satisfied to qualify for an exemption with regard to a position for which an employer or agent thereof is required by any state or federal law to conduct a conviction history background check for employment purposes or to restrict employment based on conviction history.

Current law prohibits an employer with five or more employees from engaging in certain employment practices including any question that seeks the disclosure of an applicant's conviction history before the employer makes a conditional offer of employment to the applicant; and inquiries into or consider the conviction history of the applicant until after the employer has made a conditional offer of employment. Current law requires an employer that intends to deny an applicant a position of employment solely or in part because of the applicant's conviction history to make an individualized assessment of whether the applicant's conviction history has a direct and adverse relationship with the specific duties of the job that justify denying the applicant the position. Current law requires an employer that makes a preliminary decision or a final decision that the applicant's conviction history disqualifies the applicant from employment to notify the applicant of this preliminary decision in writing. Currents law provides the applicant with at least five business days to respond to the notice of the preliminary decision before the employer may make a final decision. Currents law excludes circumstances including a state or local agency is otherwise required by law to conduct a conviction history background check, a position with a criminal justice agency, and farm labor contractor.

xiv. AB 2190 (Wallis) Internet website accessibility.

Status: This bill is in the Assembly Committee on Judiciary with referral to the Assembly Committee on Privacy and Consumer Protection.

Summary: This bill would grant to an entity an affirmative defense to a claim seeking statutory damages under the provisions described below on the basis of a specific accessibility barrier on the entity's internet website if the entity provided evidence to the plaintiff demonstrating within an unspecified number of days of receiving a written pre-lawsuit demand from the plaintiff that either (1) the entity published a digital accessibility report on the accessibility page of its internet website disclosing the specific access barrier and updated that report to reflect remediation of the access barrier or (2) that various things were true regarding the entity's efforts to identify and remediate access barriers on its internet website, including the entity had a reasonable and good faith basis to believe that the internet website was accessible and conformed with the internet website accessibility standard. This bill would also prohibit a resource service provider from, in exchange for money or any other form of remuneration, negligently, recklessly, or knowingly construct, license, distribute, or maintain for online use a resource or part of an internet website that causes an entity's internet website to be inaccessible or not conformant with the internet accessibility standard if the resource or part of the internet website is within the control of the resource service provider to remediate or from making a false representation that a resource or part of an internet website is accessible or conforms to the internet accessibility standard. This bill would authorize a small business entity, as defined, and certain public attorneys, including the Attorney General, to bring a civil action to enforce these provisions.

Current law, known as the Unruh Civil Rights Act, requires persons within the jurisdiction of the state to be free and equal and, regardless of the person's sex, race, color, religion, ancestry, national origin, disability, medical condition, genetic information, marital status, sexual orientation, citizenship, primary language, or immigration status to be entitled to the full and equal accommodations, advantages, facilities, privileges, or services in all business establishments, as prescribed, and makes a violation of the federal Americans with Disabilities Act of 1990 (ADA) a violation of the act. Current law imposes liability upon a person who denies, aids, or incites a denial of, or makes any discrimination or distinction contrary to, rights afforded by law for actual damages suffered, exemplary damages, a civil penalty, and attorney's fees to any person who was denied the specified rights. Current law also imposes liability upon a person, firm, or corporation that denies or interferes with admittance to, or enjoyment of, public facilities or otherwise interferes with the rights of an individual with a disability for damages and attorney's fees to a person who was denied those rights.

xv. **AB 2195 (Rodriguez, Celeste) Child support: license suspensions.**

Status: This bill is in the Assembly Committee on Judiciary with referral to the Assembly Committee on Business and Professions.

Summary: This bill would expand the prohibition described below to government entities as defined by the law.

Current law prohibits Department of Motor Vehicles from receiving a list of persons subject to an order or judgment for the payment of child support and that these persons are not in compliance with the order or judgment if the annual household income of the person is at or below 70 percent of the median income for the county in which the department or the local child support agency believes the person resides, based on the most recent available data published by the Department of Housing and Community Development pursuant to Section 6932 of Title 25 of the California Code of Regulations or successor regulation thereto.

xvi. **AB 2360 (Arambula) State agencies: governmental linguistics.**

Status: This bill is in the Assembly Committee on Governmental Organization.

Summary: This bill would require state agency to create, adopt, and post on its internet website, a plain language policy that identifies how the state agency will incorporate or strengthen plain language writing and design principles and practices. This bill would require, within existing personnel resources, the head of each state agency to designate one or more senior officials to oversee implementation of its plain language policy, communicate the requirements to the employees, establish a process for overseeing the ongoing compliance of these requirements, and designate point(s) of contact to receive and respond to public input, questions, comments, or suggestions on implementation or any document that is not easily readable or in plain language.

Current law requires state entities to write each document that it produces in plain, straightforward language, avoiding technical terms as much as possible, and using a coherent and easily readable style.

xvii. **AB 2366 (Ávila Farías) Administrative Procedure Act: proposed regulations: cost-of-living impact on residents of the state.**

Status: This bill is in the Assembly Committee on Economic Development, Growth, and Household Impact with referral to the Assembly Committee on Judiciary.

Summary: This bill would additionally require a state agency proposing to adopt, amend, or repeal any regulation to include the cost-of-living impacts on residents of the state when assessing the potential for adverse economic impact on California business enterprises and individuals. This bill would require a state agency to notify the Office of Administrative Law if it contracts outside service to perform the analyses and the Office of Administrative Law shall select the contractor and oversee its work. This bill would require the Legislative Analyst's Office to adopt a standardized cost-of-living methodology for use by all agencies, and also include a process for determining whether those cost-of-living impacts are significant. This bill would require each state agency that has prepared a standardized regulatory impact analysis for a major regulation to submit that analysis to the Legislative Analyst's Office upon completion, and require the Legislative Analyst's Office to conduct an independent analysis of the adequacy of an agency's economic analyses including conducting its own analysis of the cost-of-living impacts on residents of the state of a proposed regulation. This bill would require the Legislative Analyst's Office to provide its analysis and comments to the state agency within 60 days, and permit the agency to make update to its analysis to reflect any revisions or comments received. This bill would require the Department of Finance to develop and maintain a regulatory economic burden tracker that will gather and analyze the cumulative economic burden of regulations by sector of the economy, and integrate the regulatory costs across agencies that impact each sector. This bill would require the Department of Finance to post the tracker on its internet website and update the tracker on an annual basis. This bill would require the Office of Administrative Law, for major regulations, to hold a public hearing on the submitted regulation within 30 working days after the regulation has been submitted to the office for review, and allow for public testimony and comment before the office acts on the regulation. This bill would require the Office of Administrative Law to require the agency to pursue a less costly alternative or explain in detail why a less costly alternative is infeasible, if one of the reasons for disapproval includes a significant cost-of-living impact.

Current law requires a state agency proposing to adopt, amend, or repeal any regulation to assess the potential for adverse economic impact on California business enterprises and individuals in a manner described in the law.

xviii. AB 2412 (Ta) State agencies or departments: public communications.

Status: This bill is in the Assembly Committee on Privacy and Consumer Protection.

Summary: This bill would instead require the disclaimer described below when a state agency or department communicates with the public.

Current law requires a state agency or department that utilizes generative artificial intelligence (GenAI) to directly communicate with a person regarding government services and benefits to ensure that those communications include a disclaimer that indicates to the person that the communication was generated by GenAI. .

xix. AB 2414 (Nguyen) Developmental services: direct support professionals.

Status: This bill is in the Assembly Committee on Human Services.

Summary: This bill would change the title of direct service professionals to instead be direct support professionals and define it as an individual who receives compensation to provide direct support to children or adults with intellectual and developmental disabilities, is employed by a service provider receiving regional center funding, and spends at least 50% of their working time completing direct support tasks. This bill would require the department to, on or before April 1, 2027, and subject to an appropriation of funds for this purpose in the annual Budget Act, develop the billing guidance necessary to facilitate a pay differential associated with the training described below.

Current law finds and declares that direct service professionals are critical to the provision of services and support to individuals with intellectual and developmental disabilities and their families; and additional training and development will enhance the services they provide and foster a more sustainable workforce. Current law requires the State Department of Developmental Services to develop or utilize existing curriculum to implement enhanced direct service professional training that promotes services that are person centered and culturally and linguistically sensitive, and that improve outcomes for individuals with intellectual and developmental disabilities.

xx. AB 2557 (Bauer-Kahan) Legislative information system: bill position letters.

Status: This bill is at the Assembly Desk.

Summary: This bill would additionally require all letters submitted through the Legislature's internet portal in connection with each bill commencing with bills introduced during the 2027–28 Regular Session to be publicly available in electronic form.

Current law requires the Legislative Counsel, with the advice of the Assembly Committee on Rules and the Senate Committee on Rules, to make certain legislative information available to the public in electronic form, including the legislative calendar, text of each bill introduced, bill history of each bill introduced and amended, among other legislative information.

xxi. AB 2575 (Ortega) Health care services: artificial intelligence.

Status: This bill is in the Assembly Committee on Health with referral to the Assembly Committee on Labor and Employment Committee and the Assembly Committee on Privacy and Consumer Protection Committee.

Summary: This bill would require a health facility, clinic, physician's office, or office of a group practice that uses or deploys a covered tool for patient care to disclose required information to any licensed health care professional or other person using a covered tool or viewing outputs from a covered tool. The bill would require, among other things, the disclosure to include a notice that a worker providing direct patient care is permitted to override the output of a covered tool if, in the judgment of the worker acting in their scope of practice, an override is appropriate for the patient, or as necessary to comply with applicable law, including civil rights law. This bill would require the disclosure to be provided at the time the licensed health care professional or other person uses the covered tool, or views any recommendation or output generated by the covered tool.

Current law requires a health facility, clinic, physician's office, or office of a group practice that uses generative artificial intelligence to generate written or verbal patient communications pertaining to patient clinical information to ensure that those communications include both a disclaimer that indicates to the patient that a communication was generated by generative artificial intelligence and clear instructions describing how a patient may contact a human health care provider, employee, or other appropriate person

xxii. AB 2746 (Schiavo) Consumer debt: medical debt.

Status: This bill is in the Assembly Committee on Banking and Finance with referral to the Assembly Committee on Health.

Summary: This bill would redefine "medical debt" to mean debt related to, in whole or in part, a transaction, account, or balance arising from a medical service, product, or device as defined by the law. This bill would exclude specific debt charged to a credit card, a loan secured by real property, debt charged to a general-purpose line of credit, and a general - purpose unsecured installment loan from the definition of medical debt.

Current law defines "medical debt" as a debt owed by a consumer to a person whose primary business is providing medical services, products, or devices as defined by the law, or to the person's agent or assignee, for the provision of medical services, products, or devices; and include includes medical bills that are not past due or that have been paid.

xxiii. SB 923 (Becker) Consumer privacy requests: deletion request records and request submission methods.

Status: This bill is in the Senate Committee on Privacy, Digital Technologies, and Consumer Protection.

Summary: This bill would deem a business that has obtained personal information about a consumer from a source other than the consumer, to be in compliance with a consumer's request to delete that data pursuant to the law if it retains a record of the deletion request and the minimum data necessary for the purpose of ensuring the consumer's personal information remains deleted from the business's records and is not being used for any other purpose.

Current law requires a business that receives a verifiable consumer request from a consumer to delete the consumer's personal information pursuant to the law to delete the consumer's personal information from its records, notify any service providers or contractors to delete the consumer's personal information from their records, and notify all third parties to whom the business has sold or shared the personal information to delete the consumer's personal information unless this proves impossible or involves disproportionate effort. Current law allows a business to maintain a confidential record of deletion requests solely for the purpose of preventing the personal information of a consumer who has submitted a deletion request from being sold, for compliance with laws or for other purposes, solely to the extent permissible under the law.

xxiv. SB 980 (Hurtado) Access to medical records.

Status: This bill is in the Senate Committee on Health.

Summary: This bill would additionally prohibit a health care provider from charging a fee to a patient for completing health-related forms required by an educational institution for a pupil's participation in school, childcare, or school-sponsored activities.

Current law prohibits a health care provider form charging a fee to a patient for filling out forms or providing information responsive to forms that support a claim or appeal regarding eligibility for a public benefit program.

xxv. SB 986 (Seyarto) Major regulations.

Status: This bill is in the Senate Committee on Governmental Organization with referral to the Senate Committee on Judiciary.

Summary: This bill would additionally require every agency to submit specified information of proposed regulation to the Legislature. This bill would additionally require, for major regulations, that each state agency include the following in the standardized regulatory impact analysis: the estimated effect on state revenue; the estimated cost savings or financial benefits to society; the estimated compliance costs for regulated entities, including secondary or indirect costs; the estimated effect on state expenditures, including estimated administrative expenses; the estimated opportunity cost, including the cost of compliance as a result of the removal of private capital from the market; and the sources consulted, key assumptions, and sources of uncertainty. This bill would additionally require that each state agency include in the notice of a proposed regulation a determination of whether the regulation is a major regulation, including an explanation of why it presumptively is or is not a major regulation. This bill would prohibit a major regulation from taking effect until the Legislature enacts a law to approve the regulation, except as provided for emergency regulations. This bill would deem the regulation disapproved if the Legislature fails to enact a law to approve the regulation or does not vote on the regulation within 60 days of receiving the regulation from the Office of Administrative Law. This bill would allow the Governor to assemble the Legislature in special session for the sole purpose of voting to approve or disapprove the proposed major regulation if the Legislature is not in session. This bill would add economic impact as a standard the Office of Administrative Law muse use when reviewing proposed regulations, and make an independent determination as to whether the proposed regulation is a major regulation that requires legislative approval before it can take effect.

Current law requires every agency to submit specified information to the Office of Administrative Law for proposing the adoption, amendment, or repeal of a regulation. Current law requires a state agency proposing to adopt, amend, or repeal any regulation to assess the potential for adverse economic impact on California business enterprises and individuals in a manner described in the law. Current law requires the Office of Administrative Law to review, approve, and disapprove a regulation in a manner described in the law. Current law permits any interested person to obtain a judicial declaration as to the validity of any regulation or order of repeal by bringing an action for declaratory relief in the superior court in accordance with the Code of Civil Procedure.

xxvi. SB 1050 (Ashby) False advertising: synthetic digital performers.

Status: This bill is in the Senate Committee on Privacy, Digital Technologies, and Consumer Protection with referral to the Senate Committee on Judiciary.

Summary: This bill would make it unlawful and for any person, in connection with the creation or dissemination of an advertisement in this state, to use or cause to be used, a synthetic performer without a clear and conspicuous disclosure that the performer is synthetic. This bill would establish minimum criteria for the required disclosure and make any violations of these requirements a misdemeanor.

Current law makes it a misdemeanor for a person or a firm, corporation, or association, or any employee thereof, to engage in advertising that is untrue or misleading.

xxvii. SB 1146 (Gonzalez) Health-related consumer products and services: artificial intelligence.

Status: This bill is in the Senate Committee on Privacy, Digital Technologies, and Consumer Protection with referral to the Senate Committee on Judiciary.

Summary: This bill would require an advertisement that uses the image, audio, or video of a natural person that is generated or substantially altered using artificial intelligence or other computer technology to promote the sale of a health-related consumer product or service to include a clear and conspicuous disclosure that the image, audio, or video of the person in the advertisement was generated or substantially altered by artificial intelligence. This bill would require actions for relief brought pursuant to this bill to be prosecuted exclusively by the Attorney General or a district attorney in the name of the people of the State of California, and would provide that a violation of the bill does not constitute a misdemeanor.

Current law makes it a misdemeanor for a person or a firm, corporation, or association, or any employee thereof, to engage in advertising that is untrue or misleading.

xxviii. SB 1159 (Cabaldon) Artificial intelligence: transparency and governance.

Status: This bill is in the Senate Committee on Privacy, Digital Technologies, and Consumer Protection.

Summary: This bill would specify that the terms “person,” “interested person,” “participant,” “member of the public,” and any other similar terms referring to those who may engage with governmental agencies do not include artificial intelligence systems, autonomous agents, robots, or other nonhuman entities, whether physical or digital, for the purpose of specified acts including the California Public Records Act, the Bagley-Keene Open Meeting Act, the Administrative Procedure Act.

Current law allows the public to engage with governmental agencies.

xxix. SB 1204 (Ochoa Bogh) Administrative regulations.

Status: This bill is in the Senate Appropriations Committee with recommendation to the Consent Calendar.

Summary: This bill would require the Office of Administrative Law to report a disapproval and the reasons for disapproval to the Legislature within 60 days of returning a regulation to the adopting agency.

Current law requires the Office of Administrative Law to return to the adopting agency a regulation it disapproves within the 30-day period accompanied by a notice specifying the reasons for disapproval. Current law requires the Office of Administrative Law to provide the adopting agency with a written decision detailing the reasons for disapproval within seven calendar days of the issuance of the notice. Current law prohibits a regulation from being disapproved except for failure to comply with the standards set forth in the law or for failure to comply with the law.

xxx. SB 1248 (Cabaldon) State agencies: automated decision systems.

Status: This bill is in the Senate Committee on Privacy, Digital Technologies, and Consumer Protection.

Summary: This bill would impose restrictions on the use of an automated decision system by a state agency for services, not including competitive determinations. This bill would permit the Government Operations Agency, in collaboration with any other state entity the agency deems appropriate, to develop, adopt, and make publicly available guidance for a state agency's use of automated decision systems consistent with this chapter; and notify the Joint Legislative Budget Committee of its decision to issue guidance. Before issuing the guidance. This bill would permit the Government Operations Agency to provide technical assistance to state agencies to comply with the requirements for the use of an automated decision system.

Current law establishes the Government Operations Agency and, within the agency, the Department of Technology to conduct, in coordination with other interagency bodies as it deems appropriate, a comprehensive inventory of all high-risk automated decision systems that have been proposed for use, development, or procurement by, or are being used, developed, or procured by, any state agency.

xxxi. SB 1391 (Wahab) Department of Consumer Affairs: retired category licenses.

Status: This bill is in the Senate Appropriations Committee with recommendation to the Consent Calendar.

Summary: This bill would additionally require a board that offers a retired category of licensure to disclose that information on its internet website.

Current law permits any of the boards, bureaus, or commissions within DCA to establish, by regulation, a system for a retired category of licensure for persons who are not actively engaged in the practice of their profession or vocation.

Attachments:

1. AB 82 (Ward) Health care: legally protected health care activity

2. AB 144 (Committee on Budget) Health.
3. AB 2233 (Ta) Behavioral health treatment plans.
4. SB 1130 (Reyes) Crimes: invasion of privacy: wearable recording devices.
5. SB 1368 (Wahab) Hearing aid dispensers.
6. AB 1542 (Ward) Sensitive personal information.
7. AB 1564 (Ahrens) Employer-employee relations: confidential communications.
8. AB 1566 (Jackson) Crimes: mandated reporters: severe neglect.
9. AB 1593 (Dixon) State agencies: revenue: report.
10. AB 1652 (Patterson) State agencies: regulations and legislation: nondisclosure agreements.
11. AB 1671 (Tangipa) Rural medical services grant program.
12. AB 1688 (Carrillo) Child abuse or neglect: reporting.
13. AB 1803 (Lowenthal) Employment: sexual harassment training and education: anti-hate speech training.
14. AB 1898 (Schultz) Workplace artificial intelligence tools.
15. AB 2021 (Schiavo) California Consumer Privacy Act of 2018: whistleblower complaints.
16. AB 2063 (Wallis) Legislative information system: bill position letters.
17. AB 2064 (Sharp-Collins) Discrimination: formerly incarcerated status.
18. AB 2095 (Lee) Employment discrimination: conviction history.
19. AB 2190 (Wallis) Internet website accessibility.
20. AB 2195 (Rodriguez, Celeste) Child support: license suspensions.
21. AB 2360 (Arambula) State agencies: governmental linguistics.
22. AB 2366 (Ávila Farías) Administrative Procedure Act: proposed regulations: cost-of-living impact on residents of the state.
23. AB 2412 (Ta) State agencies or departments: public communications.
24. AB 2414 (Nguyen) Developmental services: direct support professionals.
25. AB 2557 (Bauer-Kahan) Legislative information system: bill position letters.
26. AB 2575 (Ortega) Health care services: artificial intelligence.
27. AB 2746 (Schiavo) Consumer debt: medical debt.
28. SB 923 (Becker) Consumer privacy requests: deletion request records and request submission methods.
29. SB 980 (Hurtado) Access to medical records.
30. SB 986 (Seyarto) Major regulations.
31. SB 1050 (Ashby) False advertising: synthetic digital performers.
32. SB 1146 (Gonzalez) Health-related consumer products and services: artificial intelligence.
33. SB 1159 (Cabaldon) Artificial intelligence: transparency and governance.
34. SB 1204 (Ochoa Bogh) Administrative regulations.
35. SB 1248 (Cabaldon) State agencies: automated decision systems.
36. SB 1391 (Wahab) Department of Consumer Affairs: retired category licenses.

AB 82 Amends The Law: Chaptered 10/13/2025

SECTION 1. Section 6215 of the Government Code is amended to read:

6215. The Legislature finds and declares the following:
(a) Persons working in the reproductive health care field, specifically the provision of terminating a pregnancy, are often subject to harassment, threats, and acts of violence by persons or groups.
(1) In 2000, 30 percent of respondents to a Senate Office of Research survey of 172 California reproductive health care providers reported they or their families had been targets of acts of violence by groups that oppose reproductive rights at locations away from their clinics or offices.
(2) Persons and groups that oppose reproductive rights attempt to stop the provision of legal reproductive health care services by threatening reproductive health care service providers, clinics, employees, volunteers, and patients. The names, photographs, spouses' names, and home addresses of these providers, employees, volunteers, and patients have been posted on Internet Web sites. From one website list that includes personal information of reproductive health care service providers, seven persons have been murdered and 14 have been injured. As of August 5, 2002, there are 78 Californians listed on this site. The threat of violence toward reproductive health care service providers and those who assist them has clearly extended beyond the clinic and into the home.
(3) Nationally, between 1992 and 1996, the number of reproductive health care service providers declined by 14 percent. Nearly one out of every four women must travel more than 50 miles to obtain reproductive health care services dealing with the termination of a pregnancy. There exists a fear on the part of physicians to enter the reproductive health care field and to provide reproductive health care services.
(4) Reproductive health care services are legal medical procedures. In order to prevent potential acts of violence from being committed against providers, employees, and volunteers who assist in the provision of reproductive health care services and the patients seeking those services, it is necessary for the Legislature to ensure that the home address information of these individuals is kept confidential.
(b) Other individuals are also subject to harassment, threats, and acts of violence from the public because of their work with the public, which have become more frequent and serious since the start of the COVID-19 pandemic. They include, but are not limited to, public health officers and public health workers, election workers, school board members, and code enforcement officers.
(1) For example, persons working in the elections field are often subject to harassment, threats, and acts of violence by persons or groups. Violent threats and harassment of election workers reached alarming levels in the 2020 general election and continued into 2021. A survey of election officials in 2021 found that one in three election officials feel unsafe because of their job, and nearly one in five listed threats to their lives as a job-related concern.
(2) The names, photographs, and home addresses of these public servants have been posted on internet websites. While performing election-related duties, election officials were subjected to explicit death threats, anger-laden language and demoralizing behavior, statements that threatened their own and their family's safety and well-being, and statements that interfered with their ability to do their job. The threat of violence toward election workers has extended beyond the polling place and into the home.
(3) Experts predict a massive departure from the profession of election administration if protective measures are not implemented. In California, 15 percent of election officials have retired since the 2020 election. Elections play a vital role in a free and fair society and are a cornerstone of American democracy, but those charged with administrating elections are increasingly subjected to violent threats, harassment, and intimidation. In order to prevent acts of violence from being committed against employees who assist in the administration of elections, it is necessary for the Legislature to ensure that the home addresses of these individuals are kept confidential.

(4) While many of these individuals wish to protect the confidentiality of their home addresses by means of address confidentiality programs operated by the Secretary of State, they may not be eligible to do so under current law. It is the intent of the Legislature in this chapter to offer address protection services to persons whose work for a public entity exposes them to violent threats, harassment, and intimidation from the public that are equivalent to what is experienced by those now eligible for the address confidentiality program pursuant to this chapter.
(c) The purpose of this chapter is to enable state and local agencies to respond to requests for public records without disclosing the residential location of a ~~reproductive~~ *designated* health care services provider, employee, volunteer, or patient, *as defined in Section 6215.1,* or other individual who faces threats of violence or violence from the public because of their work for a public entity, to enable interagency cooperation with the Secretary of State in providing address confidentiality for program participants, and to enable state and local agencies to accept a program participant's use of an address designated by the Secretary of State as a substitute mailing address.

SEC. 2. Section 6215.1 of the Government Code is amended to read:

6215.1. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.
(a) "Address" means a residential street address, school address, or work address of an individual, as specified on the individual's application to be a program participant under this chapter.
(b) "Designated health care services" means gender-affirming health care services or reproductive health care services.
(c) "Designated health care services provider, employee, volunteer, or patient" means a gender-affirming health care or a gender-affirming mental health care provider, employee, volunteer, or patient, or a reproductive health care services provider, employee, volunteer, or patient.
(d) "Designated health care services facility" means a gender-affirming health care services facility or a reproductive health care services facility.
~~(b)~~ *(e)* "Domicile" means a place of habitation as defined in Section 349 of the Elections Code.
(f) "Gender-affirming health care" and "gender-affirming mental health care" shall have the same meaning as provided in Section 16010.2 of the Welfare and Institutions Code.
(g) "Gender-affirming health care and gender-affirming mental health care provider, employee, volunteer, or patient" means a person who obtains, provides, or assists, at the request of another person, in obtaining or providing gender-affirming health care services, or a person who owns or operates a gender-affirming health care services facility.
(h) "Gender-affirming health care services facility" includes a hospital, an office operated by a licensed health care provider, a licensed clinic, or other licensed health care facility that provides gender-affirming health care services.
~~(c)~~ *(i)* "Reproductive health care services" means health care services relating to the termination of a pregnancy in a reproductive health care services facility.
~~(d)~~ *(j)* "Reproductive health care services provider, employee, volunteer, or patient" means a person who obtains, provides, or assists, at the request of another person, in obtaining or providing reproductive health care services, or a person who owns or operates a reproductive health care services facility.
~~(e)~~ *(k)* "Reproductive health care services facility" includes a hospital, an office operated by a licensed physician and surgeon, a licensed clinic, or other licensed health care facility that provides reproductive health care services and includes only the building or structure in which the reproductive health care services are actually provided.

SEC. 3. Section 6215.2 of the Government Code is amended to read:

6215.2. (a) An adult person, a parent or guardian acting on behalf of a minor, or a guardian acting on behalf of an incapacitated person, who is domiciled in California, may apply to the Secretary of State to have an address designated by the Secretary of State to serve as the person's address or the address of the minor or incapacitated person. An application shall be completed in person at a community-based assistance program designated by the Secretary of State. The application process shall include a requirement that the applicant shall meet with a counselor and receive orientation information about the program. The Secretary of State shall approve an application if it is filed in the manner and on the form prescribed by the Secretary of State and if it contains all of the following:
(1) If the applicant alleges that the basis for the application is that the applicant, or the minor or incapacitated person on whose behalf the application is made, is a ~~reproductive~~ *designated* health care ~~service~~ provider, employee, or ~~volunteer~~ *volunteer,* who is fearful for their safety or the safety of their family because of their affiliation with a ~~reproductive~~ *designated* health care services facility, the application shall be accompanied by all of the following:
(A) Documentation showing that the individual is to commence employment or is currently employed as a provider or employee at a ~~reproductive~~ *designated* health care services ~~facility~~ *facility,* or is volunteering at a ~~reproductive~~ *designated* health care services facility.
(B) One of the following:
(i) A certified statement signed by a person authorized by the ~~reproductive~~ *designated* health care services facility stating that the facility or any of its providers, employees, volunteers, or patients is or was the target of threats, harassment, or acts of violence or harassment within one year of the date of the application. A person who willfully certifies as true any material matter pursuant to this section that the person knows to be false is guilty of a misdemeanor.
(ii) A certified statement signed by the employee or patient of, or volunteer for, the ~~reproductive~~ *designated* health care services facility stating that they have been the target of threats, harassment, or acts of violence within one year of the date of the application because of their association with the ~~reproductive~~ *designated* health care services facility. A person who willfully certifies as true any material matter pursuant to this section ~~which~~ *that* the person knows to be false is guilty of a misdemeanor.
(iii) A workplace violence restraining order described in Section 527.8 of the Code of Civil Procedure, issued after a noticed hearing, or a civil restraining order described in Section 527.6 of the Code of Civil Procedure, issued after a noticed hearing, protecting the applicant or the minor or incapacitated person on whose behalf the application is made. The order must be based upon threats or acts of violence to the applicant or the minor or incapacitated person on whose behalf the application is made and connected with the ~~reproductive~~ *designated* health care services facility.
(C) A sworn statement that the applicant fears for their safety or the safety of their family, or the safety of the minor or incapacitated person on whose behalf the application is made due to their affiliation with the ~~reproductive~~ *designated* health care services facility authorized to provide the declaration described in subparagraph (B).
(2) If the applicant alleges that the basis for the application is that the applicant is a ~~reproductive~~ *designated* health care services facility volunteer, the application shall, in addition to the documents specified in paragraph (1), be accompanied by ~~reproductive~~ *documentation by the designated* health care services facility ~~documentation~~ showing the length of time the volunteer has committed to working at the facility.
(3) If the applicant alleges that the basis of the application is that the applicant, or the minor or incapacitated person on whose behalf the application is made, is a person who is or has been the target of threats or acts of violence because the applicant is obtaining or seeking to obtain services at a ~~reproductive~~ *designated* health care services facility within one year of the date of the application, the application shall be accompanied by the following:

(A) A sworn statement that the applicant has good reason to fear for their safety or the safety of their family.
(B) Any police, court, or other ~~government~~ *governmental* agency records or files that show any complaints of the alleged threats or acts of violence.
(4) A designation of the Secretary of State as agent for purposes of service of process and for the purpose of receipt of mail.
(A) Service on the Secretary of State of any summons, writ, notice, demand, or process shall be made by delivering to the address confidentiality program personnel of the office of the Secretary of State two copies of the summons, writ, notice, demand, or process.
(B) If a summons, writ, notice, demand, or process is served on the Secretary of State, the Secretary of State shall immediately cause a copy to be forwarded to the program participant at the address shown on the records of the address confidentiality program so that the summons, writ, notice, demand, or process is received by the program participant within three days of the Secretary of State's having received it.
(C) The Secretary of State shall keep a record of all summonses, writs, notices, demands, and processes served upon the Secretary of State under this section and shall record the time of that service and the Secretary of State's action.
(D) The office of the Secretary of State and any agent or person employed by the Secretary of State shall be held harmless from any liability in any action brought by any person injured or harmed as a result of the handling of first-class mail on behalf of program participants.
(5) The mailing address where the applicant can be contacted by the Secretary of State, and the telephone number or numbers where the applicant can be called by the Secretary of State.
(6) The address or addresses that the applicant requests not be disclosed for the reason that disclosure will increase the risk of threats or acts of violence or harassment toward the applicant.
(7) The signature of the applicant and of any individual or representative of any office designated in writing who assisted in the preparation of the application, and the date on which the applicant signed the application.
(b) An application may be submitted on the basis that a person is employed by or performs work pursuant to a contract with a public entity and faces threats of violence or violence or harassment from the public because of their work for the public entity. An adult person, a parent or guardian acting on behalf of a minor, or a guardian acting on behalf of an incapacitated person, who is domiciled in California, may apply to the Secretary of State to have an address designated by the Secretary of State to serve as the person's address or the address of the minor or incapacitated person. An application shall be completed in person at a community-based assistance program designated by the Secretary of State. The application process shall include a requirement that the applicant shall meet with a counselor and receive orientation information about the program. The Secretary of State shall approve an application if it is filed in the manner and on the form prescribed by the Secretary of State and if it contains all of the following:
(1) If the applicant alleges that the basis for the application is that the applicant, or the minor or incapacitated person on whose behalf the application is made is employed by a public entity or performs work pursuant to a contract with a public entity and faces threats of violence or violence or harassment from the public because of their work for the public entity and is fearful for their safety or the safety of their family because of their work for the public entity, the application shall be accompanied by all of the following:
(A) Documentation showing that the individual is to commence employment or is currently employed by a public entity or performs work pursuant to a contract with a public entity in an occupation where workers have faced threats of violence or violence or harassment from the public because of their work for the public entity.
(B) One of the following:

(i) A certified statement signed by a person affiliated with the applicant's place of work or employment who has personal knowledge of the circumstances at the place of work or employment, stating that workers or employees have been the target of threats or acts of violence or harassment within one year of the date of the application. A person who willfully certifies as true any material matter pursuant to this section ~~which~~ *that* the person knows to be false is guilty of a misdemeanor.
(ii) A certified statement signed by the worker or employee, stating that they have been the target of threats or acts of violence or harassment within one year of the date of the application because of their work for a public entity. A person who willfully certifies as true any material matter pursuant to this section ~~which~~ *that* the person knows to be false is guilty of a misdemeanor.
(iii) A workplace violence restraining order described in Section 527.8 of the Code of Civil Procedure, issued after a noticed hearing, or a civil restraining order described in Section 527.6 of the Code of Civil Procedure, issued after a noticed hearing, protecting the applicant or the minor or incapacitated person on whose behalf the application is made. The order must be based upon threats or acts of violence connected with the applicant's work for a public entity or the minor or incapacitated person on whose behalf the application is made.
(C) A sworn statement that the applicant fears for their safety or the safety of their family, or the safety of the minor or incapacitated person on whose behalf the application is made, due to their work for a public entity.
(2) A designation of the Secretary of State as agent for purposes of service of process and for the purpose of receipt of mail.
(A) Service on the Secretary of State of any summons, writ, notice, demand, or process shall be made by delivering to the address confidentiality program personnel of the office of the Secretary of State two copies of the summons, writ, notice, demand, or process.
(B) If a summons, writ, notice, demand, or process is served on the Secretary of State, the Secretary of State shall immediately cause a copy to be forwarded to the program participant at the address shown on the records of the address confidentiality program so that the summons, writ, notice, demand, or process is received by the program participant within three days of the Secretary of State's having received it.
(C) The Secretary of State shall keep a record of all summonses, writs, notices, demands, and processes served upon the Secretary of State under this section and shall record the time of that service and the Secretary of State's action.
(D) The office of the Secretary of State and any agent or person employed by the Secretary of State shall be held harmless from any liability in any action brought by any person injured or harmed as a result of the handling of first-class mail on behalf of program participants.
(3) The mailing address where the applicant can be contacted by the Secretary of State, and the telephone number or numbers where the applicant can be called by the Secretary of State.
(4) The address or addresses that the applicant requests not be disclosed for the reason that disclosure will increase the risk of acts of violence or harassment toward the applicant.
(5) The signature of the applicant and of any individual or representative of any office designated in writing who assisted in the preparation of the application, and the date on which the applicant signed the application.
(c) Applications shall be filed with the office of the Secretary of State.
(d) Submitted applications shall be accompanied by payment of a fee to be determined by the Secretary of State. This fee shall not exceed the actual costs of enrolling in the program. In addition, annual fees may also be assessed by the Secretary of State to defray the actual costs of maintaining this program. Annual fees assessed by the Secretary of State shall also be used to reimburse the General Fund for any amounts expended from that fund for the purposes of this chapter. No applicant who is a patient of a ~~reproductive~~ *designated* health care services facility shall be required to pay an application fee or the annual fee under this program.

(e) The Address Confidentiality for Reproductive Health Care Services Fund is hereby created in the General Fund. Upon appropriation by the Legislature, moneys in the fund are available for the administration of the program established pursuant to this chapter.
(f) Upon filing a properly completed application, the Secretary of State shall certify the applicant as a program participant. Applicants, with the exception of ~~reproductive~~ *designated* health care services facilities volunteers, shall be certified for four years following the date of filing unless the certification is withdrawn, or invalidated before that date. ~~Reproductive~~ *Designated* health care services facility volunteers shall be certified until six months from the last date of volunteering with the facility. The Secretary of State shall by rule establish a renewal procedure. A minor program participant, who reaches 18 years of age, may renew as an adult following the renewal procedures established by the Secretary of State.
(g) A person who falsely attests in an application that disclosure of the applicant's address would endanger the applicant's safety or the safety of the applicant's family or the minor or incapacitated person on whose behalf the application is made, or who knowingly provides false or incorrect information upon making an application, is guilty of a misdemeanor. A notice shall be printed in bold type and in a conspicuous location on the face of the application informing the applicant of the penalties under this subdivision.
(h) For purposes of this section:
(1) "Harassment" is repeated, unreasonable, and unwelcome conduct directed at a targeted individual that would cause a reasonable person to fear for their own safety or the safety of a household member. Harassing conduct may include, but is not limited to, following, stalking, phone calls, or written correspondence.
(2) "Public entity" means a federal, state, or local ~~government~~ *governmental* agency.
(3) "Work for a public entity" means work performed by an employee of a public entity, or work performed for a public entity by a person pursuant to a contract with the public entity.

SEC. 4. Section 6218 of the Government Code is amended to read:

6218. (a) (1) A person, business, or association shall not knowingly publicly post or publicly display, disclose, or distribute on internet websites or social media, the personal information or image of any ~~reproductive~~ *designated* health care services ~~patient,~~ provider, *employee, volunteer,* or ~~assistant,~~ *patient,* or other individuals residing at the same home ~~address~~ *address,* with the intent to do either of the following:
(A) Incite a third person to cause imminent great bodily harm to the ~~reproductive~~ *designated* health care services ~~patient,~~ provider, *employee, volunteer,* or ~~assistant~~ *patient* identified in the posting or display, or to a coresident of that person, where the third person is likely to commit this harm.
(B) Threaten the ~~reproductive~~ *designated* health care services ~~patient,~~ provider, *employee, volunteer,* or ~~assistant,~~ *patient,* identified in the posting or display, or a coresident of that person, in a manner that places the person identified or the coresident in objectively reasonable fear for their personal safety.
(2) A ~~reproductive~~ *designated* health care services ~~patient,~~ provider, *employee, volunteer,* or ~~assistant~~ *patient* whose personal information or image is made public as a result of a violation of paragraph (1), or any individual entity or organization authorized to act on their behalf, may do either or both of the following:
(A) Bring an action seeking injunctive or declarative relief in any court of competent jurisdiction. If a jury or court finds that a violation has occurred, it may grant injunctive or declarative relief and shall award the successful plaintiff court costs and reasonable attorney's fees.
(B) Bring an action for money damages in any court of competent jurisdiction. In addition to any other legal rights or remedies, if a jury or court finds that a violation has occurred, it shall award damages to

that individual in an amount up to a maximum of three times the actual damages, but in no case less than four thousand dollars ($4,000).
(b) (1) A person, business, or association shall not publicly post or publicly display, disclose, or distribute, on internet websites or social media, the personal information or image of a ~~reproductive~~ *designated* health care services ~~patient,~~ provider, *employee, volunteer,* or ~~assistant~~ *patient* if that individual, or any individual, entity, or organization authorized to act on their behalf, has made a written demand of that person, business, or association to not disclose the personal information or image. A written demand made under this paragraph shall include a statement declaring that the individual is subject to the protection of this section and describing a reasonable fear for the safety of that individual or of any person residing at the individual's home address, based on a violation of subdivision (a). A demand made under this paragraph shall be effective for four years, regardless of whether or not the individual's affiliation with a ~~reproductive~~ *designated* health *care* services facility has expired prior to the end of the four-year period.
(2) A ~~reproductive~~ *designated* health care services ~~patient,~~ provider, *employee, volunteer,* or ~~assistant~~ *patient* whose personal information or image is made public as a result of a failure to honor a demand made pursuant to paragraph (1), or any individual, entity, or organization authorized to act on their behalf, may bring an action seeking injunctive or declarative relief in any court of competent jurisdiction. If a jury or court finds that a violation has occurred, it may grant injunctive or declarative relief and shall award the successful plaintiff court costs and reasonable attorney's fees.
(3) This subdivision does not apply to a person or entity defined in Section 1070 of the Evidence Code.
(c) (1) A person, business, or association shall not solicit, sell, or trade on the internet or social media the personal information or image of a ~~reproductive~~ *designated* health care services ~~patient,~~ provider, *employee, volunteer,* or ~~assistant~~ *patient* with the intent to do either of the following:
(A) Incite a third person to cause imminent great bodily harm to the person identified in the posting or display, or to a coresident of that person, where the third person is likely to commit this harm.
(B) Threaten the person identified in the posting or display, or a coresident of that person, in a manner that places the person identified or the coresident in objectively reasonable fear for their personal safety.
(2) A ~~reproductive~~ *designated* health care services ~~patient,~~ provider, *employee, volunteer,* or ~~assistant~~ *patient* whose personal information or image is solicited, sold, or traded in violation of paragraph (1), or any individual, entity, or organization authorized to act on their behalf, may bring an action in any court of competent jurisdiction. In addition to any other legal rights and remedies, if a jury or court finds that a violation has occurred, it shall award damages to that individual in an amount up to a maximum of three times the actual damages, but in no case less than four thousand dollars ($4,000).
(d) An interactive computer service or access software provider, as defined in Section 230(f) of Title 47 of the United States Code, shall not be liable under this section unless the service or provider intends to abet or cause bodily harm that is likely to occur or threatens to cause bodily harm to a ~~reproductive~~ *designated* health care services patient, provider, or assistant, or any person residing at the same home address.
(e) This section does not preclude punishment under any other provision of law.

SEC. 5. Section 6218.01 of the Government Code is amended to read:

6218.01. (a) (1) A person shall not post on the internet or social media, with the intent that another person imminently use that information to commit a crime involving violence or a threat of violence against a ~~reproductive~~ *designated* health care services ~~patient,~~ provider, *employee, volunteer,* or ~~assistant,~~ *patient,* or other individuals residing at the same home address, the personal information or image of a ~~reproductive~~ *designated* health care services patient, provider, or assistant, or other individuals residing at the same home address.

(2) A violation of this subdivision is punishable by a fine of up to ten thousand dollars ($10,000) per violation, imprisonment of either up to one year in a county jail or pursuant to subdivision (h) of Section 1170 of the Penal Code, or by both that fine and imprisonment.
(3) A violation of this subdivision that leads to the bodily injury of a ~~reproductive~~ *designated* health care services ~~patient,~~ provider, *employee, volunteer,* or ~~assistant,~~ *patient,* or other individuals residing at the same home address, is a felony punishable by a fine of up to fifty thousand dollars ($50,000), imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code, or by both that fine and imprisonment.
(b) Nothing in this section shall preclude prosecution under any other provision of law.

SEC. 6. Section 6218.05 of the Government Code is amended to read:

6218.05. For purposes of this chapter, the following definitions apply:
(a) ~~"Reproductive~~ *"Designated* health care services" means *gender-affirming* health care services ~~relating to the termination of a pregnancy in a~~ *or* reproductive health care ~~services facility.~~ *services.*
(b) ~~"Reproductive~~ *"Designated* health care services ~~patient,~~ provider, *employee, volunteer,* or ~~assistant"~~ *patient"* means a ~~person or entity, including, but not limited to, employees, staff, volunteers, and third-party vendors, that is or was involved in obtaining, seeking to obtain, providing, seeking to provide, or assisting or seeking to assist another person, at that person's request, to obtain or provide any services in~~ *gender-affirming health care or a gender-affirming mental health care provider, employee, volunteer, or patient, or* a reproductive health care services ~~facility, or a person or entity that is or was involved in owning or operating or seeking to own or operate a reproductive health care services facility.~~ *provider, employee, volunteer, or patient.*
(c) "Designated health care services facility" means a gender-affirming health care services facility or a reproductive health care services facility.
(d) "Gender-affirming health care" and "gender-affirming mental health care" shall have the same meaning as provided in Section 16010.2 of the Welfare and Institutions Code.
(e) "Gender-affirming health care and gender-affirming mental health care provider, employee, volunteer, or patient" means a person who obtains, provides, or assists, at the request of another person, in obtaining or providing gender-affirming health care services, or a person who owns or operates a gender-affirming health care services facility.
~~(c)~~ *(f)* ~~"Reproductive~~ *"Gender-affirming* health care services facility" includes a hospital, ~~clinic, physician's office, or other~~ *an office operated by a licensed physician and surgeon, a licensed clinic, or other licensed health care* facility that provides ~~or seeks to provide reproductive~~ *gender-affirming* health care services and includes *only* the building or structure in which the ~~facility is located.~~ *gender-affirming health care services are actually provided.*
~~(d) "Publicly post" or "publicly display" means to intentionally communicate or otherwise make available to the general public.~~
~~(e)~~ *(g)* "Image" includes, but is not limited to, a photograph, video footage, sketch, or computer-generated image that provides a means to visually identify the person depicted.
~~(f)~~ *(h)* "Personal information" means information that identifies, relates to, describes, or is capable of being associated with a reproductive health care services patient, provider, or assistant, including, but not limited to, their name, signature, social security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, license plate number, employment, employment history, and financial information.
(i) "Publicly post" or "publicly display" means to intentionally communicate or otherwise make available to the general public.
(j) "Reproductive health care services" means health care services relating to the termination of a pregnancy in a reproductive health care services facility.

(k) "Reproductive health care services patient, provider, or assistant" means a person or entity, including, but not limited to, employees, staff, volunteers, and third-party vendors, that is or was involved in obtaining, seeking to obtain, providing, seeking to provide, or assisting or seeking to assist another person, at that person's request, to obtain or provide any services in a reproductive health care services facility, or a person or entity that is or was involved in owning or operating or seeking to own or operate a reproductive health care services facility.
(l) "Reproductive health care services facility" includes a hospital, clinic, physician's office, or other facility that provides or seeks to provide reproductive health care services and includes the building or structure in which the facility is located.
~~(g)~~ *(m)* "Social media" means an electronic service or account, or electronic content, including, but not limited to, videos or still photographs, blogs, video blogs, podcasts, instant and text messages, email, online services or accounts, or internet website profiles or locations.

SEC. 7. Section 11165 of the Health and Safety Code is amended to read:

SEC. 7.5. Section 11165 of the Health and Safety Code is amended to read:

SEC. 8. Section 11190 of the Health and Safety Code is amended to read:

SEC. 9. Section 629.51 of the Penal Code is amended to read:

629.51. (a) For the purposes of this chapter, the following terms have the following meanings:
(1) "Wire communication" means any aural transfer made in whole or in part through the use of facilities for the transmission of communications by the aid of wire, cable, or other like connection between the point of origin and the point of reception (including the use of a like connection in a switching station), furnished or operated by any person engaged in providing or operating these facilities for the transmission of communications.
(2) "Electronic communication" means any transfer of signs, signals, writings, images, sounds, data, or intelligence of any nature in whole or in part by a wire, radio, electromagnetic, photoelectric, or photo-optical system, but does not include any of the following:
(A) Any wire communication defined in paragraph (1).
(B) Any communication made through a tone-only paging device.
(C) Any communication from a tracking device.
(D) Electronic funds transfer information stored by a financial institution in a communications system used for the electronic storage and transfer of funds.
(3) "Tracking device" means an electronic or mechanical device that permits the tracking of the movement of a person or object.
(4) "Aural transfer" means a transfer containing the human voice at any point between and including the point of origin and the point of reception.
(5) (A) "Prohibited violation" means any violation of law that creates liability for, or arising out of, either of the following:
(i) Providing, facilitating, or obtaining ~~an abortion~~ *a legally protected health care activity, as defined in Section 1549.15,* that is lawful under California law.
(ii) Intending or attempting to provide, facilitate, or obtain ~~an abortion~~ *a legally protected health care activity, as defined in Section 1549.15,* that is lawful under California law.
(B) As used in this paragraph, "facilitating" or "facilitate" means assisting, directly or indirectly in any way, with the obtaining of ~~an abortion~~ *a legally protected health care activity, as defined in Section 1549.15,* that is lawful under California law.

(b) This chapter applies to the interceptions of wire and electronic communications. It does not apply to stored communications or stored content.
(c) The act that added this subdivision is not intended to change the law as to stored communications or stored content.

SEC. 10. Section 1269b of the Penal Code is amended to read:

1269b. (a) The officer in charge of a jail in which an arrested person is held in custody, an officer of a sheriff's department or police department of a city who is in charge of a jail or is employed at a fixed police or sheriff's facility and is acting under an agreement with the agency that keeps the jail in which an arrested person is held in custody, an employee of a sheriff's department or police department of a city who is assigned by the department to collect bail, the clerk of the superior court of the county in which the offense was alleged to have been committed, and the clerk of the superior court in which the case against the defendant is pending may approve and accept bail in the amount fixed by the warrant of arrest, schedule of bail, or order admitting to bail in cash or surety bond executed by a certified, admitted surety insurer as provided in the Insurance Code, to issue and sign an order for the release of the arrested person, and to set a time and place for the appearance of the arrested person before the appropriate court and give notice thereof.
(b) If a defendant has appeared before a judge of the court on the charge contained in the complaint, indictment, or information, the bail shall be in the amount fixed by the judge at the time of the appearance. If that appearance has not been made, the bail shall be in the amount fixed in the warrant of arrest or, if no warrant of arrest has been issued, the amount of bail shall be pursuant to the uniform countywide schedule of bail for the county in which the defendant is required to appear, previously fixed and approved as provided in subdivisions (c) and (d).
(c) It is the duty of the superior court judges in each county to prepare, adopt, and annually revise a uniform countywide schedule of bail for all bailable felony offenses and for all misdemeanor and infraction offenses except Vehicle Code infractions. The penalty schedule for infraction violations of the Vehicle Code shall be established by the Judicial Council in accordance with Section 40310 of the Vehicle Code.
(d) A court may, by local rule, prescribe the procedure by which the uniform countywide schedule of bail is prepared, adopted, and annually revised by the judges. If a court does not adopt a local rule, the uniform countywide schedule of bail shall be prepared, adopted, and annually revised by a majority of the judges.
(e) In adopting a uniform countywide schedule of bail for all bailable felony offenses the judges shall consider the seriousness of the offense charged. In considering the seriousness of the offense charged the judges shall assign an additional amount of required bail for each aggravating or enhancing factor chargeable in the complaint, including, but not limited to, additional bail for charges alleging facts that would bring a person within any of the following sections: Section 667.5, 667.51, 667.6, 667.8, 667.85, 667.9, 667.10, 12022, 12022.1, 12022.2, 12022.3, 12022.4, 12022.5, 12022.53, 12022.6, 12022.7, 12022.8, or 12022.9 of this code, or Section 11356.5, 11370.2, or 11370.4 of the Health and Safety Code.
In considering offenses in which a violation of Chapter 6 (commencing with Section 11350) of Division 10 of the Health and Safety Code is alleged, the judge shall assign an additional amount of required bail for offenses involving large quantities of controlled substances.
(f) (1) The countywide bail schedule shall contain a list of the offenses and the amounts of bail applicable for each as the judges determine to be appropriate. If the schedule does not list all offenses specifically, it shall contain a general clause for designated amounts of bail as the judges of the county determine to be appropriate for all the offenses not specifically listed in the schedule. A copy of the countywide bail schedule shall be sent to the officer in charge of the county jail, to the officer in charge

of each city jail within the county, to each superior court judge and commissioner in the county, and to the Judicial Council.
(2) The countywide bail schedule shall set zero dollars ($0) bail for an individual who has been arrested in connection with a proceeding in another state regarding an individual performing, supporting, or aiding in the performance of ~~an abortion in~~ *a legally protected health care activity, as defined in Section 1549.15, in* this state, or an individual obtaining ~~an abortion in~~ *a legally protected health care activity, as defined in Section 1549.15, in* this state, if the ~~abortion~~ *legally protected health care activity* is lawful under the laws of this state.
(g) Upon posting bail, the defendant or arrested person shall be discharged from custody as to the offense on which the bail is posted.
All money and surety bonds so deposited with an officer authorized to receive bail shall be transmitted immediately to the judge or clerk of the court by which the order was made or warrant issued or bail schedule fixed. If, in the case of felonies, an indictment is filed, the judge or clerk of the court shall transmit all of the money and surety bonds to the clerk of the court.
(h) If a defendant or arrested person so released fails to appear at the time and in the court so ordered upon their release from custody, Sections 1305 and 1306 apply.

SEC. 11. Section 13778.2 of the Penal Code is amended to read:

13778.2. (a) A state or local law enforcement agency or officer shall not knowingly arrest or knowingly participate in the arrest of any person for performing, supporting, or aiding in the performance of ~~an abortion in~~ *a legally protected health care activity, as defined in Section 1549.15, in* this state, or obtaining ~~an abortion in~~ *a legally protected health care activity, as defined in Section 1549.15, in* this state, if the ~~abortion~~ *legally protected health care activity* is lawful under the laws of this state.
(b) A state or local public agency, or any employee thereof acting in their official capacity, shall not cooperate with or provide information to any individual or agency or department from another state or, to the extent permitted by federal law, to a federal law enforcement agency regarding ~~an abortion~~ *a legally protected health care activity, as defined in Section 1549.15,* that is lawful under the laws of this state and that is performed in this state.
(c) (1) A law of another state that authorizes the imposition of civil or criminal penalties related to an individual performing, supporting, or aiding in the performance of ~~an abortion in~~ *a legally protected health care activity, as defined in Section 1549.15, in* this state, or an individual obtaining ~~an abortion in~~ *a legally protected health care activity, as defined in Section 1549.15, in* this state, if the ~~abortion~~ *legally protected health care activity* is lawful under the laws of this state, is against the public policy of this state.
(2) No state court, judicial officer, or court employee or clerk, or authorized attorney shall issue a subpoena pursuant to any state law in connection with a proceeding in another state regarding an individual performing, supporting, or aiding in the performance of ~~an abortion in~~ *a legally protected health care activity, as defined in Section 1549.15, in* this state, or an individual obtaining ~~an abortion in~~ *a legally protected health care activity, as defined in Section 1549.15, in* this state, if the ~~abortion~~ *legally protected health care activity* is lawful under the laws of this state.
(d) This section does not prohibit the investigation of any criminal activity in this state that may involve the performance of ~~an abortion,~~ *a legally protected health care activity, as defined in Section 1549.15,* provided that information relating to any medical procedure performed on a specific individual is not shared with an agency or individual from another state for the purpose of enforcing another state's ~~abortion law.~~ *law involving a legally protected health care activity.*

SEC. 12. Section 13778.3 of the Penal Code is amended to read:

13778.3. (a) For purposes of this section, the following terms shall have the following meaning:
(1) "Gender-affirming health care" and "gender-affirming mental health care" have the same meaning as in paragraph (3) of subdivision (b) of Section 16010.2 of the Welfare and Institutions Code.
(2) "Legally protected health care activity" shall have the same meaning as in Section 1549.15.
(3) "Reproductive health care services" shall have the same meaning as in Section 1549.15.
(4) "California corporation" refers to any corporation or other entity that is subject to Section 102 of the Corporations Code, with the exception of foreign corporations.
(b) A state or local government employee, person or entity contracted by a state or local government, or person or entity acting on behalf of a local or state government shall not cooperate with or provide information to any individual, including a bondsman or person authorized, pursuant to subdivision (a) of Section 1299.02, to apprehend, detain, or arrest a fugitive admitted to bail in another state, or out-of-state agency or department regarding any legally protected health care activity or otherwise expend or use time, moneys, facilities, property, equipment, personnel, or other resources in furtherance of any investigation or proceeding that seeks to impose civil or criminal liability or professional sanctions upon a person or entity for any legally protected health care activity that occurred in this state or that would be legal if it occurred in this state.
(c) This section does not prohibit compliance with a valid, court-issued subpoena, warrant, wiretap order, pen register trap and trace order, or other legal process which does not relate to a law seeking to impose civil or criminal liability or professional sanctions for a legally protected health care activity, or in response to the written request of a person who is the subject of such an investigation or proceeding, to the extent necessary, in each case, to fulfill such request.
(d) Any out-of-state subpoena, warrant, wiretap order, pen register trap and trace order, legal process, or request from any law enforcement agent or entity shall include an affidavit or declaration under penalty of perjury that the discovery is not in connection with an out-of-state proceeding relating to any legally protected health care activity unless the out-of-state proceeding meets all of the following requirements:
(1) Is based in tort, contract, or on statute.
(2) Is actionable, in an equivalent or similar manner, under the laws of this state.
(3) Was brought by the patient who received a legally protected health care activity or the patient's legal representative.
(e) A state court, judicial officer, court employee or clerk, or authorized attorney shall not issue a subpoena pursuant to any other state's law unless it includes the affidavit or declaration defined in subdivision (d).
(f) A California corporation that provides electronic communication services or remote computing services to the general public shall not comply with an ~~out of state~~ *out-of-state* subpoena, warrant, wiretap order, pen register trap and trace order, other legal process, or request by a law enforcement agent or entity seeking records that would reveal the identity of the customers using those services, data stored by, or on behalf of, the customer, the customer's usage of those services, the recipient or destination of communications sent to or from those customers, or the content of those communications, unless the ~~out of state~~ *out-of-state* subpoena, warrant, wiretap order, pen register trap and trace order, other legal process, or request from law enforcement includes the affidavit or declaration defined in subdivision (d). A corporation subject to this subdivision is entitled to rely on the representations made in the affidavit or declaration.
(g) (1) The Attorney General may commence a civil action against a person or entity that submits a false affidavit in violation of subdivision (d). Any action brought by the Attorney General pursuant to this section shall be commenced within six years of the date on which the Attorney General received notice of the subpoena, warrant, wiretap order, pen register trap and trace order, legal process, or request from any law enforcement agent or entity that the false affidavit accompanied.

(2) A person or entity that submits a false affidavit in violation of subdivision (d) shall be punished by a civil penalty of fifteen thousand dollars ($15,000). This shall be in addition to any other penalties or remedies provided by law.

SEC. 13. *The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.*

SEC. 14. *The Legislature finds and declares that this act imposes a limitation on the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:*
Individuals, including, but not limited to, health care providers, employees, volunteers, patients, and their loved ones have become increasingly subjected to violent threats, harassment, and intimidation for simply accessing, providing, and assisting with legally protected health care activities, as defined in Section 1798.300 of the Civil Code. In order to prevent acts of violence from being committed against those individuals, it is necessary for the Legislature to ensure that the home addresses of these individuals are kept confidential.

SEC. 15. *Section 7.5 of this bill incorporates amendments to Section 11165 of the Health and Safety Code proposed by this bill and Senate Bill 497. That section of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2026, (2) each bill amends Section 11165 of the Health and Safety Code, and (3) this bill is enacted after Senate Bill 497, in which case Section 11165 of the Health and Safety Code, as amended by Senate Bill 497, shall remain operative only until the operative date of this bill, at which time Section 7.5 of this bill shall become operative, and Section 7 of this bill shall not become operative.*

SEC. 16. *No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because, in that regard, this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.*
However, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

AB 144 Amends The Law: Chaptered 9/17/2025

SECTION 1. *Section 901 is added to the Business and Professions Code, to read:*

901. *(a) For purposes of this section, the following definitions shall apply:*
(1) "Committee" means the Los Angeles Organizing Committee for the 2028 Olympic and Paralympic Games.
(2) "Health care practitioner" means any person who engages in acts that are the subject of licensure or regulation under this division or under any initiative act referred to in this division and who maintains an active license in good standing to provide the same or substantially similar services in another state, territory, or country.
(3) "Olympic and Paralympic activities" means any competition, non competition, athlete village, training, or support sites in this state sanctioned by the committee.
(b) Notwithstanding any other law, any licensure, certification, or registration requirements of this division shall not apply to a health care practitioner licensed in another state, territory, or country while providing professional services for which a license would otherwise be required in this state if both of the following conditions are met:
(1) The health care practitioner has been invited by the committee to provide professional services at Olympic and Paralympic activities.
(2) The committee provides to the Director of Consumer Affairs, to forward to the applicable licensing entity within the department that corresponds to the licensing entity in the state, territory, or country where the health care practitioner is licensed before the provision of professional services by a health care practitioner, all of the following information:
(A) The name of the health care practitioner.
(B) The state, territory, or country of the health care practitioner's licensure and the licensing entity from which the health care practitioner holds a license.
(C) The dates for which the health care practitioner has been invited to provide professional services.
(D) The scope of practice the committee requires for that practitioner at Olympic and Paralympic activities.
(c) The exemption granted under this section shall be limited to only those professional services required by or on behalf of the committee. Those professional services shall be within the scope of the health care practitioner's existing licensure, certification, or registration and shall only be provided at Olympic and Paralympic activities.
(d) A health care practitioner shall cease to be exempted under this section upon a request made by the department to the committee on behalf of an applicable licensing entity.
(e) The exemption provided in this section shall remain in force while the health care practitioner is providing professional services at the invitation of the committee and only during the time sanctioned by the committee.
(f) (1) Notwithstanding any other law, in the event the consent of the parent, guardian, or legal representative of a team member cannot be obtained, the official team representative who is responsible for any member participating in Olympic and Paralympic activities may give consent to the furnishing of professional services to a team member who, due to age, disability, or injury, is not able to personally consent.
(2) Consent given pursuant to paragraph (1) shall not be subject to disaffirmance or invalidation due to the individual's age, disability, or injury.
(3) In the case of an emergency, the consent of the parent, guardian, or legal representative of the team member shall not be necessary in order to authorize the performance of professional services.

(g) This section does not apply to persons who engage in acts that are subject to licensure or regulation pursuant to Chapter 9 (commencing with Section 4000) or Chapter 9.5 (commencing with Section 4430).

SEC. 2. Section 1246 of the Business and Professions Code is amended to read:

SEC. 3. Section 1300 of the Business and Professions Code is amended to read:

SEC. 4. Section 1300.1 of the Business and Professions Code is amended to read:

SEC. 5. Section 1625.6 of the Business and Professions Code is amended to read:

SEC. 6. Section 2473 of the Business and Professions Code is amended to read:

SEC. 7. Section 3041 of the Business and Professions Code is amended to read:

SEC. 8. Section 3041.5 of the Business and Professions Code is amended to read:

SEC. 9. *Section 4052.05 is added to the Business and Professions Code, to read:*

SEC. 10. Section 48980.4 of the Education Code is amended to read:

SEC. 11. *Section 100503.6 is added to the Government Code, to read:*

SEC. 12. Section 100520.5 of the Government Code is amended to read:

SEC. 13. Section 1206 of the Health and Safety Code is amended to read:

1206. This chapter does not apply to the following:
(a) Except with respect to the option provided with regard to surgical clinics in paragraph (1) of subdivision (b) of Section 1204 and, further, with respect to specialty clinics specified in paragraph (2) of subdivision (b) of Section 1204, any place or establishment owned or leased and operated as a clinic or office by one or more licensed health care practitioners and used as an office for the practice of their profession, within the scope of their license, regardless of the name used publicly to identify the place or establishment.
(b) Any clinic directly conducted, maintained, or operated by the United States or by any of its departments, officers, or agencies, and any primary care clinic specified in subdivision (a) of Section 1204 that is directly conducted, maintained, or operated by this state or by any of its political subdivisions or districts, or by any city. This subdivision does not preclude the department from adopting regulations that utilize clinic licensing standards as eligibility criteria for participation in programs funded wholly or partially under Title XVIII or XIX of the federal Social Security Act.
(c) (1) Any clinic conducted, maintained, or operated by a federally recognized Indian tribe or tribal organization, as defined in Section 1603 or 5304 of Title 25 of the United States Code, that is located on land recognized as tribal land by the federal government.
(2) Any clinic conducted, maintained, or operated by a federally recognized Indian tribe or tribal organization, as defined in Section 1603 or 5304 of Title 25 of the United States Code, under a contract with the United States pursuant to the Indian Self-Determination and Education Assistance Act (Public Law 93-638), regardless of the location of the clinic, except that if the clinic chooses to apply to the State Department of Public Health for a state facility license, then the State Department of Public Health

will retain authority to regulate that clinic as a primary care clinic as defined by subdivision (a) of Section 1204.
(d) A clinic conducted, operated, or maintained as outpatient departments of hospitals.
(e) Any facility licensed as a health facility under Chapter 2 (commencing with Section 1250).
(f) Any freestanding clinical or pathological laboratory licensed under Chapter 3 (commencing with Section 1200) of Division 2 of the Business and Professions Code.
(g) A clinic operated by, or affiliated with, any institution of learning that teaches a recognized healing art and is approved by the state board or commission vested with responsibility for regulation of the practice of that healing art.
(h) A clinic that is operated by a primary care community or free clinic and that is operated on separate premises from the licensed clinic and is only open for limited services of no more than 40 hours a week. An intermittent clinic as described in this subdivision shall, however, meet all other requirements of law, including administrative regulations and requirements, pertaining to fire and life safety.
(i) The offices of physicians in group practice who provide a preponderance of their services to members of a comprehensive group practice prepayment health care service plan subject to Chapter 2.2 (commencing with Section 1340).
(j) Student health centers operated by public institutions of higher education.
(k) Nonprofit speech and hearing centers, as defined in Section 1201.5. Any nonprofit speech and hearing clinic desiring an exemption under this subdivision shall make application therefor to the director, who shall grant the exemption to any facility meeting the criteria of Section 1201.5. Notwithstanding the licensure exemption contained in this subdivision, a nonprofit speech and hearing center shall be an organized outpatient clinic for purposes of qualifying for reimbursement as a rehabilitation center under the Medi-Cal Act (Chapter 7 (commencing with Section 14000) of Part 3 of Division 9 of the Welfare and Institutions Code).
(l) A clinic operated by a nonprofit corporation exempt from federal income taxation under paragraph (3) of subsection (c) of Section 501 of the Internal Revenue Code of 1954, as amended, or a statutory successor thereof, that conducts medical research and health education and provides health care to its patients through a group of 40 or more physicians and surgeons, who are independent contractors representing not less than 10 board-certified specialties, and not less than two-thirds of whom practice on a full-time basis at the clinic.
(m) Any clinic, limited to in vivo diagnostic services by magnetic resonance imaging functions or radiological services under the direct and immediate supervision of a physician and surgeon who is licensed to practice in California. This shall not be construed to permit cardiac catheterization or any treatment modality in these clinics.
(n) A clinic operated by an employer or jointly by two or more employers for their employees only, or by a group of employees, or jointly by employees and employers, without profit to the operators thereof or to any other person, for the prevention and treatment of accidental injuries to, and the care of the health of, the employees comprising the group.
(o) A community mental health center, as defined in Section 5667 of the Welfare and Institutions Code.
(p) (1) A clinic operated by a nonprofit corporation exempt from federal income taxation under paragraph (3) of subsection (c) of Section 501 of the Internal Revenue Code of 1954, as amended, or a statutory successor thereof, as an entity organized and operated exclusively for scientific and charitable purposes and that satisfied all of the following requirements on or before January 1, 2005:
(A) Commenced conducting medical research on or before January 1, 1982, and continues to conduct medical research.
(B) Conducted research in, among other areas, prostatic cancer, cardiovascular disease, electronic neural prosthetic devices, biological effects and medical uses of lasers, and human magnetic resonance imaging and spectroscopy.
(C) Sponsored publication of at least 200 medical research articles in peer-reviewed publications.

(D) Received grants and contracts from the National Institutes of Health.
(E) Held and licensed patents on medical technology.
(F) Received charitable contributions and bequests totaling at least five million dollars ($5,000,000).
(G) Provides health care services to patients only:
(i) In conjunction with research being conducted on procedures or applications not approved or only partially approved for payment (I) under the Medicare program pursuant to Section 1359y(a)(1)(A) of Title 42 of the United States Code, or (II) by a health care service plan registered under Chapter 2.2 (commencing with Section 1340), or a disability insurer regulated under Chapter 1 (commencing with Section 10110) of Part 2 of Division 2 of the Insurance Code; provided that services may be provided by the clinic for an additional period of up to three years following the approvals, but only to the extent necessary to maintain clinical expertise in the procedure or application for purposes of actively providing training in the procedure or application for physicians and surgeons unrelated to the clinic.
(ii) Through physicians and surgeons who, in the aggregate, devote no more than 30 percent of their professional time for the entity operating the clinic, on an annual basis, to direct patient care activities for which charges for professional services are paid.
(H) Makes available to the public the general results of its research activities on at least an annual basis, subject to good faith protection of proprietary rights in its intellectual property.
(I) Is a freestanding clinic, whose operations under this subdivision are not conducted in conjunction with any affiliated or associated health clinic or facility defined under this division, except a clinic exempt from licensure under subdivision (m). For purposes of this subparagraph, a freestanding clinic is defined as "affiliated" only if it directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, a clinic or health facility defined under this division, except a clinic exempt from licensure under subdivision (m). For purposes of this subparagraph, a freestanding clinic is defined as "associated" only if more than 20 percent of the directors or trustees of the clinic are also the directors or trustees of any individual clinic or health facility defined under this division, except a clinic exempt from licensure under subdivision (m). Any activity by a clinic under this subdivision in connection with an affiliated or associated entity shall fully comply with the requirements of this subdivision. This subparagraph does not apply to agreements between a clinic and any entity for purposes of coordinating medical research.
(2) By January 1, 2007, and every five years thereafter, the Legislature shall receive a report from each clinic meeting the criteria of this subdivision and any other interested party concerning the operation of the clinic's activities. The report shall include, but not be limited to, an evaluation of how the clinic impacted competition in the relevant health care market, and a detailed description of the clinic's research results and the level of acceptance by the payer community of the procedures performed at the clinic. The report shall also include a description of procedures performed both in clinics governed by this subdivision and those performed in other settings. The cost of preparing the reports shall be borne by the clinics that are required to submit them to the Legislature pursuant to this paragraph.
(q) A primary care clinic operated as part of a Program of All-Inclusive Care for the Elderly (PACE) organization, as defined in Section 460.6 of Title 42 of the Code of Federal Regulations and approved by the State Department of Health Care Services pursuant to Section 14592 of the Welfare and Institutions Code, that exclusively serves PACE participants, as defined in Section 460.6 of Title 42 of the Code of Federal Regulations.
(1) A primary care clinic approved by the State Department of Health Care Services pursuant to Section 14592 of the Welfare and Institutions Code to operate exclusively as part of a PACE organization may provide services to individuals who are being assessed for eligibility to enroll in the PACE program for not more than 60 calendar days after an individual submits an application for enrollment.
(2) If the State Department of Health Care Services determines that a primary care clinic approved to operate exclusively as part of a PACE organization has provided services to individuals other than those enrolled in the PACE program, or who are being assessed for eligibility pursuant to paragraph (1), the

clinic shall apply for licensure with the State Department of Public Health. A clinic required to obtain licensure from the State Department of Public Health pursuant to this paragraph shall apply for the license not later than 60 calendar days following the determination by the State Department of Health Care Services described in this paragraph. The clinic shall not accept any new participants in the PACE program until licensure is obtained.
(3) This subdivision shall become operative only if the Director of Health Care Services determines, and communicates that determination in writing to the State Department of Public Health, that operating standards compliance programs consistent with subdivisions (d) and (e) of Section 14592 of the Welfare and Institutions Code have been established. A primary care clinic described in subdivision (c) of Section 14592 of the Welfare and Institutions Code shall remain under the oversight and regulatory authority of the State Department of Public Health until the Director of Health Care Services communicates their written determination to the State Department of Public Health.
(r) (1) A clinic, including any location thereof, operated by a nonprofit corporation exempt from federal income taxation under paragraph (3) of subsection (c) of Section 501 of the Internal Revenue Code of 1954, as amended, or a statutory successor thereof, as an entity organized and operated exclusively to provide health care services and health education services within the Los Angeles County Service Planning Area 6, is located in a Clinic Service Area, as defined in paragraph (3), and satisfies all of the following requirements:
(A) Provides health care services and health education services solely within a Clinic Service Area, as defined in paragraph (3).
(B) Provides health care services to patients through an independent agreement with a multispecialty medical group of 26 or more physicians and surgeons who represent not less than 10 board-certified specialties, and not less than two-thirds of whom practice on a full-time basis at the clinic by July 1, 2021.
(C) Serves substantial beneficiaries of a "federal health care program," as that term is defined in subsection (f) of Section 1320a-7b of Title 42 of the United States Code and indigent and uninsured individuals pursuant to an authorized and adopted charity care policy.
(D) Participates in a graduate medical education program that is administered by the Martin Luther King, Jr. Community Hospital, as described in Section 14165.50 of the Welfare and Institutions Code, in furtherance of its charitable mission to reduce health care disparities in a Clinic Service Area, as defined in paragraph (3), through the training and retention of physicians and surgeons by 2022.
(2) (A) — By July 1, 2022, and every five years thereafter, a clinic that is exempt from licensing provisions pursuant to this subdivision shall provide the Legislature with a report that includes all of the following:
(i) A copy of the current Community Health Needs Assessment, developed by the Martin Luther King, Jr. Community Hospital.
(ii) A community needs assessment for physicians and surgeons, including an analysis of the clinic's role in physician and surgeon recruitment and retention, and meeting the community needs for a physician and surgeon workforce.
(iii) A copy of the Martin Luther King, Jr. Community Hospital's most recent Internal Revenue Service Form 990, Schedule H, including a description of the federally-funded payer mix, and identification of the clinic as a component of the Martin Luther King, Jr. Community Hospital's community benefit activities.
(iv) The clinic's role in the hospital-sponsored graduate medical education program.
(v) An analysis of how the clinic impacted physicians and surgeons practicing or providing services in the Clinic Service Area prior to January 1, 2020.
(B) A report to be submitted pursuant to subparagraph (A) of paragraph (2) shall be submitted in compliance with Section 9795 of the Government Code.

(3) For purposes of this subdivision, "Clinic Service Area" means the geographic area within any ZIP Code that is located within six miles of the physical location of the Martin Luther King, Jr. Community Hospital, as described in Section 14165.50 of the Welfare and Institutions Code.
(s) (1) From May 15, 2028, to September 15, 2028, inclusive, a clinic that meets all of the following requirements:
(A) Approved by the Los Angeles Organizing Committee for the 2028 Olympic and Paralympic Games.
(B) Is either of the following:
(i) Conducted, operated, or maintained by a California licensed health care practitioner acting within the scope of their license.
(ii) Operated by or affiliated with a health facility, as defined in subdivision (a) or (b) of Section 1250.
(C) Provides health care services at either of the following:
(i) A competition, noncompetition, athlete village, training, or support site designated by the committee.
(ii) An event in this state sanctioned by the committee.
(2) This subdivision exempts a clinic from this chapter only for health care services provided at the locations described in subparagraph (C) of paragraph (1).
(3) For purposes of this subdivision, "committee" means the Los Angeles Organizing Committee for the 2028 Olympic and Paralympic Games.

SEC. 14. Section 1261.3 of the Health and Safety Code is amended to read:

SEC. 15. Section 1342.2 of the Health and Safety Code is amended to read:

SEC. 16. Section 1342.3 of the Health and Safety Code is amended to read:

SEC. 17. Section 1347.8 of the Health and Safety Code is amended to read:

SEC. 18. Section 1367.002 of the Health and Safety Code is amended to read:

SEC. 19. Section 1367.3 of the Health and Safety Code is amended to read:

SEC. 20. Section 1367.35 of the Health and Safety Code is amended to read:

SEC. 21. *Section 1797.11 is added to the Health and Safety Code, to read:*

1797.11. *(a) (1) Notwithstanding any other law, the licensure, certification, or accreditation requirements of this division shall not apply to any Emergency Medical Technician (EMT-I), Advanced Emergency Medical Technician (EMT-II), or Emergency Medical Technician-Paramedic (EMT-P), or similar emergency medical services (EMS) provider licensed or certified as an EMT-I, EMT-II, EMT-P, or similar EMS provider in another state or territory of the United States, who provides EMS for which they are licensed, if they are authorized by the chief medical officer pursuant to subdivision (b) to provide EMS at sites in this state sanctioned by the Los Angeles Organizing Committee for the 2028 Olympic and Paralympic Games and associated with the 2028 Olympic and Paralympic Games.*
(2) For purposes of this subdivision, "similar EMS provider" means an EMS provider that meets both of the following requirements:
(A) Licensed or certified in a state or territory of the United States that uses a license categorization that differs from this state.
(B) Licensed or certified to provide services similar to those provided by an EMT-I, EMT-II, or EMT-P licensed or certified in this state.
(b) The chief medical officer (CMO) shall do both of the following:

(1) Authorize EMS personnel under this section, based on system needs and informed by committee needs, qualifications of the emergency medical services personnel, and public safety considerations.
(2) Be medical control for any EMS personnel who are authorized under paragraph (1) of this subdivision.
(c) To be authorized by the CMO under this section, and before being deployed by the CMO, EMS personnel shall provide the CMO a valid copy of a professional license or certification and photograph identification issued by the state or territory in which the EMS personnel holds a license or certification.
(d) Emergency medical services providers authorized by the CMO to provide health care pursuant to this section shall not be liable on account of any act or omission taken in good faith while engaged in the provision of services authorized pursuant to this section. As used in this subdivision, "good faith" shall not include willful misconduct, gross negligence, or recklessness.
(e) Emergency medical services providers authorized by the CMO to provide health care pursuant to this section shall be authorized to perform the California basic scope of practice for an EMT-I, EMT-II, and EMT-P, as defined in Title 22 of Division 9 of the California Code of Regulations, if the provider has successfully completed the training to perform these skills and they are within the scope of practice for the state in which they are licensed or certified.
(f) Sites that may be sanctioned by the committee include competition, noncompetition, athlete village, training, or support sites in this state.
(g) Authorization under this section shall be valid from May 15, 2028, to September 15, 2028, inclusive, or until authorization is otherwise withdrawn by the CMO.
(h) For purposes of this section, the following definitions apply:
(1) "Chief medical officer" or "CMO" means the chief medical officer of the Emergency Medical Services Authority.
(2) "Committee" means the Los Angeles Organizing Committee for the 2028 Olympic and Paralympic Games.

SEC. 22. Section 11756.8 of the Health and Safety Code is repealed.

SEC. 23. Section 100425 of the Health and Safety Code is amended to read:

SEC. 24. Section 100450 of the Health and Safety Code is amended to read:

SEC. 25. Section 104151 of the Health and Safety Code is amended to read:

SEC. 26. *Section 120164 is added to the Health and Safety Code, to read:*

SEC. 27. Section 120336 of the Health and Safety Code is amended to read:

SEC. 28. *Section 120336 is added to the Health and Safety Code, to read:*

SEC. 29. Section 120372 of the Health and Safety Code is amended to read:

SEC. 30. Section 120372.05 of the Health and Safety Code is amended to read:

SEC. 31. Section 120390.6 of the Health and Safety Code is amended to read:

SEC. 32. *Section 120390.6 is added to the Health and Safety Code, to read:*

SEC. 33. Section 120392.2 of the Health and Safety Code is amended to read:

SEC. 34. Section 120392.3 of the Health and Safety Code is amended to read:

SEC. 35. Section 120392.6 of the Health and Safety Code is amended to read:

SEC. 36. Section 120392.9 of the Health and Safety Code is amended to read:

SEC. 37. Section 120393 of the Health and Safety Code is amended to read:

SEC. 38. Section 120455 of the Health and Safety Code is amended to read:

SEC. 39. *Section 120455 is added to the Health and Safety Code, to read:*

SEC. 40. Section 124981 of the Health and Safety Code is amended to read:

SEC. 41. Section 124982 of the Health and Safety Code is amended to read:

SEC. 42. *Chapter 6.1 (commencing with Section 127640) is added to Part 2 of Division 107 of the Health and Safety Code, to read:*

SEC. 43. Section 10110.7 of the Insurance Code is amended to read:

SEC. 44. Section 10110.75 of the Insurance Code is amended to read:

SEC. 45. Section 10112.2 of the Insurance Code is amended to read:

SEC. 46. Section 10123.5 of the Insurance Code is amended to read:

SEC. 47. Section 10123.55 of the Insurance Code is amended to read:

SEC. 48. Section 30461.6 of the Revenue and Taxation Code is amended to read:

SEC. 49. Section 5961.4 of the Welfare and Institutions Code is amended to read:

SEC. 50. Section 11265.8 of the Welfare and Institutions Code is amended to read:

SEC. 51. Section 14005.27 of the Welfare and Institutions Code is amended to read:

SEC. 52. Section 14005.62 of the Welfare and Institutions Code, as added by Section 59 of Chapter 21 of the Statutes of 2025, is amended to read:

SEC. 53. Section 14007.5 of the Welfare and Institutions Code is amended to read:

SEC. 54. Section 14007.8 of the Welfare and Institutions Code is amended to read:

SEC. 55. Section 14007.95 of the Welfare and Institutions Code is repealed.

SEC. 56. Section 14012.5 of the Welfare and Institutions Code is amended to read:

SEC. 57. Section 14100.95 of the Welfare and Institutions Code is repealed.

SEC. 58. Section 14105.47 of the Welfare and Institutions Code is amended to read:

SEC. 59. Section 14105.475 of the Welfare and Institutions Code is amended to read:

SEC. 60. Section 14124.11 of the Welfare and Institutions Code is amended to read:

SEC. 61. *Section 14132.995 is added to the Welfare and Institutions Code, to read:*

SEC. 62. Section 14146 of the Welfare and Institutions Code is amended to read:

SEC. 63. Section 14146.5 of the Welfare and Institutions Code is amended to read:

SEC. 64. Section 14501 of the Welfare and Institutions Code is amended to read:

SEC. 65. *Section 34 of Chapter 80 of the Statutes of 2005 is repealed.*

SEC. 66. *Section 67 of Chapter 758 of the Statutes of 2008 is repealed.*

SEC. 67. Section 118 of Chapter 21 of the Statutes of 2025 is amended to read:

AB 2233 Amends The Law: Introduced 2/19/2026

SECTION 1. Section 1374.73 of the Health and Safety Code is amended to read:

1374.73. (a) (1) Every health care service plan contract that provides hospital, medical, or surgical coverage shall also provide coverage for behavioral health treatment for pervasive developmental disorder or autism no later than July 1, 2012. The coverage shall be provided in the same manner and is subject to the same requirements as provided in Section 1374.72.
(2) Notwithstanding paragraph (1), as of the date that the proposed final rulemaking for essential health benefits is issued, this section does not require any benefits to be provided that exceed the essential health benefits that all health plans will be required by federal regulations to provide under Section 1302(b) of the federal Patient Protection and Affordable Care Act (Public Law 111-148), as amended by the federal Health Care and Education Reconciliation Act of 2010 (Public Law 111-152).
(3) This section does not affect services for which an individual is eligible pursuant to Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code or Title 14 (commencing with Section 95000) of the Government Code.
(4) This section does not affect or reduce any obligation to provide services under an individualized education program, as defined in Section 56032 of the Education Code, or an individual service plan, as described in Section 5600.4 of the Welfare and Institutions Code, or under the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) and its implementing regulations.
(b) Every health care service plan subject to this section shall maintain an adequate network that includes qualified autism service providers who supervise or employ qualified autism service professionals or paraprofessionals who provide and administer behavioral health treatment. A health care service plan is not prevented from selectively contracting with providers within these requirements.
(c) (1) A health care service plan contract issued, amended, or renewed on or after January 1, 2026, shall not require an enrollee previously diagnosed with pervasive developmental disorder or autism to receive a rediagnosis to maintain coverage for behavioral health treatment for pervasive developmental disorder or autism.
(2) This subdivision does not prohibit or restrict a treating provider from reevaluating an enrollee for purposes of determining the appropriate treatment. The treatment plan shall be made available to the health care service plan upon request.
(3) This subdivision does not prohibit a treating provider from prescribing a rediagnosis at the discretion of the physician licensed pursuant to Chapter 5 (commencing with Section 2000) of Division 2 of the Business and Professions Code or a psychologist licensed pursuant to Chapter 6.6 (commencing with Section 2900) of Division 2 of the Business and Professions Code.
(4) A health care service plan shall not discontinue or delay existing treatment while waiting for a rediagnosis to be completed.
(5) This subdivision does not prohibit a health care service plan from requiring utilization review. For the purpose of this section, utilization review is distinct from a rediagnosis.
(d) For the purposes of this section, the following definitions shall apply:
(1) "Behavioral health treatment" means professional services and treatment programs, including applied behavior analysis and evidence-based behavior intervention programs, that develop or restore, to the maximum extent practicable, the functioning of an individual with pervasive developmental disorder or autism and that meet all of the following criteria:
(A) The treatment is prescribed by a physician and surgeon licensed pursuant to Chapter 5 (commencing with Section 2000) of, or is developed by a psychologist licensed pursuant to Chapter 6.6 (commencing with Section 2900) of, Division 2 of the Business and Professions Code.
(B) The treatment is provided under a treatment plan prescribed by a qualified autism service provider and is administered by one of the following:

(i) A qualified autism service provider.
(ii) A qualified autism service professional supervised by the qualified autism service provider.
(iii) A qualified autism service paraprofessional supervised by a qualified autism service provider or qualified autism service professional.
(C) The treatment plan has measurable goals over a specific timeline that is developed and approved by the qualified autism service provider for the specific patient being treated. The treatment plan shall be reviewed no less than once every six months by the qualified autism service provider and modified whenever ~~appropriate, and shall~~ *appropriate. A health care service plan shall not impose restrictions on the utilization of authorized treatment hours within the six-month authorization period, including weekly caps or limitations that result in the forfeiture of unused hours. Authorized hours shall remain available for use throughout the authorization period to ensure the enrollee may fully access their approved treatment. The treatment shall* be consistent with Section 4686.2 of the Welfare and Institutions Code pursuant to which the qualified autism service provider does all of the following:
(i) Describes the patient's behavioral health impairments or developmental challenges that are to be treated.
(ii) Designs an intervention plan that includes the service type, number of hours, and parent participation needed to achieve the plan's goal and objectives, and the frequency at which the patient's progress is evaluated and reported.
(iii) Provides intervention plans that utilize evidence-based practices, with demonstrated clinical efficacy in treating pervasive developmental disorder or autism.
(iv) Discontinues intensive behavioral intervention services when the treatment goals and objectives are achieved or no longer appropriate.
(D) The treatment plan is not used for purposes of providing or for the reimbursement of respite, daycare, or educational services and is not used to reimburse a parent for participating in the treatment program. The treatment plan shall be made available to the health care service plan upon request.
(2) "Qualified autism service provider" means an individual described in Section 4999.200 of the Business and Professions Code.
(3) "Qualified autism service professional" means an individual who meets all of the criteria set forth in Section 4999.201 of the Business and Professions Code.
(4) "Qualified autism service paraprofessional" means an unlicensed and uncertified individual who meets all of the criteria set forth in Section 4999.202 of the Business and Professions Code.
(5) "Rediagnosis" means a subsequent undertaking by any method, device, or procedure, whether gratuitous or not, to ascertain or establish if a person is suffering from a physical or mental health disorder, pursuant to Section 2038 of the Business and Professions Code. "Rediagnosis" also means prescription of a subsequent diagnosis of pervasive developmental disorders or autism to ascertain or establish if a person is suffering from a pervasive developmental disorder or autism.
(6) "Utilization review" means utilization review or utilization management functions that prospectively, retrospectively, or concurrently review and approve, modify, or deny, based in whole or in part on medical necessity to cure and relieve, treatment recommendations by physicians licensed pursuant to Chapter 5 (commencing with Section 2000) of Division 2 of the Business and Professions Code before, after, or concurrent with the provision of medical treatment services. "Utilization review" refers to an evaluation of existing treatment to ensure an enrollee receives the proper care at the proper time.
(e) This section does not apply to either of the following:
(1) A specialized health care service plan that does not deliver mental health or behavioral health services to enrollees.
(2) A health care service plan contract in the Medi-Cal program (Chapter 7 (commencing with Section 14000) of Part 3 of Division 9 of the Welfare and Institutions Code).
(f) This section does not limit the obligation to provide services under Section 1374.72.

(g) As provided in Section 1374.72 and in paragraph (1) of subdivision (a), in the provision of benefits required by this section, a health care service plan may utilize case management, network providers, utilization review techniques, prior authorization, copayments, or other cost sharing.

SEC. 2. Section 10144.51 of the Insurance Code is amended to read:

10144.51. (a) (1) Every health insurance policy shall also provide coverage for behavioral health treatment for pervasive developmental disorder or autism no later than July 1, 2012. The coverage shall be provided in the same manner and is subject to the same requirements as provided in Section 10144.5.
(2) Notwithstanding paragraph (1), as of the date that the proposed final rulemaking for essential health benefits is issued, this section does not require any benefits to be provided that exceed the essential health benefits that all health insurers will be required by federal regulations to provide under Section 1302(b) of the federal Patient Protection and Affordable Care Act (Public Law 111-148), as amended by the federal Health Care and Education Reconciliation Act of 2010 (Public Law 111-152).
(3) This section does not affect services for which an individual is eligible pursuant to Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code or Title 14 (commencing with Section 95000) of the Government Code.
(4) This section does not affect or reduce any obligation to provide services under an individualized education program, as defined in Section 56032 of the Education Code, or an individual service plan, as described in Section 5600.4 of the Welfare and Institutions Code, or under the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) and its implementing regulations.
(b) Pursuant to Article 6 (commencing with Section 2240) of Subchapter 2 of Chapter 5 of Title 10 of the California Code of Regulations, every health insurer subject to this section shall maintain an adequate network that includes qualified autism service providers who supervise or employ qualified autism service professionals or paraprofessionals who provide and administer behavioral health treatment. A health insurer is not prevented from selectively contracting with providers within these requirements.
(c) (1) A health insurance policy issued, amended, or renewed on or after January 1, 2026, shall not require an insured previously diagnosed with pervasive developmental disorder or autism to receive a rediagnosis to maintain coverage for behavioral health treatment for pervasive developmental disorder or autism.
(2) This subdivision does not prohibit or restrict a treating provider from reevaluating an insured for purposes of determining the appropriate treatment. The treatment plan shall be made available to the insurer upon request.
(3) This subdivision does not prohibit a treating provider from prescribing a rediagnosis at the discretion of the physician licensed pursuant to Chapter 5 (commencing with Section 2000) of Division 2 of the Business and Professions Code or a psychologist licensed pursuant to Chapter 6.6 (commencing with Section 2900) of Division 2 of the Business and Professions Code.
(4) A health insurer shall not discontinue or delay existing treatment while waiting for a rediagnosis to be completed.
(5) This subdivision does not prohibit a health insurer from requiring utilization review. For the purpose of this section, utilization review is distinct from a rediagnosis.
(d) For the purposes of this section, the following definitions shall apply:
(1) “Behavioral health treatment” means professional services and treatment programs, including applied behavior analysis and evidence-based behavior intervention programs, that develop or restore, to the maximum extent practicable, the functioning of an individual with pervasive developmental disorder or autism, and that meet all of the following criteria:
(A) The treatment is prescribed by a physician and surgeon licensed pursuant to Chapter 5 (commencing with Section 2000) of, or is developed by a psychologist licensed pursuant to Chapter 6.6 (commencing with Section 2900) of, Division 2 of the Business and Professions Code.

(B) The treatment is provided under a treatment plan prescribed by a qualified autism service provider and is administered by one of the following:
(i) A qualified autism service provider.
(ii) A qualified autism service professional supervised by the qualified autism service provider.
(iii) A qualified autism service paraprofessional supervised by a qualified autism service provider or qualified autism service professional.
(C) The treatment plan has measurable goals over a specific timeline that is developed and approved by the qualified autism service provider for the specific patient being treated. The treatment plan shall be reviewed no less than once every six months by the qualified autism service provider and modified whenever ~~appropriate, and shall~~ *appropriate. A health insurer shall not impose restrictions on the utilization of authorized treatment hours within the six-month authorization period, including weekly caps or limitations that result in the forfeiture of unused hours. Authorized hours shall remain available for use throughout the authorization period to ensure the insured may fully access their approved treatment. The treatment shall* be consistent with Section 4686.2 of the Welfare and Institutions Code pursuant to which the qualified autism service provider does all of the following:
(i) Describes the patient's behavioral health impairments or developmental challenges that are to be treated.
(ii) Designs an intervention plan that includes the service type, number of hours, and parent participation needed to achieve the plan's goal and objectives, and the frequency at which the patient's progress is evaluated and reported.
(iii) Provides intervention plans that utilize evidence-based practices, with demonstrated clinical efficacy in treating pervasive developmental disorder or autism.
(iv) Discontinues intensive behavioral intervention services when the treatment goals and objectives are achieved or no longer appropriate.
(D) The treatment plan is not used for purposes of providing or for the reimbursement of respite, daycare, or educational services and is not used to reimburse a parent for participating in the treatment program. The treatment plan shall be made available to the insurer upon request.
(2) "Qualified autism service provider" means an individual described in Section 4999.200 of the Business and Professions Code.
(3) "Qualified autism service professional" means an individual who meets all of the criteria set forth in Section 4999.201 of the Business and Professions Code.
(4) "Qualified autism service paraprofessional" means an unlicensed and uncertified individual who meets all of the criteria set forth in Section 4999.202 of the Business and Professions Code.
(5) "Rediagnosis" means a subsequent undertaking by any method, device, or procedure, whether gratuitous or not, to ascertain or establish if a person is suffering from a physical or mental health disorder, pursuant to Section 2038 of the Business and Professions Code. "Rediagnosis" also means prescription of a subsequent diagnosis of pervasive developmental disorders or autism to ascertain or establish if a person is suffering from a pervasive developmental disorder or autism.
(6) "Utilization review" means utilization review or utilization management functions that prospectively, retrospectively, or concurrently review and approve, modify, or deny, based in whole or in part on medical necessity to cure and relieve, treatment recommendations by physicians licensed pursuant to Chapter 5 (commencing with Section 2000) of Division 2 of the Business and Professions Code before, after, or concurrent with the provision of medical treatment services. "Utilization review" refers to an evaluation of existing treatment to ensure the insured receives the proper care at the proper time.
(e) This section does not apply to either of the following:
(1) A specialized health insurance policy that does not cover mental health or behavioral health services or an accident-only, specified disease, hospital indemnity, or Medicare supplement policy.
(2) A health insurance policy in the Medi-Cal program (Chapter 7 (commencing with Section 14000) of Part 3 of Division 9 of the Welfare and Institutions Code).

(f) This section does not limit the obligation to provide services under Section 10144.5.
(g) As provided in Section 10144.5 and in paragraph (1) of subdivision (a), in the provision of benefits required by this section, a health insurer may utilize case management, network providers, utilization review techniques, prior authorization, copayments, or other cost sharing.

SEC. 3.

No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

SB 1130 Amends The Law: Introduced 2/17/2026

SECTION 1. Section 631 of the Penal Code is amended to read:

631. (a) Any person who, by means of any machine, instrument, or contrivance, or in any other manner, intentionally taps, or makes any unauthorized connection, whether physically, electrically, acoustically, inductively, or otherwise, with any telegraph or telephone wire, line, cable, or instrument, including the wire, line, cable, or instrument of any internal telephonic communication system, or who willfully and without the consent of all parties to the communication, or in any unauthorized manner, reads, or attempts to read, or to learn the contents or meaning of any message, report, or communication while the same is in transit or passing over any wire, line, or cable, or is being sent from, or received at any place within this state; or who uses, or attempts to use, in any manner, or for any purpose, or to communicate in any way, any information so obtained, or who aids, agrees with, employs, or conspires with any person or persons to unlawfully do, or permit, or cause to be done any of the acts or things mentioned above in this section, is punishable by a fine not exceeding two thousand five hundred dollars ($2,500), or by imprisonment in the county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170, or by both a fine and imprisonment in the county jail or pursuant to subdivision (h) of Section 1170. If the person has previously been convicted of a violation of this section or Section 632, 632.5, 632.6, 632.7, *632.8, 632.9,* or 636, the offense is punishable by a fine not exceeding ten thousand dollars ($10,000), or by imprisonment in the county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170, or by both that fine and imprisonment.
(b) This section shall not apply to any of the following:
(1) Any public utility, or telephone company, engaged in the business of providing communications services and facilities, or to the officers, employees or agents thereof, where the acts otherwise prohibited herein are for the purpose of construction, maintenance, conduct or operation of the services and facilities of the public utility or telephone company.
(2) The use of any instrument, equipment, facility, or service furnished and used pursuant to the tariffs of a public utility.
(3) Any telephonic communication system used for communication exclusively within a state, county, city and county, or city correctional facility.
(c) For purposes of this section, “telephone company” is defined in paragraph (3) of subdivision (c) of Section 638.
(d) Except as proof in an action or prosecution for violation of this section, no evidence obtained in violation of this section shall be admissible in any judicial, administrative, legislative, or other proceeding.

SEC. 2. Section 632 of the Penal Code is amended to read:

632. (a) A person who, intentionally and without the consent of all parties to a confidential communication, uses an electronic amplifying or recording device to eavesdrop upon or record the confidential communication, whether the communication is carried on among the parties in the presence of one another or by means of a telegraph, telephone, or other device, except a radio, shall be punished by a fine not exceeding two thousand five hundred dollars ($2,500) per violation, or imprisonment in a county jail not exceeding one year, or in the state prison, or by both that fine and imprisonment. If the person has previously been convicted of a violation of this section or Section 631, 632.5, 632.6, 632.7, *632.8, 632.9,* or 636, the person shall be punished by a fine not exceeding ten thousand dollars ($10,000) per violation, by imprisonment in a county jail not exceeding one year, or in the state prison, or by both that fine and imprisonment.

(b) For the purposes of this section, “person” means an individual, business association, partnership, corporation, limited liability company, or other legal entity, and an individual acting or purporting to act for or on behalf of any government or subdivision thereof, whether federal, state, or local, but excludes an individual known by all parties to a confidential communication to be overhearing or recording the communication.
(c) For the purposes of this section, “confidential communication” means any communication carried on in circumstances as may reasonably indicate that any party to the communication desires it to be confined to the parties thereto, but excludes a communication made in a public gathering or in any legislative, judicial, executive, or administrative proceeding open to the public, or in any other circumstance in which the parties to the communication may reasonably expect that the communication may be overheard or recorded.
(d) Except as proof in an action or prosecution for violation of this section, evidence obtained as a result of eavesdropping upon or recording a confidential communication in violation of this section is not admissible in any judicial, administrative, legislative, or other proceeding.
(e) This section does not apply (1) to any public utility engaged in the business of providing communications services and facilities, or to the officers, employees, or agents thereof, if the acts otherwise prohibited by this section are for the purpose of construction, maintenance, conduct, or operation of the services and facilities of the public utility, (2) to the use of any instrument, equipment, facility, or service furnished and used pursuant to the tariffs of a public utility, or (3) to any telephonic communication system used for communication exclusively within a state, county, city and county, or city correctional facility.
(f) This section does not apply to the use of hearing aids and similar devices, by persons afflicted with impaired hearing, for the purpose of overcoming the impairment to permit the hearing of sounds ordinarily audible to the human ear.

SEC. 3. Section 632.5 of the Penal Code is amended to read:

632.5. (a) Every person who, maliciously and without the consent of all parties to the communication, intercepts, receives, or assists in intercepting or receiving a communication transmitted between cellular radio telephones or between any cellular radio telephone and a landline telephone shall be punished by a fine not exceeding two thousand five hundred dollars ($2,500), by imprisonment in the county jail not exceeding one year or in the state prison, or by both that fine and imprisonment. If the person has been previously convicted of a violation of this section or Section 631, 632, 632.6, 632.7, *632.8, 632.9,* or 636, the person shall be punished by a fine not exceeding ten thousand dollars ($10,000), by imprisonment in the county jail not exceeding one year or in the state prison, or by both that fine and imprisonment.
(b) In the following instances, this section shall not apply:
(1) To any public utility engaged in the business of providing communications services and facilities, or to the officers, employees, or agents thereof, where the acts otherwise prohibited are for the purpose of construction, maintenance, conduct, or operation of the services and facilities of the public utility.
(2) To the use of any instrument, equipment, facility, or service furnished and used pursuant to the tariffs of the public utility.
(3) To any telephonic communication system used for communication exclusively within a state, county, city and county, or city correctional facility.
(c) As used in this section and Section 635, “cellular radio telephone” means a wireless telephone authorized by the Federal Communications Commission to operate in the frequency bandwidth reserved for cellular radio telephones.

SEC. 4. Section 632.6 of the Penal Code is amended to read:

632.6. (a) Every person who, maliciously and without the consent of all parties to the communication, intercepts, receives, or assists in intercepting or receiving a communication transmitted between cordless telephones as defined in subdivision (c), between any cordless telephone and a landline telephone, or between a cordless telephone and a cellular telephone shall be punished by a fine not exceeding two thousand five hundred dollars ($2,500), by imprisonment in the county jail not exceeding one year, or in the state prison, or by both that fine and imprisonment. If the person has been convicted previously of a violation of Section 631, 632, 632.5, 632.7, *632.8, 632.9,* or 636, the person shall be punished by a fine not exceeding ten thousand dollars ($10,000), or by imprisonment in the county jail not exceeding one year, or in the state prison, or by both that fine and imprisonment.
(b) This section shall not apply in any of the following instances:
(1) To any public utility engaged in the business of providing communications services and facilities, or to the officers, employees, or agents thereof, where the acts otherwise prohibited are for the purpose of construction, maintenance, conduct, or operation of the services and facilities of the public utility.
(2) To the use of any instrument, equipment, facility, or service furnished and used pursuant to the tariffs of the public utility.
(3) To any telephonic communications system used for communication exclusively within a state, county, city and county, or city correctional facility.
(c) As used in this section and in Section 635, "cordless telephone" means a two-way low power communication system consisting of two parts—a "base" unit which connects to the public switched telephone network and a handset or "remote" unit—which are connected by a radio link and authorized by the Federal Communications Commission to operate in the frequency bandwidths reserved for cordless telephones.

SEC. 5. Section 632.7 of the Penal Code is amended to read:

632.7. (a) Every person who, without the consent of all of the parties to a communication, intercepts or receives and intentionally records, or assists in the interception or reception and intentional recordation of, a communication transmitted between two cellular radio telephones, a cellular radio telephone and a landline telephone, two cordless telephones, a cordless telephone and a landline telephone, or a cordless telephone and a cellular radio telephone, shall be punished by a fine not exceeding two thousand five hundred dollars ($2,500), or by imprisonment in a county jail not exceeding one year, or in the state prison, or by both that fine and imprisonment. If the person has been convicted previously of a violation of this section or of Section 631, 632, 632.5, 632.6, *632.8, 632.9,* or 636, the person shall be punished by a fine not exceeding ten thousand dollars ($10,000), by imprisonment in a county jail not exceeding one year, or in the state prison, or by both that fine and imprisonment.
(b) This section shall not apply to any of the following:
(1) Any public utility, or telephone company, engaged in the business of providing communications services and facilities, or to the officers, employees, or agents thereof, where the acts otherwise prohibited are for the purpose of construction, maintenance, conduct, or operation of the services and facilities of the public utility or telephone company.
(2) The use of any instrument, equipment, facility, or service furnished and used pursuant to the tariffs of the public utility.
(3) Any telephonic communication system used for communication exclusively within a state, county, city and county, or city correctional facility.
(c) For purposes of this section, "telephone company" is defined in paragraph (3) of subdivision (c) of Section 638.
(d) As used in this section, each of the following terms have the following meaning:

(1) “Cellular radio telephone” means a wireless telephone authorized by the Federal Communications Commission to operate in the frequency bandwidth reserved for cellular radio telephones.
(2) “Cordless telephone” means a two-way, low power communication system consisting of two parts, a “base” unit which connects to the public switched telephone network and a handset or “remote” unit, that are connected by a radio link and authorized by the Federal Communications Commission to operate in the frequency bandwidths reserved for cordless telephones.
(3) “Communication” includes, but is not limited to, communications transmitted by voice, data, or image, including facsimile.

SEC. 6. *Section 632.8 is added to the Penal Code, to read:*

632.8. *(a) For purposes of this section and Section 632.9, the following terms have the following meanings:*
(1) “Place of business” means any physical office or retail establishment in which members of the public receive goods or services from the business.
(2) “Wearable recording device” means any device that can be worn on or attached to the body that has the capacity to make sound or video recordings or transmit data received by the device to another device or to the internet.
(b) A person shall not operate a wearable recording device to capture sound or video of any other person in any area within a place of business where the person has a reasonable expectation of privacy unless the person operating the device has the explicit consent of that person to capture sound or video of that person.
(c) A person shall not disable any light or other device on a wearable recording device that indicates that the device is capturing sound or video.
(d) A violation of this section is punishable by a fine not exceeding two thousand five hundred dollars ($2,500) per violation, or imprisonment in a county jail not exceeding one year, or in the state prison, or by both that fine and imprisonment. If the person has previously been convicted of a violation of this section or Section 631, 632.5, 632.6, 632.7, 632.9, or 636, the person shall be punished by a fine not exceeding ten thousand dollars ($10,000) per violation, by imprisonment in a county jail not exceeding one year, or in the state prison, or by both that fine and imprisonment.

SEC. 7. *Section 632.9 is added to the Penal Code, to read:*

632.9. *(a) A person or entity shall not manufacture, sell, deliver, hold, or offer for sale in commerce in this state any technology that enables a person to disable any light or other device on a wearable recording device that indicates that the device is capturing sound or video.*
(b) A person in this state shall not purchase, trade for, or otherwise acquire the technology described in subdivision (a).
(c) A person in this state shall not use any technology to permanently or temporarily disable any light or other device on a wearable recording device that indicates that the device is capturing sound or video if the device would otherwise indicate that it is capturing sound or video.
(d) A violation of this section is punishable by a fine not exceeding two thousand five hundred dollars ($2,500) per violation, or imprisonment in a county jail not exceeding one year, or in the state prison, or by both that fine and imprisonment. If the person has previously been convicted of a violation of this section or Section 631, 632.5, 632.6, 632.7, 632.8, or 636, the person shall be punished by a fine not exceeding ten thousand dollars ($10,000) per violation, by imprisonment in a county jail not exceeding one year, or in the state prison, or by both that fine and imprisonment.

SEC. 8. Section 633 of the Penal Code is amended to read:

633. (a) Nothing in Section 631, 632, 632.5, 632.6, *632.7, 632.8,* or ~~632.7~~ *632.9* prohibits the Attorney General, any district attorney, or any assistant, deputy, or investigator of the Attorney General or any district attorney, any officer of the California Highway Patrol, any peace officer of the Office of Internal Affairs of the Department of Corrections and Rehabilitation, any chief of police, assistant chief of police, or police officer of a city or city and county, any sheriff, undersheriff, or deputy sheriff regularly employed and paid in that capacity by a county, police officer of the County of Los Angeles, or any person acting pursuant to the direction of one of these law enforcement officers acting within the scope of ~~his or her~~ *their* authority, from overhearing or recording any communication that they could lawfully overhear or record prior to January 1, 1968.
(b) Nothing in Section 631, 632, 632.5, 632.6, *632.7, 632.8,* or ~~632.7~~ *632.9* renders inadmissible any evidence obtained by the above-named persons by means of overhearing or recording any communication that they could lawfully overhear or record prior to January 1, 1968.
SEC. 9. Section 633.1 of the Penal Code is amended to read:

633.1. (a) Nothing in Section 631, 632, 632.5, 632.6, *632.7, 632.8,* or ~~632.7~~ *632.9* prohibits any person regularly employed as an airport law enforcement officer, as described in subdivision (d) of Section 830.33, acting within the scope of ~~his or her~~ *their* authority, from recording any communication which is received on an incoming telephone line, for which the person initiating the call utilized a telephone number known to the public to be a means of contacting airport law enforcement officers. In order for a telephone call to be recorded under this subdivision, a series of electronic tones shall be used, placing the caller on notice that ~~his or her~~ *their* telephone call is being recorded.
(b) Nothing in Section 631, 632, 632.5, 632.6, *632.7, 632.8,* or ~~632.7~~ *632.9* renders inadmissible any evidence obtained by an officer described in subdivision (a) if the evidence was received by means of recording any communication which is received on an incoming public telephone line, for which the person initiating the call utilized a telephone number known to the public to be a means of contacting airport law enforcement officers.
(c) This section shall only apply to airport law enforcement officers who are employed at an airport which maintains regularly scheduled international airport service and which maintains permanent facilities of the United States Customs Service.

SEC. 10. Section 633.5 of the Penal Code is amended to read:

633.5. Sections 631, 632, 632.5, 632.6, *632.7, 632.8,* and ~~632.7~~ *632.9* do not prohibit one party to a confidential communication from recording the communication for the purpose of obtaining evidence reasonably believed to relate to the commission by another party to the communication of the crime of extortion, kidnapping, bribery, any felony involving violence against the person, including, but not limited to, human trafficking, as defined in Section 236.1, or a violation of Section 653m, or domestic violence as defined in Section 13700. Sections 631, 632, 632.5, 632.6, *632.7, 632.8,* and ~~632.7~~ *632.9* do not render any evidence so obtained inadmissible in a prosecution for extortion, kidnapping, bribery, any felony involving violence against the person, including, but not limited to, human trafficking, as defined in Section 236.1, a violation of Section 653m, or domestic violence as defined in Section 13700, or any crime in connection therewith.

SEC. 11. Section 634 of the Penal Code is amended to read:

634. Any person who trespasses on property for the purpose of committing any act, or attempting to commit any act, in violation of Section 631, 632, 632.5, 632.6, 632.7, *632.8, 632.9,* or 636 shall be punished by a fine not exceeding two thousand five hundred dollars ($2,500), by imprisonment in the county jail not exceeding one year or in the state prison, or by both that fine and imprisonment. If the person has previously been convicted of a violation of this section or Section 631, 632, 632.5, 632.6, 632.7, *632.8, 632.9,* or 636, the person shall be punished by a fine not exceeding ten thousand dollars ($10,000), by imprisonment in the county jail not exceeding one year or in the state prison, or by both that fine and imprisonment.

SEC. 12. *No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.*

SB 1368 Amends The Law: Introduced 2/20/2026

SECTION 1. Section 2538.33 of the Business and Professions Code is amended to read:

2538.33. (a) Before engaging in the practice of fitting or selling hearing aids, each licensee shall notify the board in writing of the address or addresses where they are to engage, or intend to engage, in the practice of fitting or selling hearing aids, and of any changes in their ~~place of business~~ *address or addresses* within 30 days of engaging in that practice.
(b) If ~~a street address~~ *the address or addresses provided pursuant to subdivision (a)* is not the address *or addresses* at which the licensee receives mail, the licensee shall also notify the board in writing of the mailing address for each location where the licensee is to engage, or intends to engage, in the practice of fitting or selling hearing aids, and of any change in the mailing address ~~of their place or places of business.~~ *or addresses.*

SEC. 2. Section 2538.34 of the Business and Professions Code is amended to read:

2538.34. (a) Every ~~licensee~~ *hearing aid dispenser* who engages in the practice of fitting or selling hearing aids shall have ~~and maintain~~ an established retail business address ~~to engage in that fitting or selling,~~ routinely open for service to customers or clients. The address of ~~the licensee's~~ *that* place of business shall be registered with the board as provided in Section 2538.33.
(b) Except as provided in subdivision (c), if a ~~licensee maintains~~ *hearing aid dispenser engages in the practice of fitting or selling hearing aids at* more than one place of business within this state, they shall apply for and procure a ~~duplicate~~ *branch office* license for each branch ~~office maintained.~~ *place of business.* The application shall state the name of the person and the ~~location~~ *address* of the place or places of business for which the ~~duplicate~~ *branch office* license is desired.
(c) *(1)* A hearing aid dispenser may, without obtaining a ~~duplicate license for a branch office,~~ *branch office license,* engage on a temporary basis in the practice of fitting or selling hearing aids at ~~the primary or branch location of another licensee's~~ *another* business or at a location or facility that they may use on a temporary basis, provided that the hearing aid dispenser notifies the board in advance in writing of the dates and addresses of those businesses, locations, or facilities at which they will engage in the practice of fitting or selling hearing aids.
(2) For purposes of paragraph (1), "temporary basis" means a limited and short period of time that is not intended to occur repeatedly.

AB 1542 Amends The Law: Introduced 1/5/2026

SECTION 1. Section 1798.100 of the Civil Code is amended to read:

1798.100. General Duties of Businesses that Collect Personal Information
(a) A business that controls the collection of a consumer's personal information shall, at or before the point of collection, inform consumers of the following:
(1) The categories of personal information to be collected and the purposes for which the categories of personal information are collected or used and whether that information is sold or shared. A business shall not collect additional categories of personal information or use personal information collected for additional purposes that are incompatible with the disclosed purpose for which the personal information was collected without providing the consumer with notice consistent with this section.
(2) If the business collects sensitive personal information, the categories of sensitive personal information to be collected and the purposes for which the categories of sensitive personal information are collected or ~~used, and whether that information is sold or shared.~~ *used.* A business shall not collect additional categories of sensitive personal information or use sensitive personal information collected for additional purposes that are incompatible with the disclosed purpose for which the sensitive personal information was collected without providing the consumer with notice consistent with this section.
(3) The length of time the business intends to retain each category of personal information, including sensitive personal information, or if that is not possible, the criteria used to determine that period provided that a business shall not retain a consumer's personal information or sensitive personal information for each disclosed purpose for which the personal information was collected for longer than is reasonably necessary for that disclosed purpose.
(b) A business that, acting as a third party, controls the collection of personal information about a consumer may satisfy its obligation under subdivision (a) by providing the required information prominently and conspicuously on the homepage of its internet website. In addition, if a business acting as a third party controls the collection of personal information about a consumer on its premises, including in a vehicle, then the business shall, at or before the point of collection, inform consumers as to the categories of personal information to be collected and the purposes for which the categories of personal information are used, and whether that personal information is sold, in a clear and conspicuous manner at the location.
(c) A business' collection, use, retention, and sharing of a consumer's personal information shall be reasonably necessary and proportionate to achieve the purposes for which the personal information was collected or processed, or for another disclosed purpose that is compatible with the context in which the personal information was collected, and not further processed in a manner that is incompatible with those purposes.
(d) A business that collects a consumer's personal information and that sells that personal information to, or shares it with, a third party or that discloses it to a service provider or contractor for a business purpose shall enter into an agreement with the third party, service provider, or contractor, that:
(1) Specifies that the personal information is sold or disclosed by the business only for limited and specified purposes.
(2) Obligates the third party, service provider, or contractor to comply with applicable obligations under this title and obligate those persons to provide the same level of privacy protection as is required by this title.
(3) Grants the business rights to take reasonable and appropriate steps to help ensure that the third party, service provider, or contractor uses the personal information transferred in a manner consistent with the business' obligations under this title.
(4) Requires the third party, service provider, or contractor to notify the business if it makes a determination that it can no longer meet its obligations under this title.

(5) Grants the business the right, upon notice, including under paragraph (4), to take reasonable and appropriate steps to stop and remediate unauthorized use of personal information.
(e) A business that collects a consumer's personal information shall implement reasonable security procedures and practices appropriate to the nature of the personal information to protect the personal information from unauthorized or illegal access, destruction, use, modification, or disclosure in accordance with Section 1798.81.5.
(f) Nothing in this section shall require a business to disclose trade secrets, as specified in regulations adopted pursuant to paragraph (3) of subdivision (a) of Section 1798.185.

SEC. 2. Section 1798.121 of the Civil Code is amended to read:

1798.121. Consumers' ~~Right to Limit Use and Disclosure of~~ Sensitive Personal Information
(a) A consumer shall have the right, at any time, to direct a business that collects sensitive personal information about the consumer to limit its use of the consumer's sensitive personal information to that use ~~which~~ *that* is necessary to perform the services or provide the goods reasonably expected by an average consumer who requests those goods or services, to perform the services set forth in paragraphs (2), (4), (5), and (8) of subdivision (e) of Section 1798.140, and as authorized by regulations adopted pursuant to subparagraph (C) of paragraph (18) of subdivision (a) of Section 1798.185. A business that uses or discloses a consumer's sensitive personal information for purposes other than those specified in this subdivision shall provide notice to consumers, pursuant to subdivision (a) of Section 1798.135, that this information may be used, or disclosed to a service provider or contractor, for additional, specified purposes and that consumers have the right to limit the use or disclosure of their sensitive personal information.
(b) A business that has received direction from a consumer not to use or disclose the consumer's sensitive personal information, except as authorized by subdivision (a), shall ~~be prohibited,~~ *not,* pursuant to paragraph (4) of subdivision (c) of Section 1798.135, ~~from using~~ *use* or ~~disclosing~~ *disclose* the consumer's sensitive personal information for any other purpose after its receipt of the consumer's direction unless the consumer subsequently provides consent for the use or disclosure of the consumer's sensitive personal information for additional purposes.
(c) A service provider or contractor that assists a business in performing the purposes authorized by subdivision (a) ~~may~~ *shall* not use the sensitive personal information after it has received instructions from the business and to the extent it has actual knowledge that the personal information is sensitive personal information for any other purpose. A service provider or contractor is only required to limit its use of sensitive personal information received pursuant to a written contract with the business in response to instructions from the business and only with respect to its relationship with that business.
(d) Sensitive personal information that is collected or processed without the purpose of inferring characteristics about a consumer is not subject to this section, as further defined in regulations adopted pursuant to subparagraph (C) of paragraph (18) of subdivision (a) of Section 1798.185, and shall be treated as personal information for purposes of all other sections of this act, including Section 1798.100.
(e) A business, service provider, or contractor shall not sell or share sensitive personal information to a third party.

SEC. 3.
The Legislature finds and declares that this act furthers the purposes and intent of the California Privacy Rights Act of 2020.

AB 1564 Amends The Law: Amended 2/25/2026

SECTION 1. *The Legislature finds and declares all of the following:*
(a) There is a strong public interest in encouraging public employees to communicate fully and frankly with their union representatives regarding matters within the scope of representation, such as grievances, disciplinary proceedings, and working conditions, to ensure effective advocacy and protection of employee rights. The expectation of confidentiality for these communications is essential to prevent a chilling effect on protected concerted activities. Without this protection from employer interference, employees would be hesitant to seek or provide candid information to their representatives, undermining the core functions of employee organizations.
(b) It is the intent of the Legislature, in enacting this act, to codify longstanding Public Employment Relations Board (PERB) precedents prohibiting public employers from interfering with confidential communications between public employees and their union representatives regarding matters within the scope of representation by making this interference an unfair labor practice enforceable through PERB.
(c) Claims of significant one-time costs, including those estimated for the California Community Colleges or other agencies, for policy or training updates are unfounded, as they reflect preexisting obligations under PERB precedents rather than new requirements imposed by this act. Codification provides clear statutory notice to employers, enhancing uniform compliance across jurisdictions, including local governments, schools, state agencies, and higher education, and minimizing ad hoc disputes or litigation over PERB's contextual analyses.
(d) Updates to trainings, policies, or related materials, if any, would occur in the ordinary course of administrative compliance with current PERB precedents or during routine collective bargaining cycles, without costs attributable to this act. Memoranda of understanding do not typically recite labor relations statutes verbatim and are enforced through PERB processes rather than grievances, so no mandatory revisions or fiscal impacts arise from codification.
(e) This act is expected to yield fiscal savings for public employers and the state by promoting compliance with existing law, reducing unintentional violations, and thereby decreasing the number of unfair labor practice charges, grievances, PERB proceedings, cease-and-desist remedies, backpay awards, attorney's fees, and related litigation costs that currently stem from ambiguities in applying case-specific PERB decisions.
(f) This act does not expand PERB's workload or create new categories of claims.

SEC. 2. *Section 3558.9 is added to the Government Code, to read:*

3558.9. *(a) (1) A public employer shall not question a public employee, a representative of a recognized employee organization, or an exclusive representative regarding communications made in confidence between a public employee and the representative in connection with representation relating to any matter within the scope of the recognized employee organization's representation.*
(2) Paragraph (1) is intended to be consistent with, and not in conflict with, William S. Hart Union High School District (2018) PERB Decision No. 2595.
(b) A public employer shall not compel a public employee, a representative of a recognized employee organization, or an exclusive representative to disclose to a third party, communications made in confidence between a public employee and the representative in connection with representation relating to any matter within the scope of the recognized employee organization's representation.
(c) Notwithstanding subdivisions (a) and (b), this section does not apply to a criminal investigation and does not supersede Section 3303.

AB 1566 Amends The Law: Introduced 1/12/2026

SECTION 1. Section 11165.2 of the Penal Code is amended to read:

11165.2. As used in this article, “neglect” means the negligent treatment or the maltreatment of a child by a person responsible for the child’s welfare under circumstances indicating harm or threatened harm to the child’s health or welfare. The term includes both acts and omissions on the part of the responsible person.
(a) ~~“Severe~~ *As used in this article, “severe* neglect” means the negligent failure of a person having the care or custody of a child to protect the child from severe malnutrition or medically diagnosed nonorganic failure to thrive. “Severe neglect” also means ~~those situations of neglect where any person~~ *if any person,* having the care or custody of a ~~child~~ *child,* willfully causes or permits ~~the person or health of the~~ *serious illness or serious injury to the child, willfully causes or permits the death of the child, or causes the* child to be placed ~~in a situation such that their person or health is endangered as proscribed by Section 11165.3, including the intentional~~ *at imminent risk of serious illness, serious injury, or death, including, but not limited to, the willful* failure to provide adequate food, clothing, shelter, or medical care.
(b) ~~“General~~ *As used in this article, “general* neglect” means the negligent failure of a person having the care or custody of a child to provide adequate food, clothing, shelter, medical care, or supervision where no physical injury to the child has occurred but the child is at substantial risk of suffering serious physical harm or illness. “General neglect” does not include a parent’s economic disadvantage.
For the purposes of this ~~chapter,~~ *article,* a child receiving treatment by spiritual means as provided in Section 16509.1 of the Welfare and Institutions Code or not receiving specified medical treatment for religious reasons, shall not for that reason alone be considered a neglected child. An informed and appropriate medical decision made by parent or guardian after consultation with a physician ~~or physicians~~ who ~~have~~ *has* examined the minor does not constitute neglect.

AB 1593 Amends The Law: Amended 3/23/2026

SECTION 1. *Section 11093.9 is added to the Government Code, to read:*

11093.9. *(a) For purposes of this section, the following definitions apply:*
(1) “Category” means the statutory or regulatory provision authorizing a charge, including the program or fund into which the revenue is deposited.
(2) “Monetary charge” means fees, fines, penalties, assessments, licenses, and other payments imposed by statute or regulation.
(3) “State agency” has the same meaning as set forth in Section 11000.
(b) On or before January 1, 2028, and annually thereafter, a state agency that imposes a monetary charge, including a regulatory fee or administrative penalty, shall report on its internet website the revenue generated from those charges, organized by category.
(c) The report required by subdivision (b) shall be published in a machine-readable format and made available for download on the department’s internet website in accordance with standards established by the Department of Finance.

AB 1652 Amends The Law: Introduced 1/28/2026

SECTION 1. *Section 11000.3 is added to the Government Code, to read:*

11000.3. *(a) Except as provided in paragraph (1) of subdivision (c), an elective or appointive officer of a state agency acting in their official capacity shall not enter into, or request that another individual enter into, a nondisclosure agreement relating to the drafting, negotiation, or discussion of a proposed regulation or legislation.*

(b) Except as provided in paragraph (2) of subdivision (c), any nondisclosure agreement relating to the drafting, negotiation, or discussion of a proposed regulation or legislation entered into or requested by an elective or appointive officer of a state agency acting in their official capacity after the effective date of this section shall be void and unenforceable.

(c) (1) This section does not prohibit an elective or appointive officer of a state agency from entering into or requesting a nondisclosure agreement that prevents only the disclosure of trade secrets, private financial information, or proprietary information.

(2) This section does not make void and unenforceable a nondisclosure agreement, or portion of a nondisclosure agreement, that prevents only the disclosure of trade secrets, private financial information, or proprietary information.

(d) For purposes of this section, the following terms have the following meanings:

(1) "Discussion" means direct or indirect communications engaged in by individuals for the purpose of reaching a decision regarding a proposed regulation or legislation.

(2) "Drafting" means developing language for a proposed regulation or legislation pursuant to this chapter.

(3) "Negotiation" means any form of direct or indirect communication whereby individuals who have opposing interests discuss the form of any proposed regulation or legislation that may resolve a dispute involving those interests.

AB 1671 Amends The Law: Amended 3/19/2026

SECTION 1. *Section 1179.2 is added to the Health and Safety Code, to read:*

1179.2. *(a) For the purposes of this section, the following terms have the following meanings:*
(1) (A) "Medical services" means the diagnosis, treatment, and prevention of illness, injury, or other physical or mental conditions performed by a qualified provider who is physically present while providing those services. "Medical services" includes, but is not limited to, doctor visits, hospital care, surgeries, mental health therapy, telehealth services, and rehabilitative treatments.
(B) "Medical services" does not include elective cosmetic procedures.
(2) "Qualified provider" means an individual licensed in the state as any of the following:
(A) A dental hygienist licensed pursuant to Article 9 (commencing with Section 1900) of Chapter 4 of Division 2 of the Business and Professions Code.
(B) A certified nurse-midwife licensed pursuant to Article 2.5 (commencing with Section 2746) of Chapter 6 of Division 2 of the Business and Professions Code.
(C) A chiropractor licensed pursuant to Chapter 2 (commencing with Section 1000) of Division 2 of the Business and Professions Code.
(D) A dentist, including a dentist that performs oral and maxillofacial surgery, licensed pursuant to Chapter 4 (commencing with Section 1600) of Division 2 of the Business and Professions Code.
(E) A doctor of podiatric medicine licensed pursuant to Article 22 (commencing with Section 2460) of Chapter 5 of Division 2 of the Business and Professions Code.
(F) An optometrist licensed pursuant to Chapter 7 (commencing with Section 3000) of Division 2 of the Business and Professions Code.
(G) An osteopathic physician and surgeon licensed pursuant to Article 4.5 (commencing with Section 2099.5) of Chapter 5 of Division 2 of the Business and Professions Code.
(H) A pharmacist licensed pursuant to Chapter 9 (commencing with Section 4000) of Division 2 of the Business and Professions Code.
(I) A physical therapist licensed pursuant to Chapter 5.7 (commencing with Section 2600) of Division 2 of the Business and Professions Code.
(J) A physician and surgeon licensed pursuant to Chapter 5 (commencing with Section 2000) of Division 2 of the Business and Professions Code.
(K) A physician assistant licensed pursuant to Chapter 7.7 (commencing with Section 3500) of Division 2 of the Business and Professions Code.
(L) A psychologist licensed pursuant to Chapter 6.6 (commencing with Section 2900) of Division 2 of the Business and Professions Code.
(M) A registered nurse or nurse practitioner licensed pursuant to Chapter 6 (commencing with Section 2700) of Division 2 of the Business and Professions Code.
(N) A speech-language pathologist or audiologist licensed pursuant to Chapter 5.3 (commencing with Section 2530) of Division 2 of the Business and Professions Code.
(O) An occupational therapist licensed pursuant to Chapter 5.6 (commencing with Section 2570) of Division 2 of the Business and Professions Code.
(3) "Rural area" has the same meaning as in Section 50199.21.
(4) "Support, sustenance, or expansion of the delivery of medical services" includes, but is not limited to, all of the following:
(A) Workforce support.
(B) Equipment.
(C) Operational costs.
(D) Infrastructure improvements.
(E) Other expenses necessary to increase access to care.

(b) (1) Upon appropriation by the Legislature, the Office of Rural Health shall develop and administer a competitive grant program to compensate qualified providers for the delivery of medical services, or the support, sustenance, or expansion of the delivery of medical services, to individuals who reside in rural areas of California.
(2) Upon the appropriation described in paragraph (1), the office may expend up to three million dollars ($3,000,000) annually for the purposes of this section.
(3) A qualified provider may apply to the office once per year for a grant of up to ten thousand dollars ($10,000) for the purposes described in paragraph (1).
(c) (1) The office shall establish the criteria and standards for the grant program for all of the following:
(A) Eligibility requirements for applicants, including, but not limited to, all of the following:
(i) Proof of an active license in good standing in this state.
(ii) Proof that the applicant provides in-person medical services throughout the year, either part-time or full-time, in a rural area.
(iii) A description of how the grant funding will improve, sustain, or expand medical services in rural areas.
(B) The application review process.
(C) Compliance monitoring.
(D) The measurement of outcomes achieved, including, but not limited to, both of the following:
(i) The impact on access to in-person medical care in rural areas of the state.
(ii) The impact on provider recruitment and retention in rural areas of the state.
(2) On or before January 1, 2028, and annually thereafter, the office shall publish the information described in paragraph (1) on its internet website.

AB 1688 Amends The Law: Amended 3/12/2026

SECTION 1. Section 11166.1 of the Penal Code is amended to read:

11166.1. (a) (1) When an agency receives a report pursuant to Section 11166 that contains either of the following, it shall, within 24 hours, notify the licensing office with jurisdiction over the facility:
(A) A report of abuse alleged to have occurred in facilities licensed to care for children by the State Department of Social Services.
(B) A report of the death of a child who was, at the time of death, living at, enrolled in, or regularly attending a facility licensed to care for children by the State Department of Social Services, unless the circumstances of the child's death are clearly unrelated to the child's care at the facility.
(2) The agency shall send the licensing agency a copy of its investigation and any other pertinent materials.
(b) *(1)* Any employee of an agency specified in Section 11165.9 who has knowledge of, or observes in their professional capacity or within the scope of their employment, a child in protective custody whom the employee knows or reasonably suspects has been the victim of child abuse or neglect shall, within 36 hours, send or have sent to the attorney who represents the child in dependency court, a copy of the report prepared in accordance with Section 11166. The agency shall maintain a copy of the written report. All information requested by the attorney for the child or the child's guardian ad litem shall be provided by the agency within 30 days of the request.
(2) When an agency receives a report pursuant to paragraph (1), the agency shall, within 36 hours, provide notice of the report to the attorney who represents a parent or legal guardian of the child in dependency court.
(3) The notification requirement in paragraph (2) shall consist of notice that a report has been made and shall not disclose any information concerning the substance of the report, including the identity of any person named or referenced in the report.
(4) The requirement in paragraph (2) shall not apply to a parent whose parental rights have been terminated pursuant to Section 366.26 of the Welfare and Institutions Code.
(5) If the suspected abuse or neglect occurred in any placement, all attorneys who represent children with an open dependency case in that placement shall receive the notice described in paragraph (2). For purposes of this paragraph, a placement includes, but is not limited to, placement in foster care or congregate care, placement in a short-term residential therapeutic program facility, or a relative placement.
(c) (1) When an agency receives a report pursuant to Section 11166 alleging abuse or neglect of the child of a minor parent or a nonminor dependent parent, the agency shall, within 36 hours, provide notice of the report to the attorney who represents the minor parent or nonminor dependent in dependency court.
(2) For purposes of this subdivision, "minor parent" and "nonminor dependent parent" have the same meaning as in Section 16002.5 of the Welfare and Institutions Code.

SEC. 2. *To the extent that this act has an overall effect of increasing the costs already borne by a local agency for programs or levels of service mandated by the 2011 Realignment Legislation within the meaning of Section 36 of Article XIII of the California Constitution, it shall apply to local agencies only to the extent that the state provides annual funding for the cost increase. Any new program or higher level of service provided by a local agency pursuant to this act above the level for which funding has been provided shall not require a subvention of funds by the state or otherwise be subject to Section 6 of Article XIII B of the California Constitution.*

AB 1803 Amends The Law: Introduced 2/10/2026

SECTION 1. Section 12950.1 of the Government Code is amended to read:

12950.1. (a) (1) By January 1, 2021, an employer having five or more employees shall provide at least two hours of classroom or other effective interactive training and education regarding sexual harassment to all supervisory employees and at least one hour of classroom or other effective interactive training and education regarding sexual harassment to all nonsupervisory employees in California. Thereafter, each employer covered by this section shall provide sexual harassment training and education to each employee in California once every two years. New nonsupervisory employees shall be provided training within six months of hire. New supervisory employees shall be provided training within six months of the assumption of a supervisory position. An employer may provide this training in conjunction with other training provided to the employees. The training may be completed by employees individually or as part of a group presentation, and may be completed in shorter segments, as long as the applicable hourly total requirement is met. An employer who has provided this training and education to an employee in 2019 is not required to provide refresher training and education again until two years thereafter. The training and education required by this section shall include information and practical guidance regarding the federal and state statutory provisions concerning the prohibition against and the prevention and correction of sexual harassment and the remedies available to victims of sexual harassment in employment. The training and education shall also include practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation, and shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. The department shall provide a method for employees who have completed the training to save electronically and print a certificate of completion.
(2) An employer shall also include prevention of abusive conduct as a component of the training and education specified in paragraph (1).
(3) An employer shall also provide training inclusive of harassment based on gender identity, gender expression, and sexual orientation as a component of the training and education specified in paragraph (1). The training and education shall include practical examples inclusive of harassment based on gender identity, gender expression, and sexual orientation, and shall be presented by trainers or educators with knowledge and expertise in those areas.
(4) An employer shall also include anti-hate speech training as a component of the training and education specified in paragraph (1).
(b) The state shall incorporate the training required by subdivision (a) into the 80 hours of training provided to all new employees pursuant to subdivision (b) of Section 19995.4, using existing resources.
(c) Notwithstanding subdivisions (j) and (k) of Section 12940, a claim that the training and education required by this section did not reach a particular individual or individuals shall not in and of itself result in the liability of any employer to any present or former employee or applicant in any action alleging sexual harassment. Conversely, an employer’s compliance with this section does not insulate the employer from liability for sexual harassment of any current or former employee or applicant.
(d) If an employer violates this section, the department may seek an order requiring the employer to comply with these requirements.
(e) The training and education required by this section is intended to establish a minimum threshold and should not discourage or relieve any employer from providing for longer, more frequent, or more elaborate training and education regarding workplace harassment or other forms of unlawful discrimination in order to meet its obligations to take all reasonable steps necessary to prevent and correct harassment and discrimination. This section shall not be construed to override or supersede statutes, including, but not limited to, Section 1684 of the Labor Code, that meet or exceed the training for nonsupervisory employees required under this section.

(f) Except as provided in subdivision (l), beginning January 1, 2021, for seasonal, temporary, or other employees that are hired to work for less than six months, an employer shall provide training within 30 calendar days after the hire date or within 100 hours worked, whichever occurs first. In the case of a temporary employee employed by a temporary services employer, as defined in Section 201.3 of the Labor Code, to perform services for clients, the training shall be provided by the temporary services employer, not the client.

(g) Beginning January 1, 2020, sexual harassment prevention training for migrant and seasonal agricultural workers, as defined in the federal Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1801, et seq.), shall be consistent with training for nonsupervisory employees pursuant to paragraph (8) of subdivision (a) of Section 1684 of the Labor Code.

(h) (1) For purposes of this section only, “employer” means any person regularly employing five or more persons or regularly receiving the services of five or more persons providing services pursuant to a contract, or any person acting as an agent of an employer, directly or indirectly, the state, or any political or civil subdivision of the state, and cities.

(2) For purposes of this section, “abusive conduct” means conduct of an employer or employee in the workplace, with malice, that a reasonable person would find hostile, offensive, and unrelated to an employer’s legitimate business interests. Abusive conduct may include repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a person’s work performance. A single act shall not constitute abusive conduct, unless especially severe and egregious.

(i) For purposes of providing training to employees as required by this section, an employer may develop its own training module or may direct employees to view the online training course referenced in subdivision (j) and this shall be deemed to have complied with and satisfied the employers’ obligations as set forth in this section and Section 12950.

(j) The department shall develop or obtain two online training courses on the prevention of sexual harassment in the workplace in accordance with the provisions of this section. The course for nonsupervisory employees shall be one hour in length and the course for supervisory employees shall be two hours in length.

(k) The department shall make the online training courses available on its internet website. The online training courses shall contain an interactive feature that requires the viewer to respond to a question periodically in order for the online training courses to continue to play. Any questions resulting from the online training course described in this subdivision shall be directed to the trainee’s employer’s human resources department or equally qualified professional rather than the department.

(l) (1) An employer that employs workers pursuant to a multiemployer collective bargaining agreement in the construction industry may satisfy the requirements of subdivision (a) or (f) by demonstrating that the employee has received the training required by subdivision (a) within the past two years under any of the following circumstances:

(A) While the employee was employed by another employer that is also signatory to a multiemployer collective bargaining agreement with the same trade in the building and construction industry.

(B) While the employee was an apprentice registered in a building and construction trades apprenticeship program approved by the Division of Apprenticeship Standards.

(C) Through a building and construction trades apprenticeship program approved by the Division of Apprenticeship Standards, a labor management training trust, or labor management cooperation committee. For purposes of this subdivision, “labor management cooperation committee” shall mean a committee that is established pursuant to Section 175a of Title 29 of the United States Code.

(2) For purposes of this subdivision, “multiemployer collective bargaining agreement” means a bona fide collective bargaining agreement to which multiple employers are signatory, including predecessor and successor agreements.

(3) An employer shall require verification that an employee has undergone prevention of harassment training pursuant to this subdivision within the past two years. The employer shall provide prevention of harassment training pursuant to subdivision (a) for any employee for whom verification cannot be obtained.
(4) A state-approved apprenticeship program, labor management training trust, or labor management cooperation committee shall maintain a certificate of completion of training for each person to whom the entity has provided prevention of harassment training pursuant to this subdivision for a period of not less than four years. The apprenticeship program, labor management training trust, or labor management cooperation committee shall maintain a database of journey-level worker and apprentice training that entity has provided and shall provide verification of an employee's or apprentice's prevention of harassment training status upon the request of an employer that is a party to the multiemployer collective bargaining agreement.
(5) (A) A qualified trainer may provide prevention of harassment training on behalf of an apprenticeship program, labor management training trust, or labor management cooperation committee.
(B) A "qualified trainer," for purposes of this subdivision, is any person who, through a combination of training and experience, has the ability to train employees about the following:
(i) How to identify behavior that may constitute unlawful harassment, discrimination, or retaliation under both California and federal law.
(ii) What steps to take when harassing behavior occurs in the workplace.
(iii) How to report harassment complaints.
(iv) Supervisory employees' obligation to report harassing, discriminatory, or retaliatory behavior of which they become aware.
(v) How to respond to a harassment complaint.
(vi) The employer's obligation to conduct a workplace investigation of a harassment complaint.
(vii) What constitutes retaliation and how to prevent it.
(viii) Essential components of an antiharassment policy.
(ix) The effect of harassment on harassed employees, coworkers, harassers, and employers.
(C) A "qualified trainer" includes, but is not limited to, an attorney admitted to the State Bar of California with at least two years of experience practicing employment law, a human resources professional with at least two years of practical experience in prevention of harassment training, investigation, and advising employers in the prevention of harassment, or any other person who has received training in the provision of prevention of harassment training from a qualified trainer.
(6) An apprenticeship program, labor management training trust, or labor management cooperation committee may also provide training by use of the online training courses referenced in subdivision (j).
(7) An apprenticeship program, labor management training trust, or labor management cooperation committee shall not incur any liability for providing prevention of harassment training or for maintaining records pursuant to this subdivision.
(m) An employee who has received training in compliance with this section within the prior two years either from a current, a prior, or an alternate or a joint employer, or who received a valid work permit from the Labor Commissioner that required the employee to receive training in compliance with this section within the prior two years, shall be given, and required to read and to acknowledge receipt of, the employer's ~~anti-harassment~~ *antiharassment* policy within six months of assuming the employee's new position. That employee shall then be put on a two year tracking schedule based on the employee's last training. The current employer shall have the burden of establishing that the prior training was legally compliant with this section.

AB 1898 Amends The Law: Amended 3/20/2026

SECTION 1. *Part 5.9 (commencing with Section 1600) is added to Division 2 of the Labor Code, to read:*

PART 5.9. Artificial Intelligence Transparency at Work

1600. *For purposes of this part:*

(a) "Artificial intelligence" means an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments.

(b) "Automated decision system" means any computational process derived from machine learning, statistical modeling, data analytics, or artificial intelligence that issues simplified output, including a score, classification, or recommendation, that is used to assist or replace human discretionary decisionmaking and materially impacts natural persons. An automated decision system does not include a spam email filter, firewall, antivirus software, identity and access management tools, calculator, database, dataset, or other compilation of data.

(c) (1) "Employer" means any person who directly or indirectly, or through an agent or any other person, employs or exercises control over the wages, benefits, other compensation, hours, working conditions, access to work or job opportunities, or other terms or conditions of employment, of any worker. This shall include all branches of state government, all cities, counties, and cities and counties, including charter cities and charter counties, special districts, transit districts, the University of California, the California State University, community college districts, school districts, and any other governmental entities.

(2) "Employer" includes a labor contractor of a person defined as an employer under paragraph (1).

(d) "Employment-related decision" means any decision by an employer that materially impacts a worker's wages, benefits, compensation, work hours, work schedule, performance evaluation, hiring, discipline, promotion, termination, job tasks, skill requirements, work responsibilities, assignment of work, access to work and training opportunities, productivity requirements, or workplace health and safety.

(e) "Public prosecutor" has the same meaning as defined in Section 180.

(f) "Worker" means a natural person or an employee of, or an independent contractor providing service to, a business or a state or local governmental entity in a workplace.

(g) "Worker data" means any information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a covered worker, regardless of how the information is collected, inferred, or obtained.

(h) "Workplace AI tool" means an automated decision system or workplace surveillance tool that uses artificial intelligence.

(i) "Workplace surveillance tool" means any system, application, instrument, or device that collects or facilitates the collection of worker data, activities, communications, actions, biometrics, or behaviors, or those of the public that are also capable of passively surveilling workers, by means other than direct observation by a person, including, but not limited to, video or audio surveillance, continuous incremental time-tracking tools, geolocation, electromagnetic tracking, photoelectronic tracking, or that utilizes a photo-optical system or other means.

1601. *(a) An employer shall provide a written notice that a workplace AI tool was used to assist the employer in making employment-related decisions or to surveil workers in the workplace.*

(b) The notice shall be given to a worker who will likely be directly or indirectly affected and to the exclusive bargaining representative of any affected worker according to the following:

(1) At least 90 days before a workplace AI tool is first deployed by the employer.

(2) If the employer is using an existing workplace AI tool on or before January 1, 2027, no later than February 1, 2027.

(3) To a new worker upon hire.

(c) An employer shall require a worker to sign to confirm they received and understand the notice.

(d) An employer shall maintain an updated list of all workplace AI tools currently in use and shall provide that list to workers on or before February 1, 2028, and annually thereafter. For each workplace AI tool that is added in the year preceding the provision of the list to workers, the employer shall include a description of whether any jobs or job tasks will be replaced or automated by the workplace AI tool and the expected timeline of those impacts.

(e) The notice shall satisfy all of the following:

(1) It shall be written in plain language as a separate, standalone communication.

(2) It shall be written in the language in which routine communications and other information are provided to workers.

(3) It shall be provided via a simple and easy-to-use method, including, but not limited to, an email, hyperlink, or other written format.

(f) The notice shall contain all of the following information, as applicable:

(1) The purpose and justification for the use of the workplace AI tool.

(2) The categories of employment-related decisions likely to be affected by the use of the workplace AI tool.

(3) A description of the categories of worker data collected by the workplace AI tool, the frequency of worker data collection, and the duration the worker data will be stored.

(4) A description of the workplace AI tool, including the categories of input data it was trained on, input data it uses, and output data it generates.

(5) Whether and which job roles can access worker data and whether that data will be sold, transferred, or leased to other entities than the employer.

(6) A description of the general locations and the categories of activities, communications, and job roles that will be surveilled and the technologies that will be used.

(7) The entity that created the workplace AI tool and the specific name of the model.

(8) A description of each quota set or measured by the workplace AI tool to which the worker is subject, including the quantified number of tasks to be performed or products to be produced, and any potential adverse employment action that could result from failure to meet the quota, as well as whether those quotas are subject to change and whether any notice is given of changes in quotas.

(9) The most recent version of the annual list described in subdivision (d).

(10) The training given to managers or workers on the use of the workplace AI tool.

(11) A high-level summary of the results of any risk assessments conducted on the workplace AI tool conducted as part of the employer's compliance with any applicable state law, including the California Consumer Privacy Act of 2018 (Title 1.81.5 (commencing with Section 1798.100) of Part 4 of Division 3 of the Civil Code).

1602. *(a) The Labor Commissioner shall enforce this part, including investigating an alleged violation and ordering appropriate temporary relief to mitigate a violation or maintain the status quo pending the completion of a full investigation or hearing through the procedures set forth in Section 98, 98.3, 98.7, 98.74, or 1197.1, including issuing a citation against an employer who violates this section and filing a civil action. If a citation is issued, the procedures for issuing, contesting, and enforcing judgments for citations and civil penalties issued by the Labor Commissioner shall be the same as those set out in Section 98.74 or 1197.1, as applicable.*

(b) This part may also be enforced by a public prosecutor pursuant to Chapter 8 (commencing with Section 180) of Division 1.

(c) Alternatively to subdivision (a) or (b), any worker, or their exclusive representative, who has suffered a violation of this part may bring a civil action in a court of competent jurisdiction for damages caused by that violation.
(d) In any civil action brought pursuant to subdivision (a), (b), or (c), the petitioner may seek appropriate temporary or preliminary injunctive relief, punitive damages, and reasonable attorney's fees and costs.
(e) (1) Except as provided in paragraph (2), in addition to any other remedy, an employer who violates this part may be subject to a penalty of up to five hundred dollars ($500) for each violation.
(2) An employee, the Labor Commissioner, or a public prosecutor may recover a penalty under this part as a statutory penalty paid to the employee or a civil penalty, but not both, for the same violation.
(f) An action brought pursuant to this section may be brought in the superior court in any county in which the violation in question is alleged to have occurred or in which the employer resides.
(g) This part does not preempt any city, county, or city and county ordinance that provides equal or greater protection to employees who are covered by this part.
1603. *The Legislature finds and declares that this part addresses a matter of statewide concern rather than a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this part applies to all cities, including charter cities.*

AB 2021 Amends The Law: Introduced 2/17/2026

SECTION 1. *Section 1798.141 is added to the Civil Code, to read:*

1798.141. *In addition to the definitions listed in Section 1798.140, the following definitions apply for purposes of this title:*
(a) "Original information" means information that is all of the following:
(1) Derived from the whistleblower's independent knowledge or independent analysis.
(2) Not already known to the California Privacy Protection Agency from any other source, unless the whistleblower is the original source of the information.
(3) (A) Not exclusively derived from any of the following:
(i) A governmental report, hearing, audit, or investigation.
(ii) Allegations made in a judicial hearing.
(iii) Allegations made in or from the news media, including from social media.
(B) This paragraph does not apply if the whistleblower was the original source of the information disclosed pursuant to clauses (i) to (iii), inclusive, of subparagraph (A).
(b) "Original source" means an individual who meets either of the following requirements:
(1) Prior to a public disclosure, the individual voluntarily disclosed to the state, the agency, or a political subdivision of the state the information on which the allegations or transactions in the whistleblower complaint are based.
(2) The individual has knowledge that is independent of, and materially adds to, the publicly disclosed allegations or transactions, and has voluntarily provided the information to the state, the agency, or a political subdivision of the state before submitting a whistleblower complaint under this title.
(c) "Whistleblower" means a person who submits a whistleblower complaint to the California Privacy Protection Agency containing original information relating to a violation of this title.
(d) "Whistleblower complaint" means a written submission from a whistleblower, through the whistleblower's attorney, that includes substantially all material evidence and information that the whistleblower possesses regarding a violation of this title.

SEC. 2. Section 1798.155 of the Civil Code is amended to read:

1798.155. Administrative Enforcement
(a) Any business, service provider, contractor, or other person that violates this title shall be liable for an administrative fine of not more than two thousand five hundred dollars ($2,500) for each violation or seven thousand five hundred dollars ($7,500) for each intentional violation or violations involving the personal information of consumers whom the business, service provider, contractor, or other person has actual knowledge are under 16 years of age, as adjusted pursuant to subdivision (d) of Section 1798.199.95, in an administrative enforcement action brought by the California Privacy Protection Agency.
(b) (1) *(A)* ~~Ninety-five~~ *Except as provided in subparagraph (B), 95* percent of any administrative fine assessed for a violation of this title, and of the proceeds of any settlement of an action brought pursuant to subdivision (a), shall be deposited into the Consumer Privacy Subfund created within the Consumer Privacy Fund pursuant to subdivision (b) of Section 1798.160, and shall be used exclusively by the California Privacy Protection Agency in carrying out its duties under this title.
(B) The amount deposited into the Consumer Privacy Subfund pursuant to subparagraph (A) shall be reduced by any amount awarded by the California Privacy Protection Agency to a whistleblower pursuant to subdivision (b) of Section 1798.199.102.
(2) Five percent of any administrative fine assessed for a violation of this title, and of the proceeds of any settlement of an action brought pursuant to subdivision (a), shall be deposited into the Consumer Privacy Grant Subfund created within the Consumer Privacy Fund pursuant to subdivision (d) of Section 1798.160.

SEC. 3. Section 1798.160 of the Civil Code is amended to read:

1798.160. Consumer Privacy Fund
(a) (1) A special fund to be known as the "Consumer Privacy Fund" is hereby created within the General Fund in the State Treasury, and is available upon appropriation by the Legislature.
(2) Funds in the Consumer Privacy Fund and all subfunds within the fund shall be used exclusively for the purposes described in this section and shall not be subject to appropriation or transfer by the Legislature for any other purpose. Any interest and earnings from the fund and all subfunds within the fund shall be transferred on an annual basis to the State Treasury to be available in the General Fund for appropriation by the Legislature.
(b) (1) The Consumer Privacy Subfund is hereby created within the Consumer Privacy Fund and is available upon appropriation by the Legislature. Funds in the Consumer Privacy Subfund shall be used exclusively for the purposes described in this subdivision.
(2) ~~Ninety-five~~ *(A) Except as provided in subparagraph (B), 95* percent of any administrative fine recovered in an action brought by the California Privacy Protection Agency for a violation of this title shall be deposited into the Consumer Privacy Subfund and shall be used exclusively by the California Privacy Protection Agency in carrying out its duties under this title.
(B) The amount deposited into the Consumer Privacy Subfund pursuant to subparagraph (A) shall be reduced by any amount determined by the California Privacy Protection Agency to be awarded to a whistleblower pursuant to subdivision (b) of Section 1798.199.102.
(c) (1) The Attorney General Consumer Privacy Enforcement Subfund is hereby created within the Consumer Privacy Fund and is available upon appropriation by the Legislature. Funds in the Attorney General Consumer Privacy Enforcement Subfund shall be used exclusively for the purposes described in this subdivision.
(2) Ninety-five percent of any civil penalty recovered in an action brought by the Attorney General for a violation of this title shall be deposited into the Attorney General Consumer Privacy Enforcement Subfund and shall be used exclusively by the Attorney General in carrying out its duties under this title.
(d) The Consumer Privacy Grant Subfund is hereby created within the Consumer Privacy Fund and is available upon appropriation by the Legislature. Funds in the Consumer Privacy Subfund shall be used exclusively for the purposes described in this subdivision.
(1) (A) Five percent of any administrative fine recovered in an action brought by the California Privacy Protection Agency for a violation of this title shall be deposited into the Consumer Privacy Grant Subfund.
(B) Five percent of any civil penalty recovered in an action brought by the Attorney General for a violation of this title shall be deposited into the Consumer Privacy Grant Subfund.
(2) (A) Funds deposited into the Consumer Privacy Grant Subfund shall be used exclusively by the California Privacy Protection Agency to administer and distribute grants to promote and protect consumer privacy, educate children in the area of online privacy, and fund cooperative programs with international law enforcement organizations to combat fraudulent activities with respect to consumer data breaches.
(B) Subject to subparagraph (A), the California Privacy Protection Agency shall make grants from the Consumer Privacy Grant Subfund by distributing one-third of the amount allocated for grant funding in the subfund to each of the following grant recipients:
(i) Nonprofit organizations to promote and protect consumer privacy.
(ii) Nonprofit organizations and public agencies, including school districts, to educate children in the area of online privacy.
(iii) State and local law enforcement agencies to fund cooperative programs with international law enforcement organizations to combat fraudulent activities with respect to consumer data breaches.
(3) (A) The California Privacy Protection Agency shall begin administering the grant program described in paragraph (2) when the amount of funds in the Consumer Privacy Grant Subfund exceeds three hundred thousand dollars ($300,000).
(B) In a fiscal year in which the amount of funds in the Consumer Privacy Grant Subfund is equal to or less than three hundred thousand dollars ($300,000), the funds shall remain in the Consumer Privacy Grant Subfund until the total funds exceed three hundred thousand dollars ($300,000).

(e) (1) The Consumer Privacy Whistleblower Subfund is hereby created within the Consumer Privacy Fund and is available upon appropriation by the Legislature.
(2) The funds determined by the California Privacy Protection Agency to be awarded to a whistleblower pursuant subdivision (b) of Section 1798.199.102, and any administrative penalty for attorney's fees assessed pursuant to subdivision (d) of Section 1798.199.102, shall be deposited into the Consumer Privacy Whistleblower Subfund and shall be available, upon appropriation by the Legislature, for payment to the whistleblower or the whistleblower's attorney, as appropriate.
~~(e)~~ *(f)* Any remaining funds in the Consumer Privacy Fund and subfunds within the fund that were not appropriated as part of the 2025 Budget Act shall be transferred on a one-time basis in the 2025–26 fiscal year as follows:
(1) Forty-five percent of the remaining funds shall be transferred to the Consumer Privacy Subfund created within the Consumer Privacy Fund pursuant to subdivision (b).
(2) Forty-five percent of the remaining funds shall be transferred to the Attorney General Consumer Privacy Enforcement Subfund created within the Consumer Privacy Fund pursuant to subdivision (c).
(3) Ten percent of the remaining funds shall be transferred to the Consumer Privacy Grant Subfund created within the Consumer Privacy Fund pursuant to subdivision (d) of Section 1798.160.

SEC. 4. Section 1798.199.55 of the Civil Code is amended to read:

1798.199.55. (a) When the agency determines there is probable cause for believing this title has been violated, it shall hold a hearing to determine if a violation has or violations have occurred. Notice shall be given and the hearing conducted in accordance with the Administrative Procedure Act (Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code). The agency shall have all the powers granted by that chapter. If the agency determines on the basis of the hearing conducted pursuant to this subdivision that a violation or violations have occurred, it shall issue an order that may require the violator to do all or any of the following:
(1) Cease and desist violation of this title.
(2) Subject to Section 1798.155, pay an administrative fine of up to two thousand five hundred dollars ($2,500) for each violation, or up to seven thousand five hundred dollars ($7,500) for each intentional violation and each violation involving the personal information of minor consumers. When the agency determines that no violation has occurred, it shall publish a declaration so stating.
(A) ~~Ninety-five~~ *(i) Except as provided in clause (ii), 95* percent of any administrative fine assessed pursuant to this paragraph shall be deposited into the Consumer Privacy Subfund created within the Consumer Privacy Fund pursuant to subdivision (b) of Section 1798.160.
(ii) The amount deposited into the Consumer Privacy Subfund pursuant to clause (i) shall be reduced by any amount determined by the California Privacy Protection Agency to be awarded to a whistleblower pursuant to subdivision (b) of Section 1798.199.102.
(B) Five percent of any administrative fine assessed pursuant to this paragraph shall be deposited into the Consumer Privacy Grant Subfund created within the Consumer Privacy Fund pursuant to subdivision (d) of Section 1798.160.
(b) If two or more persons are responsible for any violation or violations, they shall be jointly and severally liable.

SEC. 5. *Section 1798.199.101 is added to the Civil Code, to read:*

1798.199.101. *(a) A person may submit a whistleblower complaint to the agency.*
(b) Upon receiving and reviewing a whistleblower complaint, the agency may designate a whistleblower complaint for administrative enforcement action to remedy any violation of this title that is alleged in the whistleblower complaint.
(c) The whistleblower's attorney shall not represent the agency in connection with any administrative enforcement action based on information contained in a whistleblower complaint, but may provide as much

assistance as the agency determines is appropriate to advance the investigation or litigation of the administrative enforcement action.
(d) A decision by the agency to take administrative enforcement action based on information contained in a whistleblower's complaint does not confer a private right of action, create any property or substantive rights, or permit the whistleblower to bring a claim on behalf of the agency or the state.

SEC. 6. *Section 1798.199.102 is added to the Civil Code, to read:*

1798.199.102. *(a) If the agency designates a complaint for administrative enforcement and the whistleblower is eligible for an award, the whistleblower shall receive at least 15 percent but not more than 33 percent of the fines of the administrative enforcement action or settlement, calculated after the allocation to the Consumer Privacy Grant Subfund pursuant to Sections 1798.155, 1798.160, and 1798.199.55.*
(b) The agency shall determine, in its final agency decision or order, the percentage amount of an award. In determining the amount of the award, the agency shall consider the following factors:
(1) The significance of the information provided by the whistleblower to the success of the administrative enforcement action or settlement.
(2) The degree of assistance provided by the whistleblower and the whistleblower's attorney in advancing the investigation and the administrative enforcement action or settlement. In considering this factor, the agency may take into account any of the following:
(A) Whether the whistleblower provided ongoing, extensive, and timely cooperation and assistance, including, but not limited to, explaining complex facts, interpreting key evidence, or identifying new and productive lines of inquiry.
(B) The timeliness of the whistleblower complaint to the agency or an initial complaint to an internal compliance or reporting system of a business committing or impacted by a violation of this title, if appropriate.
(C) The resources conserved as a result of the whistleblower's assistance.
(D) Whether the whistleblower appropriately encouraged or authorized others to assist the agency who might otherwise not have participated in the investigation or administrative enforcement action.
(E) The efforts undertaken by the whistleblower to remediate the harm caused by the violations.
(F) Any unique hardships experienced by the whistleblower as a result of reporting and assisting in the administrative enforcement action or settlement.
(c) If the agency determines that an award is payable to a whistleblower pursuant to this section, the award shall be paid to the whistleblower from the Consumer Privacy Whistleblower Subfund, upon appropriation by the Legislature, pursuant to subdivision (e) of Section 1798.160.
(d) In addition to any administrative fine assessed against a business, service provider, contractor, or other person pursuant to Sections 1798.155 and 1798.199.55 for a violation of this title, the agency may also assess an administrative penalty in an amount to cover the reasonable attorney's fees of the whistleblower. The penalty amount collected shall be deposited into the Consumer Privacy Whistleblower Subfund and shall be payable upon appropriation by the Legislature pursuant to subdivision (e) of Section 1798.160.

SEC. 7. *Section 1798.199.103 is added to the Civil Code, to read:*

1798.199.103. *(a) To be eligible for an award under subdivision (a) of Section 1798.199.102, a whistleblower shall declare under penalty of perjury that the information submitted with the whistleblower complaint is true and correct to the best of the whistleblower's knowledge and belief. The whistleblower's attorney shall submit the complaint to the agency's headquarters by certified mail, with a return receipt requested, and shall also submit the information electronically through the agency's internet website.*
(b) An award shall not be made to any of the following:
(1) A whistleblower who is, or was, at the time the whistleblower acquired the original information submitted to the agency, a member, officer, or employee of either of the following entities:
(A) A federal, state, or law enforcement agency.

(B) A foreign government or data protection authority.
(2) A whistleblower who is the spouse, parent, child, or sibling of an employee, or who resides in the same household as an employee, of the entities listed in paragraph (1).
(3) A whistleblower who is convicted of a criminal violation related to the administrative enforcement action that was instigated based on the whistleblower's complaint.
(4) A whistleblower who fails to submit information to the agency in the form required by the agency.
(5) A whistleblower who, in the whistleblower complaint or in any other dealings with the agency, knowingly and willfully makes a materially false, fictitious, or fraudulent statement or representation, or knowingly uses a false writing or document with the intent to mislead the agency.
(6) A whistleblower who fails to provide substantial assistance in the investigation and administrative enforcement action.
(7) A whistleblower who submits a whistleblower complaint based on the same essential facts contained in a prior whistleblower complaint received by agency.
(8) A whistleblower who is not represented by an attorney.

SEC. 8. *Section 1798.199.104 is added to the Civil Code, to read:*

1798.199.104. *(a) A person may submit a whistleblower complaint anonymously.*
(b) If a person submits a whistleblower complaint anonymously, the whistleblower's attorney shall certify, under penalty of perjury, that the attorney has taken all of the following actions:
(1) Verified the whistleblower's identity.
(2) Reviewed the whistleblower's complaint for completeness and accuracy and has verified that the information contained in the whistleblower complaint is true and complete to the best of the attorney's knowledge, information, and belief.
(3) Obtained the whistleblower's consent to disclose the whistleblower's identity to the agency for purposes of determining whether the whistleblower may have knowingly and willfully made a false, fictitious, or fraudulent statement or representation, or used any false writing or document knowing that the writing or document contains any false, fictitious, or fraudulent statement or entry.
(c) A whistleblower's identity is confidential and shall not be subject to disclosure pursuant to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code) or other applicable law.
(d) Notwithstanding subdivision (c), the agency may require a whistleblower to disclose their identity, and may further disclose the whistleblower's identity, to advance an investigation or to take administrative enforcement action.
(e) Prior to the payment of an award, a whistleblower shall disclose their identity to the agency and provide other information as the agency may require.

SEC. 9. *Section 1798.199.105 is added to the Civil Code, to read:*

1798.199.105. *(a) An employee, contractor, or agent shall be entitled to all relief necessary to make that employee, contractor, or agent whole, if that employee, contractor, or agent is discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of that employee's, contractor's, or agent's employment because of lawful acts done by the employee, contractor, agent, or associated others in furtherance of a whistleblower complaint or administrative enforcement action under this title or other efforts to stop one or more violations of this title.*
(b) Relief under this section shall be sought through a civil action and shall include all of the following:
(1) Reinstatement with the same seniority status that the employee, contractor, or agent would have had but for the discrimination.
(2) Two times the amount of back pay, plus interest on the back pay.
(3) Compensation for any special damages sustained as a result of the discrimination.
(4) Reasonable attorney's fees and costs.

(c) The court may order either of the following where appropriate:
(1) Punitive damages.
(2) Any other relief the court deems proper.
(d) A civil action under this section shall not be brought more than three years after the date when the discrimination occurred.

SEC. 10. *The Legislature finds and declares that this act furthers the purposes and intent of the California Privacy Rights Act of 2020.*

SEC. 11. *The Legislature finds and declares that Section 8 of this act, which adds Section 1798.199.104 to the Civil Code, imposes a limitation on the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:*
In order to balance the public's right to access records with the need to protect whistleblowers from retaliation, it is necessary that a whistleblower's identity be kept confidential.

SEC. 12. *No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.*

AB 2063 Amends The Law: Introduced 2/18/2026

SECTION 1. Section 10248 of the Government Code is amended to read:

10248. Public computer network; required legislative information.
(a) The Legislative Counsel shall, with the advice of the Assembly Committee on Rules and the Senate Committee on Rules, make all of the following information available to the public in electronic form:
(1) The legislative calendar, the schedule of legislative committee hearings, a list of matters pending on the floors of both houses of the Legislature, and a list of the committees of the Legislature and their members.
(2) The text of each bill introduced in each current legislative session, including each amended, enrolled, and chaptered form of each bill.
(3) The bill history of each bill introduced and amended in each current legislative session.
(4) The bill status of each bill introduced and amended in each current legislative session.
(5) All bill analyses prepared by legislative committees in connection with each bill in each current legislative session.
(6) (A) Commencing with bills introduced during the 2027–28 Regular Session, all letters submitted through the Legislature's internet portal in connection with each bill.
(B) It is the intent of the Legislature to ensure that letters made available to the public pursuant to subparagraph (A) do not disclose confidential information or otherwise infringe on individual privacy.
~~(6)~~ *(7)* All audiovisual recordings of legislative proceedings that have been caused to be made by the Legislature in accordance with paragraph (2) of subdivision (c) of Section 7 of Article IV of the California Constitution. Each recording shall remain accessible to the public through the Internet and downloadable for a minimum period of 20 years following the date on which the recording was made and shall then be archived in a secure format.
~~(7)~~ *(8)* All vote information concerning each bill in each current legislative session.
~~(8)~~ *(9)* Any veto message concerning a bill in each current legislative session.
~~(9)~~ *(10)* The California Codes.
~~(10)~~ *(11)* The California Constitution.
~~(11)~~ *(12)* All statutes enacted on or after January 1, 1993.
~~(12)~~ *(13)* A link to the list of state and local agency reports required by paragraph (2) of subdivision (a) of Section 9795.
(b) *(1)* The information identified in subdivision (a) shall be made available to the public by means of access by way of the largest nonproprietary, nonprofit cooperative public computer network. The information shall be made available in one or more formats and by one or more means in order to provide the greatest feasible access to the general public in this state. Any person who accesses the information may access all or any part of the information. The information may also be made available by any other means of access that would facilitate public access to the information. ~~The information that is maintained in the legislative information system that is operated and maintained by the Legislative Counsel shall be made available in the shortest feasible time after the information is available in the information system. The information that is not maintained in the information system shall be made available in the shortest feasible time after it is available to the Legislative Counsel.~~
(2) The information that is maintained in the legislative information system that is operated and maintained by the Legislative Counsel shall be made available in the shortest feasible time after the information is available in the information system. The information that is not maintained in the information system shall be made available in the shortest feasible time after it is available to the Legislative Counsel.

(c) Any documentation that describes the electronic digital formats of the information identified in subdivision (a) and is available to the public shall be made available by means of access by way of the computer network specified in subdivision (b).
(d) Personal information concerning a person who accesses the information may be maintained only for the purpose of providing service to the person.
(e) The Legislative Counsel shall not impose a fee or other charge as a condition of accessing the information that is accessible by way of the computer network specified in subdivision (b).
(f) The electronic public access provided by way of the computer network specified in subdivision (b) shall be in addition to other electronic or print distribution of the information.
(g) An action taken pursuant to this section does not alter or relinquish any copyright or other proprietary interest or entitlement of the State of California relating to any of the information made available pursuant to this section.

AB 2064 Amends The Law: Introduced 2/18/2026

SECTION 1. Section 51 of the Civil Code is amended to read:

51. (a) This section shall be known, and may be cited, as the Unruh Civil Rights Act.
(b) All persons within the jurisdiction of this state are free and equal, and no matter what their sex, race, color, religion, ancestry, national origin, disability, *formerly incarcerated status,* medical condition, genetic information, marital status, sexual orientation, citizenship, primary language, or immigration status are entitled to the full and equal accommodations, advantages, facilities, privileges, or services in all business establishments of every kind whatsoever.
(c) This section shall not be construed to confer any right or privilege on a person that is conditioned or limited by law or that is applicable alike to persons of every sex, color, race, religion, ancestry, national origin, disability, medical condition, marital status, sexual orientation, citizenship, primary language, or immigration status, or to persons regardless of their genetic information.
(d) Nothing in this section shall be construed to require any construction, alteration, repair, structural or otherwise, or modification of any sort whatsoever, beyond that construction, alteration, repair, or modification that is otherwise required by other provisions of law, to any new or existing establishment, facility, building, improvement, or any other structure, nor shall anything in this section be construed to augment, restrict, or alter in any way the authority of the State Architect to require construction, alteration, repair, or modifications that the State Architect otherwise possesses pursuant to other laws.
(e) For purposes of this section:
(1) "Disability" means any mental or physical disability as defined in Sections 12926 and 12926.1 of the Government Code.
(2) "Formerly incarcerated status" means the condition of an individual who has completed a sentence in any correctional or juvenile facility and is now released. It does not include the condition of being currently incarcerated.
~~(2)~~ *(3)* (A) "Genetic information" means, with respect to any individual, information about any of the following:
(i) The individual's genetic tests.
(ii) The genetic tests of family members of the individual.
(iii) The manifestation of a disease or disorder in family members of the individual.
(B) "Genetic information" includes any request for, or receipt of, genetic services, or participation in clinical research that includes genetic services, by an individual or any family member of the individual.
(C) "Genetic information" does not include information about the sex or age of any individual.
~~(3)~~ *(4)* "Medical condition" has the same meaning as defined in subdivision (i) of Section 12926 of the Government Code.
~~(4)~~ *(5)* "Race" is inclusive of traits associated with race, including, but not limited to, hair texture and protective hairstyles. "Protective hairstyles" includes, but is not limited to, such hairstyles as braids, locs, and twists.
~~(5)~~ *(6)* "Religion" includes all aspects of religious belief, observance, and practice.
~~(6)~~ *(7)* "Sex" includes, but is not limited to, pregnancy, childbirth, or medical conditions related to pregnancy or childbirth. "Sex" also includes, but is not limited to, a person's gender. "Gender" means sex, and includes a person's gender identity and gender expression. "Gender expression" means a person's gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth.
~~(7)~~ *(8)* "Sex, race, color, religion, ancestry, national origin, disability, *formerly incarcerated status,* medical condition, genetic information, marital status, sexual orientation, citizenship, primary language, or immigration status" includes any of the following:
(A) Any combination of those characteristics.

(B) A perception that the person has any particular characteristic or characteristics within the listed categories or any combination of those characteristics.
(C) A perception that the person is associated with a person who has, or is perceived to have, any particular characteristic or characteristics, or any combination of characteristics, within the listed categories.
~~(8)~~ *(9)* "Sexual orientation" has the same meaning as defined in subdivision (s) of Section 12926 of the Government Code.
(f) A violation of the right of any individual under the federal Americans with Disabilities Act of 1990 (Public Law 101-336) shall also constitute a violation of this section.
(g) Verification of immigration status and any discrimination based upon verified immigration status, where required by federal law, shall not constitute a violation of this section.
(h) Nothing in this section shall be construed to require the provision of services or documents in a language other than English, beyond that which is otherwise required by other provisions of federal, state, or local law, including Section 1632.

AB 2095 Amends The Law: Introduced 2/18/2026

SECTION 1. Section 12952 of the Government Code is amended to read:

12952. (a) Except as provided in subdivision (d), it is an unlawful employment practice for an employer with five or more employees to do any of the following:
(1) To include on any application for employment, before the employer makes a conditional offer of employment to the applicant, any question that *directly or indirectly* seeks the disclosure of an applicant's conviction ~~history.~~ *history or seeks consent for a conviction history background check.*
(2) To inquire ~~into or consider the conviction history of the applicant, including any inquiry about conviction history on any employment application,~~ *into, consider, or take an adverse action solely or in part because of the conviction history of the applicant* until after the employer has made a conditional offer of employment to the applicant.
(3) To request consent for or begin a conviction history background check before providing the applicant with a list of all specific job duties of the position with which a conviction may have a direct and adverse relationship and potentially result in an adverse action.
(4) To require a job applicant to cover the cost of a conviction history background check.
~~(3)~~ *(5)* To *seek disclosure of, take any adverse action solely or in part because of,* consider, distribute, or disseminate information about any of the following while conducting a conviction history background check in connection with any application for employment:
(A) Arrest not followed by conviction, except in the circumstances as permitted in paragraph (1) of subdivision (a) and subdivision (f) of Section 432.7 of the Labor Code.
(B) Referral to or participation in a pretrial or posttrial diversion program.
(C) Convictions that have been sealed, dismissed, ~~expunged, or~~ *or expunged, have received automated conviction record relief, or have been* statutorily eradicated pursuant to law, or any conviction for which the convicted person has received a full pardon or has been issued a certificate of rehabilitation.
(6) To require, at any time before or after the conditional job offer, that an applicant self-disclose conviction history or provide the employer with any documentary evidence related to conviction history or rehabilitation.
~~(4)~~ *(7)* To interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right provided under this section.
(b) This section shall not be construed to prevent an employer from conducting a conviction history background check not in conflict with the provisions of subdivision (a).
(c) (1) (A) An employer ~~that intends to~~ *shall not* deny an applicant a position of employment *or take other adverse action* solely or in part because of the applicant's conviction history ~~shall make an individualized assessment of whether~~ *unless the employer first, reasonably and in good faith, complies, via an individualized assessment, that* the applicant's conviction history has a direct and adverse relationship with the specific duties of the job that ~~justify~~ *justifies* denying the applicant the ~~position. In making the assessment~~ *position and complies with the process* described in this ~~paragraph, the employer shall consider all of the following:~~ *subdivision.*
(B) In making the individualized assessment, the employer shall consider all of the following:
(i) The nature and gravity of the offense or conduct.
(ii) The time that has passed since the offense or conduct and completion of the sentence.
(iii) The nature *and specific duties* of the job held or sought.
(C) There shall be a rebuttable presumption that the relationship between the applicant's conviction and the position is not sufficiently direct and adverse to justify denying the applicant the position if either of the following apply:

(i) The applicant has completed a sentence for the conviction of the crime. For purposes of this clause, completion of a sentence shall not require completion of parole, probation, supervised release, and any other form of supervision.
(ii) The applicant possesses a license, certificate, authorization, or any other similar credential from a licensing, regulatory, or other government agency or board that is required for the position.
~~(B)~~ *(D)* ~~An employer may, but is not required to,~~ *The employer shall* commit the results of this individualized assessment to writing.
(2) If the employer makes a preliminary decision that the applicant's conviction history disqualifies the applicant from employment, the employer shall notify the applicant of this preliminary decision in writing. ~~That notification may, but is not required to, justify or explain the employer's reasoning for making the preliminary decision.~~ The notification shall contain all of the following:
(A) Notice of the disqualifying conviction or convictions that are the basis for the preliminary decision to rescind the offer.
(B) A copy of the conviction history report, if any.
(C) An explanation of the applicant's right to respond to the notice of the employer's preliminary decision before that decision becomes final and the deadline by which to respond. The explanation shall inform the applicant that the response may include submission of evidence challenging the accuracy of the conviction history report that is the basis for rescinding the offer, evidence of rehabilitation or mitigating circumstances, or both.
(D) An explanation of the employer's reasoning for making the preliminary decision, including a copy of the results of the individualized assessment described in paragraph (1).
(3) The applicant shall have at least five business days to respond to the notice provided to the applicant under paragraph (2) before the employer may make a final decision. If, within the five business days, the applicant notifies the employer in writing that the applicant disputes the accuracy of the conviction history report that was the basis for the preliminary decision to rescind the offer and that the applicant is taking specific steps to obtain evidence supporting that assertion, then the applicant shall have ~~five~~ *10* additional business days to respond to the notice.
(4) The employer shall consider *all* information submitted by the applicant pursuant to paragraph (3) *and conduct a new individualized assessment pursuant to paragraph (1)* before making a final decision.
(5) If an employer makes a final decision to deny an application solely or in part because of the applicant's conviction history, the employer shall notify the applicant in writing of all the following:
(A) The final denial or disqualification.
~~(A)~~ *(B)* ~~The final denial or disqualification. The employer may, but is not required to, justify or explain the employer's reasoning for making the final denial or disqualification.~~ *An explanation of the employer's reasoning for the denial or disqualification, including a copy of the results of the updated individualized assessment described in paragraph (4).*
~~(B)~~ *(C)* Any existing procedure the employer has for the applicant to challenge the decision or request reconsideration.
~~(C)~~ *(D)* The right to file a complaint with the department.
(6) It shall not be considered an adverse action for an employer to temporarily suspend an employee, with pay and for a reasonable amount of time, while the employer complies with the requirements of this subdivision.
(d) *(1)* This section does not apply in any of the following circumstances:
~~(1)~~ *(A)* To a position ~~for which~~ *with* a state or local agency *for which the agency* is otherwise required by law to conduct a conviction history background check.
~~(2)~~ *(B)* To a position with a criminal justice agency, as defined in Section 13101 of the Penal Code.
~~(3)~~ *(2)* ~~To a position as a Farm Labor Contractor, as described in Section 1685 of the Labor Code.~~ *With regard to a position for which an employer or agent thereof is required by state or federal law to*

conduct a conviction history background check for employment purposes or to restrict employment based on conviction history, this section shall apply, as follows:
(A) The employer may inquire about conviction history and seek consent for and conduct a conviction background check before a conditional job offer only if the employer simultaneously provides the applicant with a written notice stating that the position is covered by an exception to this section and listing the relevant laws and regulations forming the basis for the exception.
(B) When taking an adverse action specifically required by state or federal law, the employer need not conduct the individualized assessment required by subdivision (c) and shall instead notify the applicant, in writing, of the relevant law or regulation requiring the adverse action and allow the applicant to challenge the accuracy of the conviction history report as described in subdivision (c).
~~(4)~~ *(C)* ~~To a position where an employer or agent thereof is required by any state, federal, or local law to conduct criminal background checks for employment purposes or to restrict employment based on criminal history.~~ For purposes of this paragraph, federal law shall include rules or regulations promulgated by a self-regulatory organization as defined in Section 3(a)(26) of the Securities Exchange Act of 1934, as amended by 124 Stat. 1652 (Public Law 111-203), pursuant to the authority in Section 19(b) of the Securities Exchange Act of 1934, as amended by 124 Stat. 1652 (Public Law 111-203).
(D) Nothing in this section shall be interpreted or applied so as to create any requirement, power, or duty in conflict with federal law.
(e) The remedies under this section shall be in addition to and not in derogation of all other rights and remedies that an applicant may have under any other law, including any ~~local ordinance.~~ *existing or future local ordinance that governs employer consideration of the arrest or conviction record of any job applicant or current employee.*
(f) For purposes of this section:
(1) "Applicant" means an individual seeking initial work, continued work, transfer, or promotion.
(2) "Conditional job offer" means a written offer to work as an employee and includes offers for initial employment, transfer, or promotion.
~~(1)~~ *(3) (A)* "Conviction" has the same meaning as defined in paragraphs (1) and (3) of subdivision (a) of Section 432.7 of the Labor Code.
~~(2)~~ *(B)* Notwithstanding ~~paragraph (1),~~ *subparagraph (A),* the term "conviction history" includes:
~~(A)~~ *(i)* An arrest not resulting in conviction only in the specific, limited circumstances described in subdivision (f) of Section 432.7 of the Labor Code, when an employer at a health facility, as defined in Section 1250 of the Health and Safety Code, may ask an applicant for certain positions about specified types of arrests.
~~(B)~~ *(ii)* An arrest for which an individual is out on bail or ~~his or her~~ *their* own recognizance pending trial.
(g) The provisions of this section are severable. If any provision of this section or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

AB 2190 Amends The Law: Introduced 2/19/2026

SECTION 1. *Part 2.54 (commencing with Section 55.58.1) is added to Division 1 of the Civil Code, to read:*

PART 2.54. Attorney's Fees and Statutory Damages In Internet Website Accessibility Claims

55.58.1. *As used in this part:*
(a) "Accessibility" means the degree to which an internet website is accessible.
(b) "Accessibility page" means a publicly available page on an internet website that meets all of the following criteria:
(1) The page is labeled "accessibility" and is displayed and linked from and to the primary domain directory and home page of an entity's internet website.
(2) The page is referred to using the term "accessibility" for any linked text or text descriptions leading to that page.
(3) The page conforms to an internet website accessibility standard.
(4) The page contains the following text, with the last sentence containing a hyperlink to a digital accessibility report, if any disability accessibility report has been published:
"On this page, you can download our digital accessibility report. The digital accessibility report has information about specific accessibility barriers that we know about on our website or app, along with the date by which we expect each barrier to be fixed. We will update the digital accessibility report any time that a barrier listed in the report is fixed.
We may not be liable for certain kinds of damages under California law if a specific accessibility barrier is listed on our digital accessibility report, and we fix that specific accessibility barrier within ____ days of that listing, unless you filed a lawsuit about that specific accessibility barrier or told us that you intended to make a claim for damages about that specific accessibility barrier before we listed it in our digital accessibility report. If we do not fix a specific accessibility barrier within ____ days of the barrier being listed in our digital accessibility report, we will not have protection from damages. For more information about the scope of our protection from damages, you can look at Section 55.58.52 of the California Civil Code. You can download our digital accessibility report here."
(c) "Accessible" means that an internet website provides equally effective communication to individuals with disabilities and facilitates full and equal access to, and enjoyment of, an entity's goods and services such that an individual with a disability can do all of the following with substantially equivalent timeliness, privacy, independence, and ease of use as an individual without a disability:
(1) Access information.
(2) Engage in interactions.
(3) Conduct the transactions.
(4) Otherwise participate in or benefit from services, programs, and activities.
(d) "Conformant" means that an internet website does either of the following:
(1) Meets the criteria specified by the applicable internet accessibility standard.
(2) Does not meet the criteria specified by the applicable internet accessibility standard but doing so is not necessary, or not possible, due to the nature of the data sought to be presented on the internet website or failing to do so has such a minimal impact on a user of the internet website that the failure does not affect the accessibility of the internet website.
(e) "Digital accessibility report" means a date-stamped and downloadable report that contains all of the following information about a specific accessibility barrier identified in the report in an accessible and conformant, nonproprietary tabular format that can be fully viewed offline without dependence upon an external database:

(1) The identifiable location on the internet website where a user of the internet website would encounter the specific accessibility barrier and the function or component of the internet website at that location.
(2) A short description of the specific accessibility barrier and how it affects the ability of a user, particularly a user who is a person with a disability, to access or use the internet website and, if applicable, the provisions and success criteria of the internet website accessibility standard to which the location, function, or component of the internet website fails to conform.
(3) The names of either the entity or resource service provider that the entity believes to be responsible for the specific accessibility barrier or a list of any resource provider who contributed to or developed the inaccessible content identified in the report.
(4) The date when the specific accessibility barrier was first displayed on the entity's accessibility page in a disability access report.
(5) The date when the specific accessibility barrier is expected to be remediated that is within ____ days of the violation first being published in a disability access report on the entity's accessibility page.
(6) Upon remediation of the specific accessibility barrier, the date when the specific accessibility barrier was remediated.
(7) A cumulative history of the specific accessibility barriers included in past digital accessibility reports within at least the three years before the date of the report.
(f) "Entity" means a business establishment of any kind whatsoever, firm or corporation, person, or persons, that are subject to the provisions of Section 51, 54, or 54.1.
(g) "Inaccessible" means the inverse of accessible.
(h) "Internet website" includes, but is not limited to, any internet web-based technology, including a mobile internet website, an application that can be accessed by a personal mobile device or other personal consumer electronic device, any of which makes information about an entity's goods, services, or presentations available to the public, regardless of whether payment, membership, or other eligibility criteria are required.
(i) "Internet website accessibility standard" means any of the following:
(1) Subject to paragraph (3), before January 1, 2027, the Web Content Accessibility Guidelines (WCAG) 2.1 Level AA standard for the accessibility of internet websites established by the World Wide Web Consortium (W3C) Accessibility Guidelines Working Group on June 5, 2018, or the accessibility standards for Section 508 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794d) in Part 1194 of Title 36 of the Code of Federal Regulations.
(2) Subject to paragraph (3), on or after January 1, 2027, the Web Content Accessibility Guidelines (WCAG) 2.2 Level AA standard for the accessibility of internet websites established by the World Wide Web Consortium (W3C) Accessibility Guidelines Working Group on June 12, 2023, or the accessibility standards for Section 508 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794d) in Part 1194 of Title 36 of the Code of Federal Regulations.
(3) If there is an accessibility standard in federal law regarding the accessibility of a particular type of data that results in greater accessibility, that federal standard shall apply instead of a standard described by paragraph (1) or (2).
(j) (1) "Resource service provider" means an entity that, in exchange for money or any other form of remuneration, constructs, licenses, distributes, or maintains for online use an internet website or resource to be used within, or in conjunction with, an internet website.
(2) "Resource service provider" does not mean either of the following:
(A) A person or entity that does not design, construct, or control the internet website, or resource to be used within or in conjunction with an internet website, in a manner that affects the ability of the internet website or resource to provide equally effective communication and facilitates full and equal enjoyment of an entity's goods and services to all members of the public, including any member of the public who is a person with a disability.

(B) An individual, including a manual accessibility tester, who does not have a contract directly with the entity who owns the internet website.
(k) "Small business entity" means an entity that meets all of the following criteria at the time the relevant action is filed with the court:
(1) The entity employs less than 25 full-time employees.
(2) The entity earns less than five million dollars ($5,000,000) in annual revenue.
(3) Ownership shares of the entity are not publicly traded on a stock exchange.
(l) "Specific accessibility barrier" means the specific aspect of an internet website's content design, functionality, interactive control, or behavior that causes the internet website to not be conformant or accessible to users with disabilities.
55.58.2. *An entity shall have an affirmative defense to a claim seeking statutory damages under subdivision (a) of Section 52 or 54.3 on the basis of a specific accessibility barrier on an entity's internet website if either of the following apply, and the entity provided evidence to the plaintiff demonstrating that fact within ____ days of receiving a written pre-lawsuit demand from the plaintiff:*
(a) Before receiving a written pre-lawsuit demand from the plaintiff through the time the affirmative defense under this subdivision is asserted, both of the following apply:
(1) The entity published a digital accessibility report on the accessibility page of its internet website disclosing the specific access barrier.
(2) The entity published an updated digital accessibility report disclosing that the specific access barrier was remediated within ____ days of the initial digital accessibility report.
(b) Before receiving a written pre-lawsuit demand from the plaintiff through the time the affirmative defense under this subdivision is asserted, all of the following apply:
(1) The entity had a reasonable and good faith basis to believe that the internet website was accessible and conformed with the internet website accessibility standard.
(2) The entity documented the regular use of automated and manual testing mechanisms to monitor the internet website on the same frequency that it is updated to ensure that the internet website is accessible and conforms to the internet website accessibility standard.
(3) The entity remediated any specific accessibility barrier identified by testing within ____ days of identification.
(4) (A) The entity posts on its accessibility page its policy and general practices for ensuring that the entity's internet website is accessible, including the frequency of reviewing or monitoring and testing content on the internet website.
(B) The post described in subparagraph (A) shall specify the extent to which the entity relies on manual testing by users with disabilities and the extent to which the entity uses automated testing mechanisms.
(5) The entity ensures that if a user of the internet website is required to utilize either a link to third-party content, or a resource developed or controlled by a third party, to access, view, utilize, conduct transactions, or interact with the entity or the entity's goods, services, or presentations via the internet, the required third-party content or resource is accessible.
(6) The entity maintains an accessibility page.
(7) The entity's accessibility page provides an accessible process for a user of the internet website, including a user with a disability, to contact the entity to do both of the following:
(A) Obtain immediate assistance with inaccessible content on the internet website or to otherwise access, view, utilize, or conduct transactions with respect to the entity or the entity's goods, services, or presentations.
(B) Report in writing specific accessibility barriers that users encounter on the internet website.
(8) The entity reviews each report made pursuant to the process described in paragraph (7) within five business days to determine whether the report identifies a specific accessibility barrier and responds to the person making the report within 48 hours of receiving the report by acknowledging its receipt and providing a copy of the report.

(9) No later than ____ days after the date of a report pursuant to the process described in paragraph (7), the entity remediates each reported specific accessibility barrier and notifies the reporting party of its determination and remediation, as applicable.
(10) The entity retains all records related to any report pursuant to the process described in paragraph (7) for at least three years after the date on which the report is submitted to the entity.
55.58.3. *(a) A resource service provider shall not, in exchange for money or any other form of remuneration, negligently, recklessly, or knowingly do either of the following:*
(1) Construct, license, distribute, or maintain for online use a resource or part of an internet website that causes an entity's internet website to be inaccessible or not conformant with the internet accessibility standard if the resource or part of the internet website is within the control of the resource service provider to remediate.
(2) Make a false representation that a resource or part of an internet website is accessible or conforms to the internet accessibility standard.
(b) All of the following may bring a civil action for a violation of this section:
(1) (A) A small business entity that pays, compensates, or contracts with the resource service provider to construct, license, distribute, or maintain an internet website and is injured as a result of the violation.
(B) A plaintiff who prevails under this paragraph shall be entitled to collect any damages, including, but not limited to, any statutory damages and attorney's fees and costs paid by the small business entity as a result of a lawsuit against the small business entity pursuant to Section 51, 54, or 54.1 based upon the inaccessibility of the person or small business entity's internet website.
(2) The Attorney General, the Civil Rights Department, or a district attorney, county counsel, or city attorney to obtain the following:
(A) Injunctive or declaratory relief.
(B) Attorney's fees and costs.
(3) (A) A person who is harmed as a result of a violation of this section if the resource service provider caused the same specific accessibility barrier on multiple internet websites or caused specific accessibility barriers on multiple internet websites that are so similar that they have the same effect on a user of the internet websites. If the person is a prevailing plaintiff, the person may obtain all of the following:
(i) Injunctive or declaratory relief.
(ii) Attorney's fees and costs.
(B) For purposes of this paragraph:
(i) "Person" means either of the following
(I) An individual with a disability that is harmed as a result of a violation of this section.
(II) A nonprofit organization that is comprised of, or that represents, individuals with disabilities, at least one of which was harmed as a result of a violation of this section, or was injured by a violation of this section due to diversion of the organization's resources or frustration of purpose.
(ii) "Prevailing plaintiff" means a person who obtains a judgment in a civil action pursuant to this section or brings an action under this section that is a catalyst for, or otherwise results in, the remediation of one or more specific accessibility barriers or other violations of this section while the action is pending resolution.
(c) A provision within a contract that seeks to waive liability under this section, or otherwise shift the liability to a person or small business entity that pays, compensates, or contracts with the resource service provider is void as a matter of public policy.
(d) This section does not limit or alter the application of other laws, including, but not limited to, Sections 51, 54, 54.1, and 55, or the ability of a plaintiff to bring a civil action under any other theory of the law, including, but not limited to, breach of contract, implied warranty of merchantability, or false or deceptive advertising.

55.58.4. *An entity shall be deemed to have intentionally discriminated under subdivision (a) of Section 52 or 54.3 if both of the following are true:*
(1) A user with a disability sent written notice to the entity describing a specific accessibility barrier on the entity's internet website that explains how the barrier made the internet website inaccessible to that user.
(2) The entity failed to remediate that specific accessibility barrier within ____ days of receiving notice from the user with the disability.
55.58.5. *(a) Any federal law granting written notice and a corresponding opportunity to cure under the federal Americans with Disabilities Act of 1990 (Public Law 101-336) shall not be required for any civil action under subdivision (a) of Section 52 or 54.3 based on federal access standards.*
(b) This part applies to any civil action filed on or after January 1, 2026.
(c) This part does not do any of the following:
(1) Limit the rights and remedies available to persons with a disability under federal law or any other state law.
(2) Demonstrate an intent by the Legislature, in enacting this section, to deprive or limit the exercise of jurisdiction by federal courts over state law claims brought in conjunction with any federal claim under the Americans with Disabilities Act (42 U.S.C. Sec. 12101 et seq.) or other federal law.
(3) Impose liability on a distributor of video programming with respect to the closed captioning or audio description of the video programming if all of the following apply:
(A) The video programming is subject to the 21st Century Communications and Video Accessibility Act of 2010 (Public Law 111-260) and the implementing Federal Communications Commission regulations.
(B) The video programming, including the closed captioning and audio description of the video programming, complies with the accessibility requirements of the 21st Century Communications and Video Accessibility Act of 2010 (Public Law 111-260) and the implementing Federal Communications Commission regulations.
(C) Individuals have the right to obtain a decision from the Enforcement Bureau of the Federal Communications Commission regarding the accessibility of the video programming, including the closed captioning and audio description of the video programming.

AB 2195 Amends The Law: Introduced 2/19/2026

SECTION 1. Section 17520.5 of the Family Code is amended to read:

17520.5. (a) ~~(1)~~ Notwithstanding any other law, the department shall not include in the list sent to ~~the Department of Motor Vehicles~~ *all boards, as defined and* pursuant to Section 17520, for the purpose of denying, withholding, or suspending a ~~driver's~~ license, the information of a support obligor found to be out of compliance with a judgment or order for support in a case being enforced under Title IV-D of the federal Social Security Act, if the annual household income of the support obligor is at or below 70 percent of the median income for the county in which the department or the local child support agency believes the support obligor resides, based on the most recent available data published by the Department of Housing and Community Development pursuant to Section 6932 of Title 25 of the California Code of Regulations or successor regulation thereto.
~~(2) Commencing January 1, 2027, this subdivision shall apply only with respect to noncommercial driver's licenses.~~
(b) This section shall be implemented to the extent allowed under federal law.
~~(c) This section shall become operative on January 1, 2025.~~

AB 2360 Amends The Law: Introduced 2/19/2026

SECTION 1. Section 6219 of the Government Code is amended to read:

6219. (a) Each ~~department, commission, office, or other administrative agency of state government~~ *state agency* shall write each document that it ~~produces in~~ *produces, either digitally or in print, in* plain, straightforward language, avoiding technical terms as much as possible, and using a coherent and easily readable style.
(b) Each state agency shall create, adopt, and post on its internet website a plain language policy that identifies how the state agency will incorporate or strengthen plain language writing and design principles and practices.
(c) Within existing personnel and resources, the head of each state agency shall do all of the following:
(1) Designate one or more senior officials within the state agency to oversee state agency implementation of this section.
(2) Communicate the requirements of this section to the employees of the state agency.
(3) Establish a process for overseeing the ongoing compliance of the state agency with the requirements of this section.
(4) Within existing personnel resources, designate one or more state agency points of contact to receive and respond to public input, questions, comments, or suggestions on state agency implementation of this section, or on any state agency document that is not easily readable or in plain language.
(d) As used in this section, the following definitions apply:
(1) "Plain language" means language that is clear and easily understood by the intended audience, avoids unnecessary legal or technical jargon, and uses words, sentences, and structures that facilitate comprehension and accessibility for common literacy levels, including individuals with disabilities or limited English proficiency.
(2) "State agency" means each department, commission, office, or other administrative agency of state government.
~~(b)~~ *(3)* ~~As used in this section, a "state~~ *"State* agency document" means any contract, form, license, announcement, regulation, manual, memorandum, or any other written communication that is necessary to carry out the *state* agency's responsibilities under the law.

AB 2366 Amends The Law: Introduced 2/19/2026

SECTION 1.
Section 11346.3 of the Government Code is amended to read:

11346.3. (a) A state agency proposing to adopt, amend, or repeal any administrative regulation shall assess the potential for adverse economic impact on California business enterprises and individuals, avoiding the imposition of unnecessary or unreasonable regulations or reporting, recordkeeping, or compliance requirements. For purposes of this subdivision, assessing the potential for adverse economic impact shall require agencies, when proposing to adopt, amend, or repeal a regulation, to adhere to the following requirements, to the extent that these requirements do not conflict with other state or federal laws:
(1) The proposed adoption, amendment, or repeal of a regulation shall be based on adequate information concerning the need for, and consequences of, proposed governmental action.
(2) The state agency, before submitting a proposal to adopt, amend, or repeal a regulation to the office, shall consider the proposal's impact on business, with consideration of industries affected including the ability of California businesses to compete with businesses in other states. For purposes of evaluating the impact on the ability of California businesses to compete with businesses in other states, an agency shall consider, but not be limited to, information supplied by interested parties.
(3) The state agency, before submitting a proposal to adopt, amend, or repeal a regulation to the office, shall consider the proposal's cost-of-living impacts on residents of the state.
~~(3)~~ *(4)* An economic impact assessment prepared pursuant to this subdivision for a proposed regulation that is not a major regulation or that is a major regulation proposed before November 1, 2013, shall be prepared in accordance with subdivision (b), and shall be included in the initial statement of reasons as required by Section 11346.2. An economic assessment prepared pursuant to this subdivision for a major regulation proposed on or after November 1, 2013, shall be prepared in accordance with subdivision (c), and shall be included in the initial statement of reasons as required by Section 11346.2.
(b) (1) A state agency proposing to adopt, amend, or repeal a regulation that is not a major regulation or that is a major regulation proposed before November 1, 2013, shall prepare an economic impact assessment that assesses whether and to what extent it will affect the following:
(A) The creation or elimination of jobs within the state.
(B) The cost-of-living impacts on residents of the state.
~~(B)~~ *(C)* The creation of new businesses or the elimination of existing businesses within the state.
~~(C)~~ *(D)* The expansion of businesses currently doing business within the state.
~~(D)~~ *(E)* The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.
(2) This subdivision does not apply to the University of California, the college named in Section 92200 of the Education Code, or the Fair Political Practices Commission.
(3) Information required from a state agency for the purpose of completing the assessment may come from existing state publications.
(4) (A) For purposes of conducting the economic impact assessment pursuant to this subdivision, a state agency may use the consolidated definition of small business in subparagraph (B) in order to determine the number of small businesses within the economy, a specific industry sector, or geographic region. The state agency shall clearly identify the use of the consolidated small business definition in its rulemaking package.
(B) For the exclusive purpose of undertaking the economic impact assessment, a "small business" means a business that is all of the following:
(i) Independently owned and operated.
(ii) Not dominant in its field of operation.
(iii) Has fewer than 100 employees.

(C) Subparagraph (A) shall not apply to a regulation adopted by the Department of Insurance that applies to an insurance company.
(c) (1) Each state agency proposing to adopt, amend, or repeal a major regulation on or after November 1, 2013, shall prepare a standardized regulatory impact analysis in the manner prescribed by the Department of Finance pursuant to Section 11346.36. The standardized regulatory impact analysis shall address all of the following:
(A) The creation or elimination of jobs within the state.
(B) The cost-of-living impacts on residents of the state.
~~(B)~~ *(C)* The creation of new businesses or the elimination of existing businesses within the state.
~~(C)~~ *(D)* The competitive advantages or disadvantages for businesses currently doing business within the state.
~~(D)~~ *(E)* The increase or decrease of investment in the state.
~~(E)~~ *(F)* The incentives for innovation in products, materials, or processes.
~~(F)~~ *(G)* The benefits of the regulations, including, but not limited to, benefits to the health, safety, and welfare of California residents, worker safety, and the state's environment and quality of life, among any other benefits identified by the agency.
(2) This subdivision shall not apply to the University of California, the college named in Section 92200 of the Education Code, or the Fair Political Practices Commission.
(3) Information required from state agencies for the purpose of completing the analysis may be derived from existing state, federal, or academic publications.
(d) Any administrative regulation adopted on or after January 1, 1993, that requires a report shall not apply to businesses, unless the state agency adopting the regulation makes a finding that it is necessary for the health, safety, or welfare of the people of the state that the regulation apply to businesses.
(e) Analyses conducted pursuant to this section are intended to provide agencies and the public with tools to determine whether the regulatory proposal is an efficient and effective means of implementing the policy decisions enacted in statute or by other provisions of law in the least burdensome manner. Regulatory impact analyses shall inform the agencies and the public of the economic consequences of regulatory choices, not reassess statutory policy. The baseline for the regulatory analysis shall be the most cost-effective set of regulatory measures that are equally effective in achieving the purpose of the regulation in a manner that ensures full compliance with the authorizing statute or other law being implemented or made specific by the proposed regulation.
(f) When a state agency determines that it needs to contract for outside services in order to perform the analyses in this section, the agency shall notify the office and the office shall select the contractor and oversee its work.
(g) The Legislative Analyst's Office shall adopt a standardized cost-of-living methodology for use by all agencies. The methodology shall also include a process for determining whether those cost-of-living impacts are significant.
~~(f)~~ *(h)* Each state agency proposing to adopt, amend, or repeal a major regulation on or after November 1, 2013, and that has prepared a standardized regulatory impact analysis pursuant to subdivision (c), shall submit that analysis to the Department of Finance upon completion. The department shall comment, within 30 days of receiving that analysis, on the extent to which the analysis adheres to the regulations adopted pursuant to Section 11346.36. Upon receiving the comments from the department, the agency may update its analysis to reflect any comments received from the department and shall summarize the comments and the response of the agency along with a statement of the results of the updated analysis for the statement required by paragraph (10) of subdivision (a) of Section 11346.5.
(i) Each state agency proposing to adopt, amend, or repeal a major regulation and that has prepared a standardized regulatory impact analysis pursuant to subdivision (c) shall submit that analysis to the Legislative Analyst's Office upon completion. The Legislative Analyst's Office shall conduct an independent analysis of the adequacy of an agency's economic analyses prepared pursuant to this section.

The office shall also conduct its own analysis of the cost-of-living impacts on residents of the state of a proposed regulation. If the office finds that the cost-of-living impacts of a proposed regulation are significant, the office shall identify means by which the cost of the proposed regulation could be reduced. The Legislative Analyst's Office shall provide its analysis and comments on these items to the state agency within 60 days. Upon receiving the comments from the Legislative Analyst's Office, the agency may update its analysis to reflect any revisions or comments received and shall summarize the comments and response of the agency along with a statement of the results of the updated analysis for the statement required by paragraph (10) of subdivision (a) of Section 11346.5.

SEC. 2. *Section 11346.37 is added to the Government Code, immediately following Section 11346.36, to read:*

11346.37. *(a) The Department of Finance shall develop and maintain a regulatory economic burden tracker that will gather and analyze the cumulative economic burden of regulations by sector of the economy. The tracker shall integrate the regulatory costs across agencies that impact each sector.*
(b) The department shall post the tracker on its internet website, and shall update the tracker on an annual basis.

SEC. 3. Section 11346.5 of the Government Code is amended to read:

11346.5. (a) The notice of proposed adoption, amendment, or repeal of a regulation shall include the following:
(1) A statement of the time, place, and nature of proceedings for adoption, amendment, or repeal of the regulation.
(2) Reference to the authority under which the regulation is proposed and a reference to the particular code sections or other provisions of law that are being implemented, interpreted, or made specific.
(3) An informative digest drafted in plain English in a format similar to the Legislative Counsel's digest on legislative bills. The informative digest shall include the following:
(A) A concise and clear summary of existing laws and regulations, if any, related directly to the proposed action and of the effect of the proposed action.
(B) If the proposed action differs substantially from an existing comparable federal regulation or statute, a brief description of the significant differences and the full citation of the federal regulations or statutes.
(C) A policy statement overview explaining the broad objectives of the regulation and the specific benefits anticipated by the proposed adoption, amendment, or repeal of a regulation, including, to the extent applicable, nonmonetary benefits such as the protection of public health and safety, worker safety, or the environment, the prevention of discrimination, the promotion of fairness or social equity, and the increase in openness and transparency in business and government, among other things.
(D) An evaluation of whether the proposed regulation is inconsistent or incompatible with existing state regulations.
(4) Any other matters as are prescribed by statute applicable to the specific state agency or to any specific regulation or class of regulations.
(5) A determination as to whether the regulation imposes a mandate on local agencies or school districts and, if so, whether the mandate requires state reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4.
(6) An estimate, prepared in accordance with instructions adopted by the Department of Finance, of the cost or savings to any state agency, the cost to any local agency or school district that is required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4, other nondiscretionary cost or savings imposed on local agencies, and the cost or savings in federal funding to the state.

For purposes of this paragraph, "cost or savings" means additional costs or savings, both direct and indirect, that a public agency necessarily incurs in reasonable compliance with regulations.

(7) If a state agency, in proposing to adopt, amend, or repeal any administrative regulation, makes an initial determination that the action may have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall include the following information in the notice of proposed action:

(A) Identification of the types of businesses that would be affected.

(B) A description of the projected reporting, recordkeeping, and other compliance requirements that would result from the proposed action.

(C) The following statement: "The (name of agency) has made an initial determination that the (adoption/amendment/repeal) of this regulation may have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The (name of agency) (has/has not) considered proposed alternatives that would lessen any adverse economic impact on business and invites you to submit proposals. Submissions may include the following considerations:

(i) The establishment of differing compliance or reporting requirements or timetables that take into account the resources available to businesses.

(ii) Consolidation or simplification of compliance and reporting requirements for businesses.

(iii) The use of performance standards rather than prescriptive standards.

(iv) Exemption or partial exemption from the regulatory requirements for businesses."

(8) If a state agency, in adopting, amending, or repealing any administrative regulation, makes an initial determination that the action will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall make a declaration to that effect in the notice of proposed action. In making this declaration, the agency shall provide in the record facts, evidence, documents, testimony, or other evidence upon which the agency relies to support its initial determination.

An agency's initial determination and declaration that a proposed adoption, amendment, or repeal of a regulation may have or will not have a significant, adverse impact on businesses, including the ability of California businesses to compete with businesses in other states, shall not be grounds for the office to refuse to publish the notice of proposed action.

(9) A description of all cost impacts, known to the agency at the time the notice of proposed action is submitted to the office, that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

If no cost impacts are known to the agency, it shall state the following:

"The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action."

(10) A *detailed* statement of the results of the economic impact assessment required by subdivision (b) of Section 11346.3 or the standardized regulatory impact analysis if required by subdivision (c) of Section 11346.3, a summary of any comments submitted to the agency pursuant to ~~subdivision (f)~~ *subdivisions (h) and (i)* of Section 11346.3 and the agency's response to those comments.

(11) The finding prescribed by subdivision (d) of Section 11346.3, if required.

(12) (A) A statement that the action would have a significant effect on housing costs, if a state agency, in adopting, amending, or repealing any administrative regulation, makes an initial determination that the action would have that effect.

(B) The agency officer designated in paragraph (14) shall make available to the public, upon request, the agency's evaluation, if any, of the effect of the proposed regulatory action on housing costs.

(C) The statement described in subparagraph (A) shall also include the estimated costs of compliance and potential benefits of a building standard, if any, that were included in the initial statement of reasons.

(D) For purposes of model codes adopted pursuant to Section 18928 of the Health and Safety Code, the agency shall comply with the requirements of this paragraph only if an interested party has made a request to the agency to examine a specific section for purposes of estimating the costs of compliance and potential benefits for that section, as described in Section 11346.2.
(13) A statement that the adopting agency must determine that no reasonable alternative considered by the agency or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. For a major regulation, as defined by Section 11342.548, proposed on or after November 1, 2013, the statement shall be based, in part, upon the standardized regulatory impact analysis of the proposed regulation, as required by Section 11346.3, as well as upon the benefits of the proposed regulation identified pursuant to subparagraph (C) of paragraph (3).
(14) The name and telephone number of the agency representative and designated backup contact person to whom inquiries concerning the proposed administrative action may be directed.
(15) The date by which comments submitted in writing must be received to present statements, arguments, or contentions in writing relating to the proposed action in order for them to be considered by the state agency before it adopts, amends, or repeals a regulation.
(16) Reference to the fact that the agency proposing the action has prepared a statement of the reasons for the proposed action, has available all the information upon which its proposal is based, and has available the express terms of the proposed action, pursuant to subdivision (b).
(17) A statement that if a public hearing is not scheduled, any interested person or ~~his or her~~ *their* duly authorized representative may request, no later than 15 days prior to the close of the written comment period, a public hearing pursuant to Section 11346.8.
(18) A statement indicating that the full text of a regulation changed pursuant to Section 11346.8 will be available for at least 15 days prior to the date on which the agency adopts, amends, or repeals the resulting regulation.
(19) A statement explaining how to obtain a copy of the final statement of reasons once it has been prepared pursuant to subdivision (a) of Section 11346.9.
(20) If the agency maintains an ~~Internet Web site~~ *internet website* or other similar forum for the electronic publication or distribution of written material, a statement explaining how materials published or distributed through that forum can be accessed.
(21) If the proposed regulation is subject to Section 11346.6, a statement that the agency shall provide, upon request, a description of the proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law and that providing the description of proposed changes may require extending the period of public comment for the proposed action.
(b) The agency representative designated in paragraph (14) of subdivision (a) shall make available to the public upon request the express terms of the proposed action. The representative shall also make available to the public upon request the location of public records, including reports, documentation, and other materials, related to the proposed action. If the representative receives an inquiry regarding the proposed action that the representative cannot answer, the representative shall refer the inquiry to another person in the agency for a prompt response.
(c) This section shall not be construed in any manner that results in the invalidation of a regulation because of the alleged inadequacy of the notice content or the summary or cost estimates, or the alleged inadequacy or inaccuracy of the housing cost estimates, if there has been substantial compliance with those requirements.

SEC. 4. Section 11349 of the Government Code is amended to read:

11349. The following definitions govern the interpretation of this chapter:
(a) "Necessity" means the record of the rulemaking proceeding demonstrates by substantial evidence the need for a regulation to effectuate the purpose of the statute, court decision, or other provision of law that the regulation implements, interprets, or makes specific, taking into account the totality of the record. For purposes of this standard, evidence includes, but is not limited to, facts, studies, and expert opinion.
(b) "Authority" means the provision of law which permits or obligates the agency to adopt, amend, or repeal a regulation.
(c) "Clarity" means written or displayed so that the meaning of regulations will be easily understood by those persons directly affected by them.
(d) "Consistency" means being in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or other provisions of law.
(e) "Reference" means the statute, court decision, or other provision of law which the agency implements, interprets, or makes specific by adopting, amending, or repealing a regulation.
(f) "Nonduplication" means that a regulation does not serve the same purpose as a state or federal statute or another regulation. This standard requires that an agency proposing to amend or adopt a regulation must identify any state or federal statute or regulation which is overlapped or duplicated by the proposed regulation and justify any overlap or duplication. This standard is not intended to prohibit state agencies from printing relevant portions of enabling legislation in regulations when the duplication is necessary to satisfy the clarity standard in paragraph (3) of subdivision (a) of Section 11349.1. This standard is intended to prevent the indiscriminate incorporation of statutory language in a regulation.
(g) "Cost-of-living impacts on residents of the state" means the cost of essentials and consumer staples, including, but not limited to, housing, transportation, food, taxes, and health care and the increase or decrease in these costs as a result of a proposed regulation in California both at the time of consideration and the foreseeable future.

SEC. 5. Section 11349.1 of the Government Code is amended to read:

11349.1. (a) The office shall review all regulations adopted, amended, or repealed pursuant to the procedure specified in Article 5 (commencing with Section 11346) and submitted to it for publication in the California Code of Regulations Supplement and for transmittal to the Secretary of State and make determinations using all of the following standards:
(1) Necessity.
(2) Authority.
(3) Clarity.
(4) Consistency.
(5) Reference.
(6) Nonduplication.
(7) Cost-of-living impacts on residents of the state.
In reviewing regulations pursuant to this section, the office shall restrict its review to the regulation and the record of the rulemaking proceeding. The office shall approve the regulation or order of repeal if it complies with the standards set forth in this section and with this chapter.
(b) In reviewing proposed regulations for the criteria in subdivision (a), the office may consider the clarity of the proposed regulation in the context of related regulations already in existence. *In addition, in reviewing the proposed regulations for cost-of-living impacts on residents of the state, the office shall use the standardized methodology developed by the Legislative Analyst's Office pursuant to subdivision (g) of Section 11346.3.*
(c) The office shall adopt regulations governing the procedures it uses in reviewing regulations submitted to it. The regulations shall provide for an orderly review and shall specify the methods, standards,

presumptions, and principles the office uses, and the limitations it observes, in reviewing regulations to establish compliance with the standards specified in subdivision (a). The regulations adopted by the office shall ensure that it does not substitute its judgment for that of the rulemaking agency as expressed in the substantive content of adopted regulations.
(d) The office shall return any regulation subject to this chapter to the adopting agency if any of the following occur:
(1) The adopting agency has not prepared the estimate required by paragraph (6) of subdivision (a) of Section 11346.5 and has not included the data used and calculations made and the summary report of the estimate in the file of the rulemaking.
(2) The agency has not complied with Section 11346.3. "Noncompliance" means that the agency failed to complete the economic impact assessment or standardized regulatory impact analysis required by Section 11346.3 or failed to include the assessment or analysis in the file of the rulemaking proceeding as required by Section 11347.3.
(3) The adopting agency has prepared the estimate required by paragraph (6) of subdivision (a) of Section 11346.5, the estimate indicates that the regulation will result in a cost to local agencies or school districts that is required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4, and the adopting agency fails to do any of the following:
(A) Cite an item in the Budget Act for the fiscal year in which the regulation will go into effect as the source from which the Controller may pay the claims of local agencies or school districts.
(B) Cite an accompanying bill appropriating funds as the source from which the Controller may pay the claims of local agencies or school districts.
(C) Attach a letter or other documentation from the Department of Finance which states that the Department of Finance has approved a request by the agency that funds be included in the Budget Bill for the next following fiscal year to reimburse local agencies or school districts for the costs mandated by the regulation.
(D) Attach a letter or other documentation from the Department of Finance which states that the Department of Finance has authorized the augmentation of the amount available for expenditure under the agency's appropriation in the Budget Act which is for reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 to local agencies or school districts from the unencumbered balances of other appropriations in the Budget Act and that this augmentation is sufficient to reimburse local agencies or school districts for their costs mandated by the regulation.
(4) The proposed regulation conflicts with an existing state regulation and the agency has not identified the manner in which the conflict may be resolved.
(5) The agency did not make the alternatives determination as required by paragraph (4) of subdivision (a) of Section 11346.9.
(e) The office shall notify the Department of Finance of all regulations returned pursuant to subdivision (d).
(f) The office shall return a rulemaking file to the submitting agency if the file does not comply with subdivisions (a) and (b) of Section 11347.3. Within three state working days of the receipt of a rulemaking file, the office shall notify the submitting agency of any deficiency identified. If no notice of deficiency is mailed to the adopting agency within that time, a rulemaking file shall be deemed submitted as of the date of its original receipt by the office. A rulemaking file shall not be deemed submitted until each deficiency identified under this subdivision has been corrected.
(g) Notwithstanding any other law, return of the regulation to the adopting agency by the office pursuant to this section is the exclusive remedy for a failure to comply with subdivision (c) of Section 11346.3 or paragraph (10) of subdivision (a) of Section 11346.5.

SEC. 6. Section 11349.3 of the Government Code is amended to read:

11349.3. (a) The office shall either approve a regulation submitted to it for review and transmit it to the Secretary of State for filing or disapprove it within 30 working days after the regulation has been submitted to the office for ~~review.~~ *review or 60 working days for major regulations.* If the office fails to act within ~~30 days, the~~ *the specified time, the* regulation shall be deemed to have been approved and the office shall transmit it to the Secretary of State for filing.

(b) For major regulations, the office shall hold a public hearing on the submitted regulation within 30 working days after the regulation has been submitted to the office for review. The office shall allow for public testimony and comment before the office acts on the regulation.

~~(b)~~ *(c)* If the office disapproves a regulation, it shall return it to the adopting agency within the ~~30-day period~~ *time* specified in subdivision (a) accompanied by a notice specifying the reasons for disapproval. Within seven calendar days of the issuance of the notice, the office shall provide the adopting agency with a written decision detailing the reasons for disapproval. *If one of the reasons for disapproval includes a significant cost-of-living impact, the office shall then require the agency to pursue a less costly alternative or explain in detail why a less costly alternative is infeasible.* No regulation shall be disapproved except for failure to comply with the standards set forth in Section 11349.1 or for failure to comply with this chapter.

~~(c)~~ *(d)* If an agency determines, on its own initiative, that a regulation submitted pursuant to subdivision (a) should be returned by the office prior to completion of the office's review, it may request the return of the regulation. All requests for the return of a regulation shall be memorialized in writing by the submitting agency no later than one week following the request. Any regulation returned pursuant to this subdivision shall be resubmitted to the office for review within the one-year period specified in subdivision (b) of Section 11346.4 or shall comply with Article 5 (commencing with Section 11346) prior to resubmission.

~~(d)~~ *(e)* The office shall not initiate the return of a regulation pursuant to subdivision ~~(c)~~ *(d)* as an alternative to disapproval pursuant to subdivision ~~(b).~~ *(c).*

AB 2412 Amends The Law: Introduced 2/20/2026

SECTION 1. Section 11549.66 of the Government Code is amended to read:

11549.66. A state agency or department that utilizes GenAI to ~~directly communicate with a person regarding government services and benefits~~ *communicate with the public* shall ensure that those communications include both of the following:
(a) A disclaimer that indicates to the person that the communication was generated by ~~GenAI.~~ *GenAI pursuant to all of the following:*
(1) For written communications involving physical and digital media, including letters, email, and other occasional messages, the disclaimer shall appear prominently at the start of each communication.
(2) For written communications involving continuous online interactions, including interactions with chatbots, the disclaimer shall be prominently displayed throughout the interaction.
(3) For audio communications, the disclaimer shall be provided ~~verbally~~ *orally* at the start and end of the interaction.
(4) For video communications, the disclaimer shall be prominently displayed throughout the interaction.
(b) Information, or a link to an internet website containing information, describing how ~~the~~ *a* person may contact a human employee of the state agency or department.

AB 2414 Amends The Law: Introduced 2/20/2026

SECTION 1. Section 4474.17 of the Welfare and Institutions Code is amended to read:

4474.17. (a) The Legislature finds and declares all of the following:
(1) The Supplemental Report of the 2014–15 Budget Package required the State Department of Developmental Services to provide quarterly briefings to update legislative staff about the closures of developmental centers. Chapter 18 of the Statutes of 2017 expanded the scope of these briefings to include information about the development of community-based crisis services following the developmental center closures. The quarterly briefings have evolved to provide detailed information about the development of the community-based safety net, including information about the physical homes and wrap-around and mobile crisis services intended to prevent, deescalate, and treat consumers in crisis.
(2) The quarterly briefings have provided a valuable opportunity for the department and legislative staff to convene and discuss key issues during the developmental center closure process. They have kept legislative staff, and consequently Members of the Legislature, informed about the department's progress, challenges, and strategies as it transitioned consumers from a developmental center or an institution into the community and developed a community-based safety net.
(3) The imminent final closure of the developmental centers provides an opportunity to consider the ongoing purpose of the quarterly briefings. Once the final developmental center closures are complete, the quarterly briefings can provide an avenue for the department and legislative staff to maintain an important ongoing dialogue about key issues facing the developmental services system. The quarterly briefings will allow the department to keep legislative staff informed about its approach to, and progress in, handling various changes in policy and modes of service delivery. This will be especially important as the consumer population continues to grow and change and as the system continues to move toward consumer choice and community integration. The disposition of the developmental center properties may continue to be a point of inquiry until that subject comes to a conclusion.
(4) An important feature of the current briefings has been the department's willingness to adapt the content over time based on feedback from legislative staff. Mindful of the fact that preparing materials and presentations for these briefings requires department staff resources, the ongoing nature of the quarterly briefings should also remain flexible to both meet the needs of the Legislature and the department's capacity to prepare for the briefings. Through the briefing discussions themselves, department leadership and legislative staff should come to an agreement about what data and information should be tracked and provided regularly at each briefing, based on what is feasible for the department to provide and considering the priorities of the Legislature. In addition, the department and legislative staff can regularly discuss the range of issues and level of detail that should be provided at briefings, recognizing that every issue cannot be covered at every briefing and that the relative importance of individual issues will shift over time.
(5) As the quarterly briefings related to the developmental center closures wind down in the 2019–20 fiscal year, the department and legislative staff could use some of the time in those meetings to discuss and determine the content of the subsequent quarterly briefings. Appreciating that the priorities of the Legislature shift over time, and depending on the department's capacity, the particular topics and level of detail provided in the briefings can be discussed and revisited on a regular basis, such as annually.
(b) Commencing with the first planned quarterly briefing after January 1, 2020, the department shall provide information on topics at quarterly briefings with legislative staff of the appropriate policy and fiscal committees of the Legislature addressing some or all of the following, pursuant to the planning discussion described in paragraph (5) of subdivision (a):
(1) Consumer health and safety, including safety net and crisis services.

(2) The person-centered approach to planning, coordinating, delivering, and receiving services, including caseload ratio updates, compliance with home- and community-based services rules, competitive integrated employment, and housing supports.
(3) Quality outcomes for consumers.
(4) Efforts to identify and reduce disparities in regional center services.
(5) Community development through community placement plans and community resource development plans, by regional center, and difficulties or issues in the provision of services or development of resources.
(6) Implementation of any rate changes pending and being implemented.
(7) Status, efforts, and outcomes related to the department headquarter's reorganization structure.
(8) Regional center accountability, transparency, and oversight efforts.
(9) Status on the development of Group Homes for Children with Special Health Care Needs, including information on how the needs of regional center consumers are assessed when developing new homes.
(10) Status on the implementation of the provisional eligibility requirement of paragraph (2) of subdivision (a) of Section 4512.
(11) Information pursuant to the provisions of subdivision (d) of Section 7505.
(12) Status on the development of a training curriculum for direct ~~service~~ *support* professionals, pursuant to Section 4511.5.
(13) Most recent data regarding average per capita purchase of service expenditures for all age groups, by ethnicity and other factors, in addition to any other data that will aid in the illustration of progress, toward the active closure of racial, ethnic, and other disparities.
(14) On an annual basis, status of the department's efforts to improve oversight of special incidents, as described in subdivision (b) of Section 54327 of Title 17 of the California Code of Regulations, and respond to special incident trends. This annual status update shall include a summary of the most recent annual report regarding special incidents involving individuals with developmental disabilities served by regional centers.

SEC. 2. Section 4511.5 of the Welfare and Institutions Code is amended to read:

4511.5. (a) The Legislature finds and declares both of the following:
(1) Direct ~~service~~ *support* professionals are critical to the provision of services and supports to individuals with intellectual and developmental disabilities.
(2) In recognition of the value of the services provided by direct ~~service~~ *support* professionals, additional training and development will enhance the services they provide and foster a more sustainable workforce.
(b) (1) With input from stakeholders pursuant to subdivision (c), the department shall develop or utilize existing curriculum to implement enhanced direct ~~service~~ *support* professional training that promotes services that are person centered and culturally and linguistically sensitive, and that improve outcomes for individuals with intellectual and developmental disabilities.
(2) It is the intent of the Legislature to enhance the quality of services that consumers receive from their direct ~~service~~ *support* professionals, including, but not limited to, improving direct ~~service~~ *support* professional knowledge about general health and safety issues, employing principles of self-determination in order to promote dignity of the recipient and the provider, and working to improve quality of services and quality of life, including advancing health equity for consumers of regional center services.
(3) The training described in paragraph (1) in shall include, but is not limited to, all of the following elements:
(A) Competency based.
(B) Tiered training and certification.

(C) Continuing education.
(D) Outcome measures, as defined by the department, with input from stakeholders pursuant to subdivision (c).
(c) (1) The department shall consult with stakeholders throughout the implementation of this section. This consultation shall include facilitation of a process for providing input and comments on implementation.
(2) Stakeholders may include, but are not limited to, the following:
(A) Consumers and families across different geographic regions of the state and from diverse racial and ethnic backgrounds, diverse consumer age groups and disabilities.
(B) Regional center representatives.
(C) Service providers representing a diverse range of service types and models.
(d) (1) On or before April 1, 2027, the department shall develop the billing guidance necessary to facilitate a pay differential associated with the training established in this section.
(2) Any proposed or active pay differential associated with training established in this section shall be included in the rate model review required pursuant to Section 4519.11.
~~(d)~~ *(e)* Implementation of this section is subject to an appropriation of funds for this purpose in the annual Budget Act.

SEC. 3. Section 4512 of the Welfare and Institutions Code is amended to read:

4512. As used in this division:
(a) (1) “Developmental disability” means a disability that originates before an individual attains 18 years of age, continues, or can be expected to continue, indefinitely, and constitutes a substantial disability for that individual. As defined by the Director of Developmental Services, in consultation with the Superintendent of Public Instruction, this term shall include intellectual disability, cerebral palsy, epilepsy, and autism. This term shall also include disabling conditions found to be closely related to intellectual disability or to require treatment similar to that required for individuals with an intellectual disability, but shall not include other handicapping conditions that are solely physical in nature.
(2) (A) A child who is under five years of age shall be provisionally eligible for regional center services if the child has a disability that is not solely physical in nature and has significant functional limitations in at least two of the following areas of major life activity, as determined by a regional center and as appropriate to the age of the child:
(i) Self-care.
(ii) Receptive and expressive language.
(iii) Learning.
(iv) Mobility.
(v) Self-direction.
(B) To be provisionally eligible, a child is not required to have one of the developmental disabilities listed in paragraph (1).
(3) (A) An infant or toddler referred for early intervention services from the regional center pursuant to the California Early Intervention Services Act (Title 14 (commencing with Section 95000) of the Government Code) may be concurrently assessed, if appropriate, to determine whether the infant or toddler is provisionally eligible for regional center services under paragraph (2) or eligible for regional center services under paragraph (1).
(B) If the regional center determines that the infant or toddler qualifies for early intervention services from the regional center pursuant to the California Early Intervention Services Act (Title 14 (commencing with Section 95000) of the Government Code) but has not been found to have a developmental disability as defined in paragraph (1) or to be provisionally eligible as defined in paragraph (2), the regional center shall assess the child at least 90 days prior to the date that they turn

three years of age for purposes of determining their eligibility for regional center services under this section. If the regional center determines the child is not eligible, the regional center shall give adequate notice pursuant to Section 4701.
(4) A child who is provisionally eligible pursuant to paragraph (2) shall be reassessed at least 90 days before turning five years of age. The child shall meet the definition set forth in paragraph (1) to continue to be eligible for regional center services at five years of age.
(5) Regional center services for a child who was provisionally eligible pursuant to paragraph (2) and who does not meet the definition in paragraph (1) shall end when the child is five years of age unless an appeal was filed pursuant to Section 4715.
(b) "Services and supports for persons with developmental disabilities" means specialized services and supports or special adaptations of generic services and supports directed toward the alleviation of a developmental disability or toward the social, personal, physical, or economic habilitation or rehabilitation of an individual with a developmental disability, or toward the achievement and maintenance of an independent, productive, and normal life. The determination of which services and supports are necessary for each consumer shall be made through the individual program plan process. The determination shall be made on the basis of the needs and preferences of the consumer or, when appropriate, the consumer's family, and shall include consideration of a range of service options proposed by individual program plan participants, the effectiveness of each option in meeting the goals stated in the individual program plan, and the cost-effectiveness of each option. Services and supports listed in the individual program plan may include, but are not limited to, diagnosis, evaluation, treatment, personal care, daycare, domiciliary care, special living arrangements, physical, occupational, and speech therapy, training, education, supported and sheltered employment, mental health services, recreation, counseling of the individual with a developmental disability and of the individual's family, protective and other social and sociolegal services, information and referral services, follow-along services, adaptive equipment and supplies, advocacy assistance, including self-advocacy training, facilitation and peer advocates, assessment, assistance in locating a home, childcare, behavior training and behavior modification programs, camping, community integration services, community support, daily living skills training, emergency and crisis intervention, facilitating circles of support, habilitation, homemaker services, infant stimulation programs, paid roommates, paid neighbors, respite, short-term out-of-home care, social skills training, specialized medical and dental care, telehealth services and supports, as described in Section 2290.5 of the Business and Professions Code, supported living arrangements, technical and financial assistance, travel training, training for parents of children with developmental disabilities, training for parents with developmental disabilities, vouchers, and transportation services necessary to ensure delivery of services to persons with developmental disabilities. This subdivision does not expand or authorize a new or different service or support for any consumer unless that service or support is contained in the consumer's individual program plan.
(c) Notwithstanding subdivisions (a) and (b), for any organization or agency receiving federal financial participation under the federal Developmental Disabilities Assistance and Bill of Rights Act of 2000, Chapter 144 (commencing with Section 15001) of Title 42 of the United States Code, as amended, "developmental disability" and "services for persons with developmental disabilities" mean the terms as defined in the federal act to the extent required by federal law.
(d) "Consumer" means a person who has a disability that meets the definition of developmental disability set forth in subdivision (a).
(e) "Natural supports" means personal associations and relationships typically developed in the community that enhance the quality and security of life for people, including, but not limited to, family relationships, friendships reflecting the diversity of the neighborhood and the community, associations with fellow students or employees in regular classrooms and workplaces, and associations developed through participation in clubs, organizations, and other civic activities.

(f) “Circle of support” means a committed group of community members, who may include family members, meeting regularly with an individual with developmental disabilities in order to share experiences, promote autonomy and community involvement, and assist the individual in establishing and maintaining natural supports. A circle of support generally includes a plurality of members who neither provide nor receive services or supports for persons with developmental disabilities and who do not receive payment for participation in the circle of support.
(g) “Facilitation” means the use of modified or adapted materials, special instructions, equipment, or personal assistance by an individual, such as assistance with communications, that will enable a consumer to understand and participate to the maximum extent possible in the decisions and choices that affect the individual’s life.
(h) “Family support services” means services and supports that are provided to a child with developmental disabilities or the child’s family and that contribute to the ability of the family to reside together.
(i) “Voucher” means any authorized alternative form of service delivery in which the consumer or family member is provided with a payment, coupon, chit, or other form of authorization that enables the consumer or family member to choose a particular service provider.
(j) “Planning team” means the individual with developmental disabilities, the parents or legally appointed guardian of a minor consumer or the legally appointed conservator of an adult consumer, the authorized representative, including those appointed pursuant to subdivision (a) of Section 4541, one or more regional center representatives, including the designated regional center service coordinator pursuant to subdivision (b) of Section 4640.7, any individual, including a service provider, invited by the consumer, the parents or legally appointed guardian of a minor consumer or the legally appointed conservator of an adult consumer, or the authorized representative, including those appointed pursuant to subdivision (a) of Section 4541, and including a minor’s, dependent’s, or ward’s court-appointed developmental services decisionmaker appointed pursuant to Section 319, 361, or 726.
(k) “Stakeholder organizations” means statewide organizations representing the interests of consumers, family members, service providers, and statewide advocacy organizations.
(l) (1) “Substantial disability” means the existence of significant functional limitations in three or more of the following areas of major life activity, as determined by a regional center, and as appropriate to the age of the person:
(A) Self-care.
(B) Receptive and expressive language.
(C) Learning.
(D) Mobility.
(E) Self-direction.
(F) Capacity for independent living.
(G) Economic self-sufficiency.
(2) A reassessment of substantial disability for purposes of continuing eligibility shall utilize the same criteria under which the individual was originally made eligible.
(m) “Native language” means the language normally used or the preferred language identified by the individual and, when appropriate, the individual’s parent, legal guardian or conservator, or authorized representative.
(n) “Authorized representative” means an individual appointed by the State Council on Developmental Disabilities pursuant to subdivision (a) of Section 4541 or who is an authorized representative, as defined in Section 4701.
(o) “Direct support professional” means an individual who receives compensation to provide direct support to children or adults with intellectual and developmental disabilities, is employed by a service provider receiving regional center funding, and spends at least 50 percent of their working time completing direct support tasks, including, but not limited to, all of the following:

(1) Services that enhance independence and community inclusion.
(2) Assisting with skill development, including personal and vocational coaching.
(3) Providing assistance with activities of daily living.

SEC. 4. Section 4519.10 of the Welfare and Institutions Code is amended to read:

4519.10. (a) The Legislature finds and declares all of the following:
(1) The current service provider rate structure in the system administered by the State Department of Developmental Services lacks transparency, remains complex, is not tied to person-centered outcomes, and varies across providers who provide the same service in the same region.
(2) In 2016, the Legislature funded a rate study to address the sustainability, quality, and transparency of community-based services for individuals with developmental disabilities.
(3) The department, with the help of a consultant, completed the rate study in 2019 and subsequently submitted the study's findings and recommendations to the Legislature. Among other things, the study recommended all of the following:
(A) Within each service category, rate models that include components that may be regularly updated.
(B) Regional differentials to account for regional variance in the cost of living and doing business.
(C) Enhanced rates for services delivered in other languages, including American Sign Language.
(D) An optional add-on for direct ~~service~~ *support* professional levels and wage differentials based on training and demonstrated competency.
(E) The consolidation of certain service codes.
(4) The rate study's fiscal impact analysis indicated that full implementation of these rate models would cost an additional one billion one hundred million dollars ($1,100,000,000) from the General Fund, or one billion eight hundred million dollars ($1,800,000,000) of total funds, in the 2019–20 fiscal year.
(5) The recommendations from the rate study and the associated rate models have not been implemented, even as rate study findings informed supplemental rate increases for many service categories in the 2019–20 fiscal year and three additional service categories in the 2020–21 fiscal year.
(6) For Medi-Cal eligible consumers, the department receives federal Medicaid reimbursements to support home- and community-based services provided to those consumers.
(7) Direct ~~service~~ *support* professionals employed by service providers are critical to the quality and provision of services and supports to individuals with intellectual and developmental disabilities.
(8) A prevailing need and challenge within the developmental services system is moving from a compliance-based system to an outcomes-based system. Outcome measures must reinforce the system's core values of meeting individual needs based on person-centered planning. The implementation of rates, pursuant to this section, should support this person-centered transformation through consideration of incentive payments, alternative payment models, alternative service delivery, lessons learned from the COVID-19 pandemic period, person-centered and culturally and linguistically sensitive and competent approaches, training of direct ~~service~~ *support* professionals, compliance with the federal home- and community-based services rule set to take effect on March 17, 2023, and methods for assessing and reporting outcomes.
(9) To improve consumer outcomes and experiences and measure overall system performance, four goals should guide rate reform:
(A) Consumer experience.
(B) Equity.
(C) Quality and outcomes.
(D) System efficiencies.
(b) Therefore, it is the intent of the Legislature to phase in funding and policies beginning in the 2021–22 fiscal year to implement rate reform, which shall include a quality incentive program, create an enhanced person-centered, outcomes-based system, and complete this transformation by July 1, 2025.

(c) (1) (A) Commencing April 1, 2022, the department shall implement a rate increase for service providers that equals one-quarter of the difference between current rates and the fully funded rate model for each provider.
(B) Commencing January 1, 2023, and continuing through December 31, 2024, the department shall adjust rates to equal one-half of the difference between rates in effect March 31, 2022, and the fully funded rate model for each provider, and additional funding shall be available for the quality incentive program described in subdivision (e).
(i) Notwithstanding any other law or regulation, it is the intent of the Legislature that the majority of the rate increase described in this subparagraph for the 2022–23 fiscal year be used for the purpose of enhancing wages and benefits for staff who spend a minimum of 75 percent of their time providing direct services to consumers.
(ii) Commencing January 1, 2023, a provider shall not spend a smaller percentage of the rate increase on direct care staff wages and benefit costs than the corresponding percentage included for direct care staff wages and benefit costs in the rate models for each specific service.
(iii) A provider granted a rate increase pursuant to this section shall maintain documentation, subject to audit by the department or regional center, that the portion of the rate increase identified in this subparagraph was used to increase wages, salaries, or benefits of eligible staff members spending a minimum of 75 percent of their time providing direct services to consumers at least at the same percentage as provided in the rate models.
(iv) For the purpose of this subparagraph, "direct services" are services, supports, care, supervision, or assistance provided by staff directly to a consumer to address the consumer's needs, as identified in the individual program plan, and includes staff's participation in training and other activities directly related to providing services to consumers, as well as program preparation functions as defined in Section 54302 of Title 17 of the California Code of Regulations.
(v) Commencing July 1, 2023, a vendor shall be in compliance with the home- and community-based final rule, effective March 17, 2014, or implementing a corrective action plan, to be eligible for the quality incentive program described in subdivision (e).
(C) (i) Commencing January 1, 2025, the department shall implement the fully funded rate models. The fully funded rate models shall be implemented using two payment components, a base rate equaling 90 percent of the rate model, and a quality incentive payment, equaling up to 10 percent of the rate model, to be implemented through the quality incentive program described in subdivision (e).
(ii) Notwithstanding any other law, commencing July 1, 2024, the rate models shall be updated to account for the current and any subsequent changes to the statewide minimum wage, as established by Section 1182.12 of the Labor Code, or other relevant statute.
(2) (A) Effective January 1, 2025, it is the intent of the Legislature that rates be uniform within service categories and adjusted for geographic cost differentials, including differentials in wages, the cost of travel, and the cost of real estate.
(B) Providers who were not identified as requiring a rate increase in the rate study are not eligible for rate adjustments pursuant to paragraph (1).
(d) (1) Beginning in the 2021–22 fiscal year, the department shall implement a hold harmless policy for providers whose rates exceed rate model recommendations. The policy shall freeze a provider's existing rates until February 28, 2026, after which time the provider's rates shall be adjusted to equal the rates for other providers in the provider's service category and region.
(2) Beginning January 1, 2025, the department shall also implement a hold harmless policy for providers whose rates in effect on January 1, 2023, exceed 90 percent of the rate model. The policy shall freeze a provider's base rate at the rate in effect on January 1, 2023, until February 28, 2026, after which time the provider's base rates shall be adjusted to equal the base rates for other providers in the provider's service category and region. The provider shall be eligible for a quality incentive payment that, when added to their base rate, equals the fully funded rate model.

(3) Notwithstanding paragraphs (1) and (2), the department may adjust rates as a result of reviews or audits.
(e) In conjunction with implementing rate reform, the department shall implement a quality incentive program in order to improve consumer outcomes, service provider performance, and the quality of services.
(1) (A) The department shall, with input from stakeholders, develop quality measures or benchmarks, or both, for consumer outcomes and regional center and service provider performance. Given the time necessary to identify and develop the measures or benchmarks described in this paragraph, the department may establish quality measures or benchmarks, or both, in the initial years of the quality incentive program that focus on building capacity, developing reporting systems, gathering baseline data, and similar activities while working towards meaningful outcome measures at the individual consumer level for all services. Measures or benchmarks, or both, shall initially include process- and performance-related measures for service providers and, by the conclusion of the 2025–26 fiscal year, shall also evolve to include outcome measures at the individual consumer level. In developing the proposed measures or benchmarks, or both, the department shall do all of the following:
(i) Gather public input through regularly held public meetings that are accessible both virtually and by telephone. Public meeting agendas and meeting materials shall be posted at least three days in advance of any meeting and shared by various means, including internet website updates, focus groups, and other communication.
(ii) Provide documents, which may include, but are not limited to, updates, concept papers, interim reports, proposals, and performance and quality measures and benchmarks, and revisions to these materials, to the Legislature and post these materials on an internet website for public comment at least 30 days, as required by the Centers for Medicare and Medicaid Services, prior to submitting a request for federal funding.
(iii) Seek input from subject matter experts to understand options for outcomes-based system structures using person-centered planning and alternative payment models.
(B) (i) On or before April 1, 2022, proposed quality measures or benchmarks, or both, shall be provided to the Legislature and posted for public comment, as described in subparagraph (A). After the department has considered public comments and modified the proposed quality measures or benchmarks, or both, as needed, the measures or benchmarks, or both, shall be finalized and implemented in the 2022–23 fiscal year.
(ii) On or before April 1 of any subsequent year in which the department proposes new or revised quality measures or benchmarks, or both, the proposed measures or benchmarks, or both, shall be provided to the Legislature and posted for public comment, as described in subparagraph (A). After the department has considered public comments and modified the proposed quality measures or benchmarks, or both, as needed, the measures or benchmarks, or both, shall be finalized and implemented in the upcoming fiscal year.
(C) Beginning in the 2024–25 fiscal year, there will be opportunity for eligible providers to earn full quality incentive payments through one or more measures.
(D) Beginning in the 2026–27 fiscal year, a provider shall be compliant with electronic visit verification, home- and community-based services rules, and applicable annual fiscal reviews and audit requirements as a condition of eligibility for the quality incentive program.
(2) (A) The department shall develop a quality incentive payment structure for providers meeting the quality measures or benchmarks, or both, developed pursuant to paragraph (1). The department shall issue written directives to define the way quality incentive payments will be made to service providers based on quality measures or benchmarks, or both, developed and implemented under this subdivision.
(B) The department shall determine each provider's quality incentive payment percentage prior to the start of the fiscal year, with the exception of the 2024–25 fiscal year, by measuring the provider's performance against the quality measures or benchmarks for the most recently available reporting

period. The department shall provide a written communication to the fiscal and policy committees of the Legislature that reports on the total amount of quality incentive payments estimated to be paid to providers pursuant to this section. This written communication shall be made as soon as is practicable, but no later than 60 days after the quality incentive payment percentages are determined and the providers are informed of their payments.

(f) On or before March 1, 2024, the department shall provide a status update to the Legislature regarding progress toward implementing rate reform and creating an enhanced person-centered, outcomes-based system. The status update may include, but is not limited to, information about all of the following:

(1) Additional changes that may be necessary to effectively implement rate reform, including adding and amending statutes, regulations, and other departmental policies.

(2) Compliance with rules of the federal Medicaid program, including the home- and community-based services final rule effective on March 17, 2014, and state compliance consistent with the current federal guidance, including all of the following:

(A) A definition of what it means to be compliant with the rules of the federal Medicaid program.

(B) Whether there are certain service categories that are unlikely to achieve compliance due to the structure of the service, and, if so, which categories this includes.

(C) Data about the total number of providers within each service category and the estimated number of providers that have not yet achieved compliance.

(3) Program and system improvement efforts made as a result of the state's home- and community-based services additional federal funding, including the one-time investment implemented beginning in the 2021–22 state fiscal year, including a description of how the department will build on the investments.

(g) For purposes of this section, "rate model" means a rate model included in the rate study submitted to the Legislature pursuant to Section 4519.8.

(h) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the department may implement, interpret, or make specific this section by means of written directives or similar instructions until regulations are adopted, which shall occur no later than June 30, 2028.

(i) Implementation of this section is contingent upon the approval of federal funding.

SEC. 5. Section 4641.1 of the Welfare and Institutions Code is amended to read:

4641.1. (a) The Legislature finds and declares all of the following:

(1) The provision of services that are culturally and linguistically responsive to consumers is instrumental to improving access and equity in the developmental services system.

(2) Direct ~~service~~ *support* professionals are critical to the provision of services and supports to individuals with intellectual and developmental disabilities and their families.

(3) In recognition of the value of effective communication between direct ~~service~~ *support* professionals and the consumers and families they serve, the provision of a pay differential for bilingual and multilingual direct ~~service~~ *support* professionals will increase consumer access to staff who speak their preferred language.

(b) The department, subject to an appropriation, shall establish and implement a system that promotes equity in access to services for regional center consumers by providing a pay differential to direct ~~service~~ *support* professionals who can communicate in a language or medium other than English as part of their regular job duties.

(c) Notwithstanding any other law, a direct ~~service~~ *support* professional described in subdivision (b) is eligible for a bilingual or multilingual differential if both of the following conditions are met:

(1) The duties currently assigned to the direct ~~service~~ *support* professional require regular communication in a language or medium other than English with an individual that has a developmental disability, and when appropriate, their families.

(2) The direct ~~service~~ *support* professional passes an examination certifying their ability to communicate in the language or medium other than English.
(3) For the purpose of this section, “medium other than English” includes, but is not limited to, American Sign Language and other sign languages and augmentative and alternative communication.
(d) The department may adopt emergency regulations to implement this section. The adoption, amendment, repeal, or readoption of a regulation authorized by this section is deemed to be necessary for the immediate preservation of the public peace, health and safety, or general welfare, for purposes of Sections 11346.1 and 11349.6 of the Government Code. The department is exempted from the requirement that it describe specific facts showing the need for immediate action.
(e) Prior to implementation, the department shall provide a report to the Legislature detailing its plan to implement a wage differential for bilingual and multilingual staff.

AB 2557 Amends The Law: Introduced 2/20/2026

SECTION 1. Section 10248 of the Government Code is amended to read:

10248. Public computer network; required legislative information.
(a) The Legislative Counsel shall, with the advice of the Assembly Committee on Rules and the Senate Committee on Rules, make all of the following information available to the public in electronic form:
(1) The legislative calendar, the schedule of legislative committee hearings, a list of matters pending on the floors of both houses of the Legislature, and a list of the committees of the Legislature and their members.
(2) The text of each bill introduced in each current legislative session, including each amended, enrolled, and chaptered form of each bill.
(3) The bill history of each bill introduced and amended in each current legislative session.
(4) The bill status of each bill introduced and amended in each current legislative session.
(5) All bill analyses prepared by legislative committees in connection with each bill in each current legislative session.
(6) (A) All position letters submitted through the Legislature's internet portal in connection with each bill in each current legislative session.
(B) For purposes of this paragraph, "position letter" means a letter submitted on behalf of an entity that states that entity's support, opposition, or neutrality with respect to a bill.
~~(6)~~ *(7)* All audiovisual recordings of legislative proceedings that have been caused to be made by the Legislature in accordance with paragraph (2) of subdivision (c) of Section 7 of Article IV of the California Constitution. Each recording shall remain accessible to the public through the Internet and downloadable for a minimum period of 20 years following the date on which the recording was made and shall then be archived in a secure format.
~~(7)~~ *(8)* All vote information concerning each bill in each current legislative session.
~~(8)~~ *(9)* Any veto message concerning a bill in each current legislative session.
~~(9)~~ *(10)* The California Codes.
~~(10)~~ *(11)* The California Constitution.
~~(11)~~ *(12)* All statutes enacted on or after January 1, 1993.
~~(12)~~ *(13)* A link to the list of state and local agency reports required by paragraph (2) of subdivision (a) of Section 9795.
(b) *(1)* The information identified in subdivision (a) shall be made available to the public by means of access by way of the largest nonproprietary, nonprofit cooperative public computer network. The information shall be made available in one or more formats and by one or more means in order to provide the greatest feasible access to the general public in this state. Any person who accesses the information may access all or any part of the information. The information may also be made available by any other means of access that would facilitate public access to the information. ~~The information that is maintained in the legislative information system that is operated and maintained by the Legislative Counsel shall be made available in the shortest feasible time after the information is available in the information system. The information that is not maintained in the information system shall be made available in the shortest feasible time after it is available to the Legislative Counsel.~~
(2) The information that is maintained in the legislative information system that is operated and maintained by the Legislative Counsel shall be made available in the shortest feasible time after the information is available in the information system. The information that is not maintained in the information system shall be made available in the shortest feasible time after it is available to the Legislative Counsel.

(c) Any documentation that describes the electronic digital formats of the information identified in subdivision (a) and is available to the public shall be made available by means of access by way of the computer network specified in subdivision (b).
(d) Personal information concerning a person who accesses the information may be maintained only for the purpose of providing service to the person.
(e) The Legislative Counsel shall not impose a fee or other charge as a condition of accessing the information that is accessible by way of the computer network specified in subdivision (b).
(f) The electronic public access provided by way of the computer network specified in subdivision (b) shall be in addition to other electronic or print distribution of the information.
(g) An action taken pursuant to this section does not alter or relinquish any copyright or other proprietary interest or entitlement of the State of California relating to any of the information made available pursuant to this section.

AB 2575 Amends The Law: Amended 3/18/2026

SECTION 1. *Section 1714.48 is added to the Civil Code, to read:*

1714.48. *(a) For purposes of this section, the following definitions shall apply:*
(1) "Artificial intelligence" means an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments.
(2) "Clinical decision support system" means a computerized system or tool that does both of the following:
(A) Supports decisionmaking related to patient care based on algorithms, or models, based in clinical practice guidelines or that derive relationships from training data, including algorithms or models that are developed using unsupervised learning models.
(B) Produces an output that results in a prediction, classification, recommendation, evaluation, or analysis.
(b) In an action against a defendant who developed, modified, selected, or deployed artificial intelligence or a clinical decision support system that is alleged to have caused harm to the plaintiff, it shall not be a defense, and the defendant may not assert, that the failure of a licensed health care professional or other health care worker to override an output of the artificial intelligence or clinical decision support system is a superseding cause severing the defendant's liability for the alleged harm.
(c) This section does not limit or preclude a defendant from presenting either of the following:
(1) Any other affirmative defense, including evidence relevant to causation or foreseeability.
(2) Other evidence relevant to the comparative fault of any other person or entity.

SEC. 2. *Section 1339.76 is added to the Health and Safety Code, to read:*

1339.76. *(a) A health facility, clinic, physician's office, or office of a group practice that uses or deploys a covered tool for patient care shall disclose required information, described in subdivision (b), to any licensed health care professional or other person using a covered tool or viewing outputs from a covered tool.*
(b) Required information under subdivision (a) shall include all of the following:
(1) Details on the covered tool, including developer, funding source, any foundation model used, and description of output.
(2) Intended use of the covered tool, including intended patient population, intended users, and intended decisionmaking role.
(3) Cautioned out-of-scope use of the covered tool, including known risks and limitations.
(4) List of the inputs into the covered tool.
(5) Description of how the covered tool generates outputs.
(6) Development details of the covered tool, including, but not limited to, all of the following:
(A) Description of the training set or clinical research underlying recommendations, including demographic representativeness and known biases based on protected characteristics.
(B) Description of the relevance of training data to deployed setting.
(C) Process used to ensure fairness in development of the intervention.
(7) Description of the validation process.
(8) Qualitative measures of performance.
(9) Description of ongoing maintenance of intervention implementation and use.
(10) Description of updates and continued validation or fairness assessment process.
(11) Notice that health care entities and developers are liable for harm that results from the use of artificial intelligence in patient care.

(12) Notice that a worker providing direct patient care is permitted to override the output of a covered tool if, in the judgment of the worker acting in their scope of practice, such an override is appropriate for the patient, or as necessary to comply with applicable law, including civil rights law.
(c) (1) A disclosure made pursuant to this section shall be provided at the time the licensed health care professional or other person uses the covered tool or views any recommendation or output generated by the covered tool.
(2) The disclosure shall be provided in plain language to, and linked in the health record of, any patient whose care was affected by the output of the covered tool or whose health information was used as an input to the covered tool.
(3) The disclosure shall be provided with ample time for the licensed health care professional or other person to review and make reasoned decisions based on their professional judgment on whether and how to use the covered tool.
(d) (1) A violation of this section by a licensed health facility is subject to the enforcement mechanisms described in Article 4 (commencing with Section 1290) of Chapter 2.
(2) A violation of this section by a licensed clinic is subject to the enforcement mechanisms described in Article 4 (commencing with Section 1235) of Chapter 1.
(3) A violation of this section by a physician is subject to the jurisdiction of the Medical Board of California or the Osteopathic Medical Board of California, as appropriate.
(4) A violation of this section constitutes "unfair competition" as defined in Section 17200 of the Business and Professions Code and is punishable as prescribed in Chapter 5 (commencing with Section 17200) of Part 2 of Division 7 of the Business and Professions Code.
(e) For purposes of this section, the following definitions shall apply:
(1) "Artificial intelligence" means an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments.
(2) "Clinic" has the same meaning as defined in Section 1200.
(3) "Clinical decision support system" means a computerized system or tool that does both of the following:
(A) Supports decisionmaking related to patient care based on algorithms, or models, based in clinical practice guidelines or that derive relationships from training data, including such algorithms or models that are developed using unsupervised learning models.
(B) Produces an output that results in a prediction, classification, recommendation, evaluation, or analysis.
(4) "Covered tool" means artificial intelligence or a clinical decision support system.
(5) "Health facility" has the same meaning as defined in Section 1250.
(6) "Office of a group practice" has the same meaning as defined in Section 1339.75.
(7) "Patient clinical information" has the same meaning as defined in Section 1339.75.
(8) "Physician's office" has the same meaning as defined in Section 1339.75.

SEC. 3. *Article 2.7 (commencing with Section 2820) is added to Chapter 2 of Division 3 of the Labor Code, to read:*

Article 2.7. Health Information Technology: Worker Rights

2820. *For the purposes of this article, the following definitions shall apply:*
(a) "Artificial intelligence" means an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments.

(b) "Clinical decision support system" means a computerized system or tool that does both of the following:
(A) Supports decisionmaking related to patient care based on algorithms, or models, based in clinical practice guidelines or that derive relationships from training data, including such algorithms or models that are developed using unsupervised learning models.
(B) Produces an output that results in a prediction, classification, recommendation, evaluation, or analysis.
(c) "Technology" means scientific hardware or software, including artificial intelligence and clinical decision support systems, used to achieve a medical or nursing care objective at a health facility.
2821. *(a) It is the public policy of the State of California that a worker providing direct patient care be free to use their professional judgment to make assessments and decisions within their scope of practice as appropriate for their patients.*
(b) It is the public policy of the State of California that a worker providing direct patient care should not be penalized for relying in good faith on technology that the licensed health care professional's employer has selected or approved for their use in patient care.
(c) An employer shall not use or deploy technology to replace or limit a worker's use of professional judgment in patient care.
(d) An employer shall not retaliate or discriminate against a worker providing direct patient care based on both of the following:
(1) The worker's override of, or request to override, the output of technology if, in the judgment of the worker acting in their scope of practice, such an override is appropriate for the patient, or as necessary to comply with applicable law, including civil rights law.
(2) The worker's compliance with the output of technology if the technology was provided or approved by the worker's employer for patient care.
(e) A worker who is subject to retaliation or discrimination in violation of this article has the right under this article to file a complaint with the Labor Commissioner against an employer who retaliates or discriminates against the worker.

SEC. 4. *No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.*

AB 2746 Amends The Law: Introduced 2/20/2026

SECTION 1. Section 1785.3 of the Civil Code is amended to read:

1785.3. The following terms as used in this title have the meaning expressed in this section:
(a) "Adverse action" means a denial or revocation of credit, a change in the terms of an existing credit arrangement which is adverse to the interests of the consumer, or a refusal to grant credit in substantially the amount or on substantially the terms requested. "Adverse action" includes all of the following:
(1) Any denial of, increase in any charge for, or reduction in the amount of, insurance for personal, family, or household purposes made in connection with the underwriting of insurance.
(2) Any denial of employment or any other decision made for employment purposes which adversely affects any current or prospective employee.
(3) Any action taken, or determination made, with respect to a consumer (A) for an application for an extension of credit, or an application for the hiring of a dwelling unit, and (B) that is adverse to the interests of the consumer.
"Adverse action" does not include (A) a refusal to extend additional credit to a consumer under an existing credit arrangement if (i) the applicant is delinquent or otherwise in default under that credit arrangement or (ii) the additional credit would exceed a credit limit previously established for the consumer or (B) a refusal or failure to authorize an account transaction at a point of sale.
(b) "Consumer" means a natural individual.
(c) "Consumer credit report" means any written, oral, or other communication of any information by a consumer credit reporting agency bearing on a consumer's credit worthiness, credit standing, or credit capacity, which is used or is expected to be used, or collected in whole or in part, for the purpose of serving as a factor in establishing the consumer's eligibility for: (1) credit to be used primarily for personal, family, or household purposes, or (2) employment purposes, or (3) hiring of a dwelling unit, as defined in subdivision (c) of Section 1940, or (4) other purposes authorized in Section 1785.11.
The term does not include (1) any report containing information solely as to transactions or experiences between the consumer and the person making the report, (2) any communication of that information or information from a credit application by a consumer that is internal within the organization that is the person making the report or that is made to an entity owned by, or affiliated by corporate control with, that person; provided that the consumer is informed by means of a clear and conspicuous written disclosure that information contained in the credit application may be provided to these persons; however, where a credit application is taken by telephone, disclosure shall initially be given orally at the time the application is taken, and a clear and conspicuous written disclosure shall be made to the consumer in the first written communication to that consumer after the application is taken, (3) any authorization or approval of a specific extension of credit directly or indirectly by the issuer of a credit card or similar device, (4) any report by a person conveying a decision whether to make a specific extension of credit directly or indirectly to a consumer in response to a request by a third party, if the third party advises the consumer of the name and address of the person to whom the request was made and the person makes the disclosures to the consumer required under Section 1785.20, (5) any report containing information solely on a consumer's character, general reputation, personal characteristics, or mode of living which is obtained through personal interviews with neighbors, friends, or associates of the consumer reported on, or others with whom the consumer is acquainted or who may have knowledge concerning those items of information, (6) any communication about a consumer in connection with a credit transaction which is not initiated by the consumer, between persons who are affiliated (as defined in Section 150 of the Corporations Code) by common ownership or common corporate control (as defined by Section 160 of the Corporations Code), if either of those persons has complied with paragraph (2) of subdivision (b) of Section 1785.20.1 with respect to a prequalifying report from which the information communicated is taken and provided the consumer has consented to the provision and

use of the prequalifying report in writing, or (7) any consumer credit report furnished for use in connection with a transaction which consists of an extension of credit to be used solely for a commercial purpose.

(d) “Consumer credit reporting agency” means any person who, for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages in whole or in part in the business of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer credit reports to third parties, but does not include any governmental agency whose records are maintained primarily for traffic safety, law enforcement, or licensing purposes.

(e) “Credit transaction that is not initiated by the consumer” does not include the use of a consumer credit report by an assignee for collection or by a person with which the consumer has an account for purposes of (1) reviewing the account or (2) collecting the account. For purposes of this subdivision, “reviewing the account” includes activities related to account maintenance and monitoring, credit line increases, and account upgrades and enhancements.

(f) “Employment purposes,” when used in connection with a consumer credit report, means a report used for the purpose of evaluating a consumer for employment, promotion, reassignment, or retention as an employee.

(g) “File,” when used in connection with information on any consumer, means all of the information on that consumer recorded and retained by a consumer credit reporting agency, regardless of how the information is stored.

(h) “Firm offer of credit” means any offer of credit to a consumer that will be honored if, based on information in a consumer credit report on the consumer and other information bearing on the creditworthiness of the consumer, the consumer is determined to meet the criteria used to select the consumer for the offer and the consumer is able to provide any real property collateral specified in the offer. For purposes of this subdivision, the phrase “other information bearing on the creditworthiness of the consumer” means information that the person making the offer is permitted to consider pursuant to any rule, regulation, or formal written policy statement relating to the federal Fair Credit Reporting Act, as amended (15 U.S.C. Sec. 1681 et seq.), promulgated by the Federal Trade Commission or any federal bank regulatory agency.

(i) “Item of information” means any of one or more informative entries in a credit report which causes a creditor to deny credit to an applicant or increase the cost of credit to an applicant or deny an applicant a checking account with a bank or other financial institution.

(j) (1) “Medical debt” means a debt related to, in whole or in part, a transaction, account, or balance arising from a medical service, product, or device.

(2) “Medical debt” does not include any of the following:

(A) Debt charged to a credit card unless either of the following applies:

~~(j)~~ *(i)* ~~(1)~~ *The* ~~“Medical debt” means a debt owed by a consumer to a person whose primary business is providing medical services, products, or devices, or to the person’s agent or assignee, for the provision~~ *credit card is issued under an open-end or closed-end plan offered specifically for the payment* of medical services, products, or devices. ~~Medical debt includes, but is not limited to, medical bills that are not past due or that have been paid.~~

(ii) The credit card allows for deferred interest purchases of a medical service, product, or device.

(B) A loan secured by real property.

(C) Debt charged to a general purpose line of credit.

(D) A general purpose unsecured installment loan.

~~(2)~~ *(3)* For the purposes of this subdivision, “medical service, product, or device” does not include cosmetic surgery, as defined in Section 1367.63 of the Health and Safety Code, and includes, but is not limited to, all of the following:

(A) Any service, drug, medication, product, or device sold, offered, or provided to a patient by either of the following:

(i) A person or facility licensed under Division 2 (commencing with Section 1200) of the Health and Safety Code, except for Chapters 3.35 (commencing with Section 1596.60) to 3.65 (commencing with Section 1597.70), inclusive, of that division.
(ii) A person licensed under Division 2 (commencing with Section 500) of the Business and Professions Code, except for Chapter 11 (commencing with Section 4800) of that division.
(B) Initial or subsequent reconstructive surgeries, as defined in Section 1367.63 of the Health and Safety Code, and followup care deemed necessary by the attending physician and surgeon.
(C) Initial or subsequent prosthetic devices, as defined in Section 1367.635 of the Health and Safety Code, and followup care deemed necessary by the attending physician and surgeon.
(D) A mastectomy, as defined in Section 1367.635 of the Health and Safety Code.
(k) “Person” means any individual, partnership, corporation, trust, estate, cooperative, association, government or governmental subdivision or agency, or other entity.
(l) “Prequalifying report” means a report containing the limited information permitted under paragraph (2) of subdivision (b) of Section 1785.11.
(m) “State or local child support enforcement agency” means the Department of Child Support Services or local child support agency acting pursuant to Division 17 (commencing with Section 17000) of the Family Code to establish, enforce or modify child support obligations, and any state or local agency or official that succeeds to these responsibilities under a successor statute.

SEC. 2. *No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.*

SB 923 Amends The Law: Amended 3/23/2026

SECTION 1. Section 1798.105 of the Civil Code is amended to read:

1798.105. Consumers' Right to Delete Personal Information
(a) A consumer shall have the right to request that a business delete any personal information about the consumer which the business has collected from *or about* the consumer.
(b) A business that collects personal information about consumers shall disclose, pursuant to Section 1798.130, the consumer's rights to request the deletion of the consumer's personal information.
(c) (1) A business that receives a verifiable consumer request from a consumer to delete the consumer's personal information pursuant to subdivision (a) of this section shall delete the consumer's personal information from its records, notify any service providers or contractors to delete the consumer's personal information from their records, and notify all third parties to whom the business has sold or shared the personal information to delete the consumer's personal information unless this proves impossible or involves disproportionate effort.
(2) A business that has obtained personal information about a consumer from a source other than the consumer shall be deemed in compliance with a consumer's request to delete that data pursuant to subdivision (a) by retaining a record of the deletion request and the minimum data necessary for the purpose of ensuring the consumer's personal information remains deleted from the business's records and is not being used for any other purpose.
~~(2)~~ *(3)* The business may maintain a confidential record of deletion requests solely for the purpose of preventing the personal information of a consumer who has submitted a deletion request from being sold, for compliance with laws or for other purposes, solely to the extent permissible under this title.
~~(3)~~ *(4)* A service provider or contractor shall cooperate with the business in responding to a verifiable consumer request, and at the direction of the business, shall delete, or enable the business to delete and shall notify any of its own service providers or contractors to delete personal information about the consumer collected, used, processed, or retained by the service provider or the contractor. The service provider or contractor shall notify any service providers, contractors, or third parties who may have accessed personal information from or through the service provider or contractor, unless the information was accessed at the direction of the business, to delete the consumer's personal information unless this proves impossible or involves disproportionate effort. A service provider or contractor shall not be required to comply with a deletion request submitted by the consumer directly to the service provider or contractor to the extent that the service provider or contractor has collected, used, processed, or retained the consumer's personal information in its role as a service provider or contractor to the business.
(d) A business, or a service provider or contractor acting pursuant to its contract with the business, another service provider, or another contractor, shall not be required to comply with a consumer's request to delete the consumer's personal information if it is reasonably necessary for the business, service provider, or contractor to maintain the consumer's personal information in order to:
(1) Complete the transaction for which the personal information was collected, fulfill the terms of a written warranty or product recall conducted in accordance with federal law, provide a good or service requested by the consumer, or reasonably anticipated by the consumer within the context of a business' ongoing business relationship with the consumer, or otherwise perform a contract between the business and the consumer.
(2) Help to ensure security and integrity to the extent the use of the consumer's personal information is reasonably necessary and proportionate for those purposes.
(3) Debug to identify and repair errors that impair existing intended functionality.
(4) Exercise free speech, ensure the right of another consumer to exercise that consumer's right of free speech, or exercise another right provided for by law.

(5) Comply with the California Electronic Communications Privacy Act pursuant to Chapter 3.6 (commencing with Section 1546) of Title 12 of Part 2 of the Penal Code.
(6) Engage in public or peer-reviewed scientific, historical, or statistical research that conforms or adheres to all other applicable ethics and privacy laws, when the business' deletion of the information is likely to render impossible or seriously impair the ability to complete such research, if the consumer has provided informed consent.
(7) To enable solely internal uses that are reasonably aligned with the expectations of the consumer based on the consumer's relationship with the business and compatible with the context in which the consumer provided the information.
(8) Comply with a legal obligation.

SEC. 2. Section 1798.130 of the Civil Code is amended to read:

1798.130. Notice, Disclosure, Correction, and Deletion Requirements
(a) In order to comply with Sections 1798.100, 1798.105, 1798.106, 1798.110, 1798.115, and 1798.125, a business shall, in a form that is reasonably accessible to consumers:
(1) (A) Make available to consumers two or more designated methods for submitting requests for information required to be disclosed pursuant to Sections 1798.110 and 1798.115, or requests for deletion or correction pursuant to Sections 1798.105 and 1798.106, respectively, including, at a minimum, a toll-free telephone number. A business that operates exclusively online and has a direct relationship with a consumer from whom it collects personal information shall only be required to provide an email address *and make an online method, such as a web form or online portal, available* for submitting requests for information required to be disclosed pursuant to Sections 1798.110 and 1798.115, or for requests for deletion or correction pursuant to Sections 1798.105 and 1798.106, respectively.
(B) If the business maintains an internet website, make the internet website available to consumers to submit requests for information required to be disclosed pursuant to Sections 1798.110 and 1798.115, or requests for deletion or correction pursuant to Sections 1798.105 and 1798.106, respectively.
(2) (A) Disclose and deliver the required information to a consumer free of charge, correct inaccurate personal information, or delete a consumer's personal information, based on the consumer's request, within 45 days of receiving a verifiable consumer request from the consumer. The business shall promptly take steps to determine whether the request is a verifiable consumer request, but this shall not extend the business' duty to disclose and deliver the information, to correct inaccurate personal information, or to delete personal information within 45 days of receipt of the consumer's request. The time period to provide the required information, to correct inaccurate personal information, or to delete personal information may be extended once by an additional 45 days when reasonably necessary, provided the consumer is provided notice of the extension within the first 45-day period. The disclosure of the required information shall be made in writing and delivered through the consumer's account with the business, if the consumer maintains an account with the business, or by mail or electronically at the consumer's option if the consumer does not maintain an account with the business, in a readily useable format that allows the consumer to transmit this information from one entity to another entity without hindrance. The business may require authentication of the consumer that is reasonable in light of the nature of the personal information requested, but shall not require the consumer to create an account with the business in order to make a verifiable consumer request provided that if the consumer, has an account with the business, the business may require the consumer to use that account to submit a verifiable consumer request.
(B) The disclosure of the required information shall cover the 12-month period preceding the business' receipt of the verifiable consumer request provided that, upon the adoption of a regulation pursuant to paragraph (8) of subdivision (a) of Section 1798.185, a consumer may request that the business disclose

the required information beyond the 12-month period, and the business shall be required to provide that information unless doing so proves impossible or would involve a disproportionate effort. A consumer's right to request required information beyond the 12-month period, and a business' obligation to provide that information, shall only apply to personal information collected on or after January 1, 2022. Nothing in this subparagraph shall require a business to keep personal information for any length of time.
(3) (A) A business that receives a verifiable consumer request pursuant to Section 1798.110 or 1798.115 shall disclose any personal information it has collected about a consumer, directly or indirectly, including through or by a service provider or contractor, to the consumer. A service provider or contractor shall not be required to comply with a verifiable consumer request received directly from a consumer or a consumer's authorized agent, pursuant to Section 1798.110 or 1798.115, to the extent that the service provider or contractor has collected personal information about the consumer in its role as a service provider or contractor. A service provider or contractor shall provide assistance to a business with which it has a contractual relationship with respect to the business' response to a verifiable consumer request, including, but not limited to, by providing to the business the consumer's personal information in the service provider or contractor's possession, which the service provider or contractor obtained as a result of providing services to the business, and by correcting inaccurate information or by enabling the business to do the same. A service provider or contractor that collects personal information pursuant to a written contract with a business shall be required to assist the business through appropriate technical and organizational measures in complying with the requirements of subdivisions (d) to (f), inclusive, of Section 1798.100, taking into account the nature of the processing.
(B) For purposes of subdivision (b) of Section 1798.110:
(i) To identify the consumer, associate the information provided by the consumer in the verifiable consumer request to any personal information previously collected by the business about the consumer.
(ii) Identify by category or categories the personal information collected about the consumer for the applicable period of time by reference to the enumerated category or categories in subdivision (c) that most closely describes the personal information collected; the categories of sources from which the consumer's personal information was collected; the business or commercial purpose for collecting, selling, or sharing the consumer's personal information; and the categories of third parties to whom the business discloses the consumer's personal information.
(iii) Provide the specific pieces of personal information obtained from the consumer in a format that is easily understandable to the average consumer, and to the extent technically feasible, in a structured, commonly used, machine-readable format that may also be transmitted to another entity at the consumer's request without hindrance. "Specific pieces of information" do not include data generated to help ensure security and integrity or as prescribed by regulation. Personal information is not considered to have been disclosed by a business when a consumer instructs a business to transfer the consumer's personal information from one business to another in the context of switching services.
(4) For purposes of subdivision (b) of Section 1798.115:
(A) Identify the consumer and associate the information provided by the consumer in the verifiable consumer request to any personal information previously collected by the business about the consumer.
(B) Identify by category or categories the personal information of the consumer that the business sold or shared during the applicable period of time by reference to the enumerated category in subdivision (c) that most closely describes the personal information, and provide the categories of third parties to whom the consumer's personal information was sold or shared during the applicable period of time by reference to the enumerated category or categories in subdivision (c) that most closely describes the personal information sold or shared. The business shall disclose the information in a list that is separate from a list generated for the purposes of subparagraph (C).
(C) Identify by category or categories the personal information of the consumer that the business disclosed for a business purpose during the applicable period of time by reference to the enumerated category or categories in subdivision (c) that most closely describes the personal information, and

provide the categories of persons to whom the consumer's personal information was disclosed for a business purpose during the applicable period of time by reference to the enumerated category or categories in subdivision (c) that most closely describes the personal information disclosed. The business shall disclose the information in a list that is separate from a list generated for the purposes of subparagraph (B).
(5) Disclose the following information in its online privacy policy or policies if the business has an online privacy policy or policies and in any California-specific description of consumers' privacy rights, or if the business does not maintain those policies, on its internet website, and update that information at least once every 12 months:
(A) A description of a consumer's rights pursuant to Sections 1798.100, 1798.105, 1798.106, 1798.110, 1798.115, and 1798.125 and two or more designated methods for submitting requests, except as provided in subparagraph (A) of paragraph (1) of subdivision (a).
(B) For purposes of subdivision (c) of Section 1798.110:
(i) A list of the categories of personal information it has collected about consumers in the preceding 12 months by reference to the enumerated category or categories in subdivision (c) that most closely describe the personal information collected.
(ii) The categories of sources from which consumers' personal information is collected.
(iii) The business or commercial purpose for collecting, selling, or sharing consumers' personal information.
(iv) The categories of third parties to whom the business discloses consumers' personal information.
(C) For purposes of paragraphs (1) and (2) of subdivision (c) of Section 1798.115, two separate lists:
(i) A list of the categories of personal information it has sold or shared about consumers in the preceding 12 months by reference to the enumerated category or categories in subdivision (c) that most closely describe the personal information sold or shared, or if the business has not sold or shared consumers' personal information in the preceding 12 months, the business shall prominently disclose that fact in its privacy policy.
(ii) A list of the categories of personal information it has disclosed about consumers for a business purpose in the preceding 12 months by reference to the enumerated category in subdivision (c) that most closely describes the personal information disclosed, or if the business has not disclosed consumers' personal information for a business purpose in the preceding 12 months, the business shall disclose that fact.
(6) Ensure that all individuals responsible for handling consumer inquiries about the business' privacy practices or the business' compliance with this title are informed of all requirements in Sections 1798.100, 1798.105, 1798.106, 1798.110, 1798.115, 1798.125, and this section, and how to direct consumers to exercise their rights under those sections.
(7) Use any personal information collected from the consumer in connection with the business' verification of the consumer's request solely for the purposes of verification and shall not further disclose the personal information, retain it longer than necessary for purposes of verification, or use it for unrelated purposes.
(b) A business is not obligated to provide the information required by Sections 1798.110 and 1798.115 to the same consumer more than twice in a 12-month period.
(c) The categories of personal information required to be disclosed pursuant to Sections 1798.100, 1798.110, and 1798.115 shall follow the definitions of personal information and sensitive personal information in Section 1798.140 by describing the categories of personal information using the specific terms set forth in subparagraphs (A) to (K), inclusive, of paragraph (1) of subdivision (v) of Section 1798.140 and by describing the categories of sensitive personal information using the specific terms set forth in subparagraphs (A) to (F), inclusive, of paragraph (1), and subparagraphs (A) to (C), inclusive, of paragraph (2), of subdivision (ae) of Section 1798.140.

SEC. 3. *The Legislature finds and declares that this act furthers the purposes and intent of the California Privacy Rights Act of 2020.*

SB 980 Amends The Law: Amended 3/16/2026

SECTION 1. Section 123114 of the Health and Safety Code is amended to read:

123114. (a) A health care provider shall not charge a fee to a patient for filling out forms or providing information responsive to forms that support a claim or appeal regarding eligibility for a public benefit ~~program.~~ *program or for completing health-related forms required by an educational institution or childcare provider for participation in school, childcare, or school-sponsored activities.*
(b) A health care provider shall provide information responsive to those portions of the form for which the health care provider has the information necessary to provide a medical opinion. If the health care provider does not have the information necessary to provide a medical opinion, the health care provider may inform the patient if an examination is necessary to obtain the information.
(c) If a health care provider conducts an examination pursuant to subdivision (b), the health care provider shall provide information responsive to those portions of the form for which the health care provider has a medical opinion.
(d) For the purposes of this section, a public benefit program includes the Medi-Cal program, the In-Home Supportive Services Program, the California Work Opportunity and Responsibility to Kids (CalWORKs) program, Social Security Disability Insurance benefits, Supplemental Security Income/State Supplementary Program for the Aged, Blind and Disabled (SSI/SSP) benefits, federal veterans service-connected compensation and nonservice connected pension disability benefits, discharge of a federal student loan based on total and permanent disability, CalFresh, the Cash Assistance Program for Aged, Blind, and Disabled Legal Immigrants, and a government-funded housing subsidy or tenant-based housing assistance program.
(e) Notwithstanding any other law, a health care provider may honor a request to disclose a patient record or complete a public benefit form that contains the written or electronic signature of the patient or the patient's personal representative.

SEC. 2. *No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.*

SB 986 Amends The Law: Introduced 2/5/2026

SECTION 1. Section 11346.2 of the Government Code is amended to read:

11346.2. Every agency subject to this chapter shall prepare, submit to the office *and each house of the Legislature* with the notice of the proposed action as described in Section 11346.5, and make available to the public ~~upon request,~~ all of the following:
(a) A copy of the express terms of the proposed regulation.
(1) The agency shall draft the regulation in plain, straightforward language, avoiding technical terms as much as possible, and using a coherent and easily readable style. The agency shall draft the regulation in plain English.
(2) The agency shall include a notation following the express terms of each California Code of Regulations section, listing the specific statutes or other provisions of law authorizing the adoption of the regulation and listing the specific statutes or other provisions of law being implemented, interpreted, or made specific by that section in the California Code of Regulations.
(3) The agency shall use underline or italics to indicate additions to, and strikeout to indicate deletions from, the California Code of Regulations.
(b) An initial statement of reasons for proposing the adoption, amendment, or repeal of a regulation. This statement of reasons shall include, but not be limited to, all of the following:
(1) A statement of the specific purpose of each adoption, amendment, or repeal, the problem the agency intends to address, and the rationale for the determination by the agency that each adoption, amendment, or repeal is reasonably necessary to carry out the purpose and address the problem for which it is proposed. The statement shall enumerate the benefits anticipated from the regulatory action, including the benefits or goals provided in the authorizing statute. These benefits may include, to the extent applicable, nonmonetary benefits such as the protection of public health and safety, worker safety, or the environment, the prevention of discrimination, the promotion of fairness or social equity, and the increase in openness and transparency in business and government, among other things. Where the adoption or amendment of a regulation would mandate the use of specific technologies or equipment, a statement of the reasons why the agency believes these mandates or prescriptive standards are required.
(2) (A) For a regulation that is not a major regulation, the economic impact assessment required by subdivision (b) of Section 11346.3.
(B) For a major regulation proposed on or after November 1, 2013, the standardized regulatory impact analysis required by subdivision (c) of Section 11346.3.
(3) An identification of each technical, theoretical, and empirical study, report, or similar document, if any, upon which the agency relies in proposing the adoption, amendment, or repeal of a regulation.
(4) (A) A description of reasonable alternatives to the regulation and the agency's reasons for rejecting those alternatives. Reasonable alternatives to be considered include, but are not limited to, alternatives that are proposed as less burdensome and equally effective in achieving the purposes of the regulation in a manner that ensures full compliance with the authorizing statute or other law being implemented or made specific by the proposed regulation. In the case of a regulation that would mandate the use of specific technologies or equipment or prescribe specific actions or procedures, the imposition of performance standards shall be considered as an alternative.
(B) A description of reasonable alternatives to the regulation that would lessen any adverse impact on small business and the agency's reasons for rejecting those alternatives.
(C) Notwithstanding subparagraph (A) or (B), an agency is not required to artificially construct alternatives or describe unreasonable alternatives.
(5) (A) Facts, evidence, documents, testimony, or other evidence on which the agency relies to support an initial determination that the action will not have a significant adverse economic impact on business.

(B) (i) If a proposed regulation is a building standard, the initial statement of reasons shall include the estimated cost of compliance, the estimated potential benefits, and the related assumptions used to determine the estimates.
(ii) The model codes adopted pursuant to Section 18928 of the Health and Safety Code shall be exempt from the requirements of this subparagraph. However, if an interested party has made a request in writing to the agency, at least 30 days before the submittal of the initial statement of reasons, to examine a specific section for purposes of estimating the cost of compliance and the potential benefits for that section, and including the related assumptions used to determine the estimates, then the agency shall comply with the requirements of this subparagraph with regard to that requested section.
(6) A department, board, or commission within the Environmental Protection Agency, the Natural Resources Agency, or the Office of the State Fire Marshal shall describe its efforts, in connection with a proposed rulemaking action, to avoid unnecessary duplication or conflicts with federal regulations contained in the Code of Federal Regulations addressing the same issues. These agencies may adopt regulations different from federal regulations contained in the Code of Federal Regulations addressing the same issues upon a finding of one or more of the following justifications:
(A) The differing state regulations are authorized by law.
(B) The cost of differing state regulations is justified by the benefit to human health, public safety, public welfare, or the environment.
(c) A state agency that adopts or amends a regulation mandated by federal law or regulations, the provisions of which are identical to a previously adopted or amended federal regulation, shall be deemed to have complied with subdivision (b) if a statement to the effect that a federally mandated regulation or amendment to a regulation is being proposed, together with a citation to where an explanation of the regulation can be found, is included in the notice of proposed adoption or amendment prepared pursuant to Section 11346.5. However, the agency shall comply fully with this chapter with respect to any provisions in the regulation that the agency proposes to adopt or amend that are different from the corresponding provisions of the federal regulation.
(d) This section shall be inoperative from January 1, 2012, until January 1, 2014.

SEC. 2. Section 11346.3 of the Government Code is amended to read:

11346.3. (a) A state agency proposing to adopt, amend, or repeal any administrative regulation shall assess the potential for adverse economic impact on California business enterprises and individuals, avoiding the imposition of unnecessary or unreasonable regulations or reporting, recordkeeping, or compliance requirements. For purposes of this subdivision, assessing the potential for adverse economic impact shall require agencies, when proposing to adopt, amend, or repeal a regulation, to adhere to the following requirements, to the extent that these requirements do not conflict with other state or federal laws:
(1) The proposed adoption, amendment, or repeal of a regulation shall be based on adequate information concerning the need for, and consequences of, proposed governmental action.
(2) The state agency, before submitting a proposal to adopt, amend, or repeal a regulation to the office, shall consider the proposal's impact on business, with consideration of industries affected including the ability of California businesses to compete with businesses in other states. For purposes of evaluating the impact on the ability of California businesses to compete with businesses in other states, an agency shall consider, but not be limited to, information supplied by interested parties.
(3) An economic impact assessment prepared pursuant to this subdivision for a proposed regulation that is not a major regulation or that is a major regulation proposed before November 1, 2013, shall be prepared in accordance with subdivision (b), and shall be included in the initial statement of reasons as required by Section 11346.2. An economic assessment prepared pursuant to this subdivision for a major

regulation proposed on or after November 1, 2013, shall be prepared in accordance with subdivision (c), and shall be included in the initial statement of reasons as required by Section 11346.2.

(b) (1) A state agency proposing to adopt, amend, or repeal a regulation that is not a major regulation or that is a major regulation proposed before November 1, 2013, shall prepare an economic impact assessment that assesses whether and to what extent it will affect the following:

(A) The creation or elimination of jobs within the state.

(B) The creation of new businesses or the elimination of existing businesses within the state.

(C) The expansion of businesses currently doing business within the state.

(D) The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.

(2) This subdivision does not apply to the University of California, the college named in Section 92200 of the Education Code, or the Fair Political Practices Commission.

(3) Information required from a state agency for the purpose of completing the assessment may come from existing state publications.

(4) (A) For purposes of conducting the economic impact assessment pursuant to this subdivision, a state agency may use the consolidated definition of small business in subparagraph (B) in order to determine the number of small businesses within the economy, a specific industry sector, or geographic region. The state agency shall clearly identify the use of the consolidated small business definition in its rulemaking package.

(B) For the exclusive purpose of undertaking the economic impact assessment, a "small business" means a business that is all of the following:

(i) Independently owned and operated.

(ii) Not dominant in its field of operation.

(iii) Has fewer than 100 employees.

(C) Subparagraph (A) shall not apply to a regulation adopted by the Department of Insurance that applies to an insurance company.

(c) (1) Each state agency proposing to adopt, amend, or repeal a major regulation on or after November 1, 2013, shall prepare a standardized regulatory impact analysis in the manner prescribed by the Department of Finance pursuant to Section 11346.36. The standardized regulatory impact analysis shall address all of the following:

(A) The creation or elimination of jobs within the state.

(B) The creation of new businesses or the elimination of existing businesses within the state.

(C) The competitive advantages or disadvantages for businesses currently doing business within the state.

(D) The *estimated effect on state revenue, including the* increase or decrease of investment in the state.

(E) The incentives for innovation in products, materials, or processes.

(F) The benefits of the regulations, including, but not limited to, benefits to the health, safety, and welfare of California residents, worker safety, and the state's environment and quality of life, among any other benefits identified by the agency.

(G) The estimated cost savings or financial benefits to society.

(H) The estimated compliance costs for regulated entities, including secondary or indirect costs.

(I) The estimated effect on state expenditures, including estimated administrative expenses.

(J) The estimated opportunity cost, including the cost of compliance as a result of the removal of private capital from the market.

(K) The sources consulted, key assumptions, and sources of uncertainty.

(2) This subdivision shall not apply to the University of California, the college named in Section 92200 of the Education Code, or the Fair Political Practices Commission.

(3) Information required from state agencies for the purpose of completing the analysis may be derived from existing state, federal, or academic publications.

(d) Any administrative regulation adopted on or after January 1, 1993, that requires a report shall not apply to businesses, unless the state agency adopting the regulation makes a finding that it is necessary for the health, safety, or welfare of the people of the state that the regulation apply to businesses.
(e) Analyses conducted pursuant to this section are intended to provide agencies and the public with tools to determine whether the regulatory proposal is an efficient and effective means of implementing the policy decisions enacted in statute or by other provisions of law in the least burdensome manner. Regulatory impact analyses shall inform the agencies and the public of the economic consequences of regulatory choices, not reassess statutory policy. The baseline for the regulatory analysis shall be the most cost-effective set of regulatory measures that are equally effective in achieving the purpose of the regulation in a manner that ensures full compliance with the authorizing statute or other law being implemented or made specific by the proposed regulation.
(f) Each state agency proposing to adopt, amend, or repeal a major regulation on or after November 1, 2013, and that has prepared a standardized regulatory impact analysis pursuant to subdivision (c), shall submit that analysis to the Department of Finance upon completion. The department shall comment, within 30 days of receiving that analysis, on the extent to which the analysis adheres to the regulations adopted pursuant to Section 11346.36. Upon receiving the comments from the department, the agency may update its analysis to reflect any comments received from the department and shall summarize the comments and the response of the agency along with a statement of the results of the updated analysis for the statement required by paragraph (10) of subdivision (a) of Section 11346.5.

SEC. 3. Section 11346.5 of the Government Code is amended to read:

11346.5. (a) The notice of proposed adoption, amendment, or repeal of a regulation shall include the following:
(1) A statement of the time, place, and nature of proceedings for adoption, amendment, or repeal of the regulation.
(2) Reference to the authority under which the regulation is proposed and a reference to the particular code sections or other provisions of law that are being implemented, interpreted, or made specific.
(3) An informative digest drafted in plain English in a format similar to the Legislative Counsel's digest on legislative bills. The informative digest shall include the following:
(A) A concise and clear summary of existing laws and regulations, if any, related directly to the proposed action and of the effect of the proposed action.
(B) If the proposed action differs substantially from an existing comparable federal regulation or statute, a brief description of the significant differences and the full citation of the federal regulations or statutes.
(C) A policy statement overview explaining the broad objectives of the regulation and the specific benefits anticipated by the proposed adoption, amendment, or repeal of a regulation, including, to the extent applicable, nonmonetary benefits such as the protection of public health and safety, worker safety, or the environment, the prevention of discrimination, the promotion of fairness or social equity, and the increase in openness and transparency in business and government, among other things.
(D) An evaluation of whether the proposed regulation is inconsistent or incompatible with existing state regulations.
(4) Any other matters as are prescribed by statute applicable to the specific state agency or to any specific regulation or class of regulations.
(5) A determination as to whether the regulation imposes a mandate on local agencies or school districts and, if so, whether the mandate requires state reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4.
(6) An estimate, prepared in accordance with instructions adopted by the Department of Finance, of the cost or savings to any state agency, the cost to any local agency or school district that is required to be

reimbursed under Part 7 (commencing with Section 17500) of Division 4, other nondiscretionary cost or savings imposed on local agencies, and the cost or savings in federal funding to the state.
For purposes of this paragraph, “cost or savings” means additional costs or savings, both direct and indirect, that a public agency necessarily incurs in reasonable compliance with regulations.
(7) If a state agency, in proposing to adopt, amend, or repeal any administrative regulation, makes an initial determination that the action may have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall include the following information in the notice of proposed action:
(A) Identification of the types of businesses that would be affected.
(B) A description of the projected reporting, recordkeeping, and other compliance requirements that would result from the proposed action.
(C) The following statement: “The (name of agency) has made an initial determination that the (adoption/amendment/repeal) of this regulation may have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The (name of agency) (has/has not) considered proposed alternatives that would lessen any adverse economic impact on business and invites you to submit proposals. Submissions may include the following considerations:
(i) The establishment of differing compliance or reporting requirements or timetables that take into account the resources available to businesses.
(ii) Consolidation or simplification of compliance and reporting requirements for businesses.
(iii) The use of performance standards rather than prescriptive standards.
(iv) Exemption or partial exemption from the regulatory requirements for businesses.”
(8) If a state agency, in adopting, amending, or repealing any administrative regulation, makes an initial determination that the action will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall make a declaration to that effect in the notice of proposed action. In making this declaration, the agency shall provide in the record facts, evidence, documents, testimony, or other evidence upon which the agency relies to support its initial determination.
An agency’s initial determination and declaration that a proposed adoption, amendment, or repeal of a regulation may have or will not have a significant, adverse impact on businesses, including the ability of California businesses to compete with businesses in other states, shall not be grounds for the office to refuse to publish the notice of proposed action.
(9) A description of all cost impacts, known to the agency at the time the notice of proposed action is submitted to the office, that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
If no cost impacts are known to the agency, it shall state the following:
“The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.”
(10) A *determination of whether the regulation is a major regulation, including an explanation of why it presumptively is or is not a major regulation, a* statement of the results of the economic impact assessment required by subdivision (b) of Section 11346.3 or the standardized regulatory impact analysis if required by subdivision (c) of Section 11346.3, a summary of any comments submitted to the agency pursuant to subdivision (f) of Section 11346.3 and the agency’s response to those comments.
(11) The finding prescribed by subdivision (d) of Section 11346.3, if required.
(12) (A) A statement that the action would have a significant effect on housing costs, if a state agency, in adopting, amending, or repealing any administrative regulation, makes an initial determination that the action would have that effect.
(B) The agency officer designated in paragraph (14) shall make available to the public, upon request, the agency’s evaluation, if any, of the effect of the proposed regulatory action on housing costs.

(C) The statement described in subparagraph (A) shall also include the estimated costs of compliance and potential benefits of a building standard, if any, that were included in the initial statement of reasons.
(D) For purposes of model codes adopted pursuant to Section 18928 of the Health and Safety Code, the agency shall comply with the requirements of this paragraph only if an interested party has made a request to the agency to examine a specific section for purposes of estimating the costs of compliance and potential benefits for that section, as described in Section 11346.2.
(13) A statement that the adopting agency must determine that no reasonable alternative considered by the agency or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. For a major regulation, as defined by Section 11342.548, proposed on or after November 1, 2013, the statement shall be based, in part, upon the standardized regulatory impact analysis of the proposed regulation, as required by Section 11346.3, as well as upon the benefits of the proposed regulation identified pursuant to subparagraph (C) of paragraph (3).
(14) The name and telephone number of the agency representative and designated backup contact person to whom inquiries concerning the proposed administrative action may be directed.
(15) The date by which comments submitted in writing must be received to present statements, arguments, or contentions in writing relating to the proposed action in order for them to be considered by the state agency before it adopts, amends, or repeals a regulation.
(16) Reference to the fact that the agency proposing the action has prepared a statement of the reasons for the proposed action, has available all the information upon which its proposal is based, and has available the express terms of the proposed action, pursuant to subdivision (b).
(17) A statement that if a public hearing is not scheduled, any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period, a public hearing pursuant to Section 11346.8.
(18) A statement indicating that the full text of a regulation changed pursuant to Section 11346.8 will be available for at least 15 days prior to the date on which the agency adopts, amends, or repeals the resulting regulation.
(19) A statement explaining how to obtain a copy of the final statement of reasons once it has been prepared pursuant to subdivision (a) of Section 11346.9.
(20) If the agency maintains an Internet Web site or other similar forum for the electronic publication or distribution of written material, a statement explaining how materials published or distributed through that forum can be accessed.
(21) If the proposed regulation is subject to Section 11346.6, a statement that the agency shall provide, upon request, a description of the proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law and that providing the description of proposed changes may require extending the period of public comment for the proposed action.
(b) The agency representative designated in paragraph (14) of subdivision (a) shall make available to the public upon request the express terms of the proposed action. The representative shall also make available to the public upon request the location of public records, including reports, documentation, and other materials, related to the proposed action. If the representative receives an inquiry regarding the proposed action that the representative cannot answer, the representative shall refer the inquiry to another person in the agency for a prompt response.
(c) This section shall not be construed in any manner that results in the invalidation of a regulation because of the alleged inadequacy of the notice content or the summary or cost estimates, or the alleged

inadequacy or inaccuracy of the housing cost estimates, if there has been substantial compliance with those requirements.

SEC. 4. *Section 11346.10 is added to the Government Code, to read:*

11346.10. *(a) Except as provided under Section 11346.1, a major regulation shall not take effect until the Legislature enacts a law to approve the regulation. If the Legislature fails to enact a law to approve the regulation or does not vote on the regulation within 60 days of receiving the regulation from the office, the regulation shall be deemed disapproved.*
(b) If the Governor determines that is in the best interests of the state for a major regulation to take effect during a time when the Legislature is not in session, it is the intent of the Legislature that the Governor cause the Legislature, pursuant to subdivision (b) of Section 3 of Article IV of the California Constitution, to assemble in special session for the sole purpose of voting to approve or disapprove the proposed major regulation. In such case, the Legislature shall work in good faith to schedule the vote promptly as the situation requires.

SEC. 5. Section 11349.1 of the Government Code is amended to read:

11349.1. (a) The office shall review all regulations adopted, amended, or repealed pursuant to the procedure specified in Article 5 (commencing with Section 11346) and submitted to it for publication in the California Code of Regulations Supplement and for transmittal to the Secretary of State and make determinations using all of the following standards:
(1) Necessity.
(2) Authority.
(3) Clarity.
(4) Consistency.
(5) Reference.
(6) Nonduplication.
(7) Economic impact.
In reviewing regulations pursuant to this section, the office shall restrict its review to the regulation and the record of the rulemaking proceeding. The office shall approve the regulation or order of repeal if it complies with the standards set forth in this section and with this chapter.
(b) In reviewing proposed regulations for the criteria in subdivision (a), the office may consider the clarity of the proposed regulation in the context of related regulations already in existence.
(c) The office shall adopt regulations governing the procedures it uses in reviewing regulations submitted to it. The regulations shall provide for an orderly review and shall specify the methods, standards, presumptions, and principles the office uses, and the limitations it observes, in reviewing regulations to establish compliance with the standards specified in subdivision (a). The regulations adopted by the office shall ensure that it does not substitute its judgment for that of the rulemaking agency as expressed in the substantive content of adopted regulations.
(d) The office shall return any regulation subject to this chapter to the adopting agency if any of the following occur:
(1) The adopting agency has not prepared the estimate required by paragraph (6) of subdivision (a) of Section 11346.5 and has not included the data used and calculations made and the summary report of the estimate in the file of the rulemaking.
(2) The agency has not complied with Section 11346.3. "Noncompliance" means that the agency failed to complete the economic impact assessment or standardized regulatory impact analysis required by Section 11346.3 or failed to include the assessment or analysis in the file of the rulemaking proceeding as required by Section 11347.3.

(3) The adopting agency has prepared the estimate required by paragraph (6) of subdivision (a) of Section 11346.5, the estimate indicates that the regulation will result in a cost to local agencies or school districts that is required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4, and the adopting agency fails to do any of the following:
(A) Cite an item in the Budget Act for the fiscal year in which the regulation will go into effect as the source from which the Controller may pay the claims of local agencies or school districts.
(B) Cite an accompanying bill appropriating funds as the source from which the Controller may pay the claims of local agencies or school districts.
(C) Attach a letter or other documentation from the Department of Finance which states that the Department of Finance has approved a request by the agency that funds be included in the Budget Bill for the next following fiscal year to reimburse local agencies or school districts for the costs mandated by the regulation.
(D) Attach a letter or other documentation from the Department of Finance which states that the Department of Finance has authorized the augmentation of the amount available for expenditure under the agency's appropriation in the Budget Act which is for reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 to local agencies or school districts from the unencumbered balances of other appropriations in the Budget Act and that this augmentation is sufficient to reimburse local agencies or school districts for their costs mandated by the regulation.
(4) The proposed regulation conflicts with an existing state regulation and the agency has not identified the manner in which the conflict may be resolved.
(5) The agency did not make the alternatives determination as required by paragraph (4) of subdivision (a) of Section 11346.9.
(e) The office shall notify the Department of Finance of all regulations returned pursuant to subdivision (d).
(f) The office shall return a rulemaking file to the submitting agency if the file does not comply with subdivisions (a) and (b) of Section 11347.3. Within three state working days of the receipt of a rulemaking file, the office shall notify the submitting agency of any deficiency identified. If no notice of deficiency is mailed to the adopting agency within that time, a rulemaking file shall be deemed submitted as of the date of its original receipt by the office. A rulemaking file shall not be deemed submitted until each deficiency identified under this subdivision has been corrected.
(g) Notwithstanding any other law, return of the regulation to the adopting agency by the office pursuant to this section is the exclusive remedy for a failure to comply with subdivision (c) of Section 11346.3 or paragraph (10) of subdivision (a) of Section 11346.5.
(h) When reviewing a regulation pursuant to this section, the office shall make an independent determination as to whether the proposed regulation is a major regulation that requires legislative approval before it can take effect. The office's determination that a proposed regulation is a major regulation shall be made public to provide notice that the regulation might not be in effect without legislative approval.
(i) For each major regulation, the office shall produce an independent regulatory impact analysis conducted in the same manner and including the same considerations as the regulatory impact analysis required by Section 11346.3.

SEC. 6. Section 11349.3 of the Government Code is amended to read:

11349.3. (a) ~~The~~ *(1)* ~~office~~ *If the office determines that a regulation is not a major regulation, the office* shall either approve a regulation submitted to it for review and transmit it to the Secretary of State for filing or disapprove it within 30 working days after the regulation has been submitted to the office for review. If the office fails to act within 30 days, the regulation shall be deemed to have been approved and the office shall transmit it to the Secretary of State for filing.

(2) If the office determines that a regulation is a major regulation, the office shall submit the major regulation to the Legislature for approval or disapproval pursuant to Section 11346.10 and its independent regulatory impact analysis required by Section 11349.1.
(b) If the office disapproves a regulation, it shall return it to the adopting agency within the 30-day period specified in subdivision (a) accompanied by a notice specifying the reasons for disapproval. Within seven calendar days of the issuance of the notice, the office shall provide the adopting agency with a written decision detailing the reasons for disapproval. No regulation shall be disapproved except for failure to comply with the standards set forth in Section 11349.1 or for failure to comply with this chapter.
(c) If an agency determines, on its own initiative, that a regulation submitted pursuant to subdivision (a) should be returned by the office prior to completion of the office's review, it may request the return of the regulation. All requests for the return of a regulation shall be memorialized in writing by the submitting agency no later than one week following the request. Any regulation returned pursuant to this subdivision shall be resubmitted to the office for review within the one-year period specified in subdivision (b) of Section 11346.4 or shall comply with Article 5 (commencing with Section 11346) prior to resubmission.
(d) The office shall not initiate the return of a regulation pursuant to subdivision (c) as an alternative to disapproval pursuant to subdivision (b).

SEC. 7. Section 11350 of the Government Code is amended to read:

11350. (a) Any interested person may obtain a judicial declaration as to the validity of any regulation or order of repeal by bringing an action for declaratory relief in the superior court in accordance with the Code of Civil Procedure. The right to judicial determination shall not be affected by the failure either to petition or to seek reconsideration of a petition filed pursuant to Section 11340.7 before the agency promulgating the regulation or order of repeal. The regulation or order of repeal may be declared to be invalid for a substantial failure to comply with this chapter, or, in the case of an emergency regulation or order of repeal, upon the ground that the facts recited in the finding of emergency prepared pursuant to subdivision (b) of Section 11346.1 do not constitute an emergency within the provisions of Section 11346.1.
(b) In addition to any other ground that may exist, a regulation or order of repeal may be declared invalid if either of the following exists:
(1) The agency's determination that the regulation is reasonably necessary to effectuate the purpose of the statute, court decision, or other provision of law that is being implemented, interpreted, or made specific by the regulation is not supported by substantial evidence.
(2) The agency declaration pursuant to paragraph (8) of subdivision (a) of Section 11346.5 is in conflict with substantial evidence in the record.
(c) The approval of a regulation or order of repeal by the office or the Governor's overruling of a decision of the office disapproving a regulation or order of repeal shall not be considered by a court in any action for declaratory relief brought with respect to a regulation or order of repeal.
(d) In a proceeding under this section, a court may only consider the following evidence:
(1) The rulemaking file prepared under Section 11347.3.
(2) The finding of emergency prepared pursuant to subdivision (b) of Section 11346.1.
(3) An item that is required to be included in the rulemaking file but is not included in the rulemaking file, for the sole purpose of proving its omission.
(4) Any evidence relevant to whether a regulation used by an agency is required to be adopted under this chapter.
(5) The agency's determination of whether a regulation is a major regulation that requires legislative approval pursuant to Section 11346.10.0.

SB 1050 Amends The Law: Introduced 2/12/2026

SECTION 1. *(a) The Legislature finds and declares as follows:*
(1) Consumers have a substantial interest in knowing when an advertisement uses a synthetic digital performer in a manner that could reasonably be interpreted as a human performance.
(2) Requiring a factual disclosure regarding the use of a synthetic performer is necessary to prevent deceptive or misleading advertising practices.
(b) It is the intent of the Legislature that the disclosure required by this act is a purely factual commercial disclosure consistent with constitutional protections for commercial speech.

SEC. 2. *Article 10 (commencing with Section 17610) is added to Chapter 1 of Part 3 of Division 7 of the Business and Professions Code, to read:*

Article 10. Synthetic Performers
17610. *(a) For purposes of this section, the following definitions apply:*
(1) "Advertisement" means any message, statement, audiovisual recording, digital communication, or other representation disseminated in any manner or by any means, including through online platforms, that is intended to induce, or that is reasonably expected to induce, the purchase of goods or services, as described in Section 17500.
(2) "Clear and conspicuous disclosure" means a disclosure that is difficult to miss, easily understandable, and presented in a manner that a reasonable consumer would notice, read, and comprehend, taking into account the medium, format, and context in which the advertisement appears.
(3) "Synthetic performer" means a human-like digital figure, voice, or representation created in whole or in part using artificial intelligence, machine learning, or computational techniques, and not based on, derived from, or intended to depict any particular identifiable natural person as described in Section 3344 of the Civil Code.
(b) It is unlawful for any person, in connection with the creation or dissemination of an advertisement in this state, to use or cause to be used a synthetic performer without a clear and conspicuous disclosure that the performer is synthetic.
(c) A disclosure required by this section shall, at a minimum, satisfy all of the following:
(1) Appear in close proximity to the synthetic performer.
(2) Be presented in a manner and duration sufficient for a reasonable consumer to understand that the performer is not a real human being.
(3) Use wording substantially similar to "this performance features a synthetic digital performer," or "no human performer is depicted."
(d) Nothing in this section shall be construed to do any of the following:
(1) Restrict or prohibit the creation, distribution, or exhibition of synthetic content.
(2) Regulate the expressive or informational content of an advertisement, except to require the factual disclosure described in subdivision (b).
(3) Affect or limit any rights or remedies available under Section 17200 or 17500 or any other law concerning deceptive, unfair, or misleading business practices.
(4) Apply to advertisements for expressive works, including, but not limited to, motion pictures, television programs, streaming content, documentaries, video games, or other similar audiovisual works, provided that the use of a synthetic performer in the advertisement or promotional material is consistent with its use in the expressive work.
(e) A violation of this section constitutes a violation of Section 17500 and may be enforced pursuant to Chapter 5 (commencing with Section 17200) of Part 2.

(f) The requirements of this section are severable. If any provision or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

SEC. 3. *No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.*

SB 1146 Amends The Law: Introduced 2/18/2026

SECTION 1. *Section 651.4 is added to the Business and Professions Code, to read:*

651.4. *(a) For purposes of this section, the following definitions apply:*
(1) "Artificial intelligence" means an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments.
(2) (A) "Generated or substantially altered using artificial intelligence or other computer technology" means when visual or audio media of a natural person is either of the following:
(i) Entirely created using artificial intelligence or other computer technology and would appear to a reasonable person to be authentic.
(ii) Materially altered by artificial intelligence or other computer technology and that alteration would cause a reasonable person to have a fundamentally different understanding of the altered media when comparing it to an unaltered version.
(B) Any visual or audio media of a natural person is not "generated or substantially altered using artificial intelligence or other computer technology" if the media is immaterially altered by artificial intelligence or other computer technology, including a cosmetic adjustment, color edit, cropped image, or resized image.
(3) "Health-related consumer product or service" means a product or service that is marketed for use primarily for personal, family, or household purposes, and is marketed as having a health benefit. Examples include, but are not limited to, dietary supplements and medical goods and services.
(4) "Natural person" means a natural human individual, and does not include a firm, partnership, association, corporation, limited liability company, or cooperative association.
(b) An advertisement that uses the image, audio, or video of a natural person that is generated or substantially altered using artificial intelligence or other computer technology to promote the sale of a health-related consumer product or service shall include a clear and conspicuous disclosure that the image, audio, or video, as applicable, of the person in the advertisement was generated or substantially altered by artificial intelligence, and shall comply with all of the following:
(1) For visual media, the text of the disclosure shall appear in a prominent location and in a size that is easily readable by the average viewer. For visual media that is video, that disclosure shall be displayed for the duration of the video.
(2) For audio-only media, the disclosure shall be read in a clearly spoken manner and in a pitch that can be easily heard by the average listener, at the beginning of the audio, at the end of the audio, and, if the audio is greater than two minutes in length, interspersed within the audio at intervals of not greater than two minutes each.
(c) Advertisements subject to this section shall comply with all other applicable state and federal laws. This section does not abrogate, narrow, or otherwise limit any other applicable state or federal law. This section does not authorize use of a person's likeness for commercial purposes without the individual's consent.
(d) (1) Actions for relief pursuant to this section may be prosecuted exclusively in a court of competent jurisdiction in a civil action brought in the name of the people of the State of California by the Attorney General or by any district attorney. This section shall not be deemed to create a private right of action, or limit any existing private right of action.
(2) A violation of this section shall not constitute a misdemeanor for purposes of this article.
(3) This section does not alter or negate any rights, obligations, or immunities of an interactive computer service provider under Section 230 of Title 47 of the United States Code.

SB 1159 Amends The Law: Introduced 2/18/2026

SECTION 1. *(a) (1) Subdivision (b) of Section 3 of Article 1 of the California Constitution establishes that "the people have the right of access to information concerning the conduct of the people's business." California's transparency and governance laws, including the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) Chapter 4 (commencing with Section 11370), Chapter 4.5 (commencing with Section 11400), and Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code), the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code), the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code), the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code), the Political Reform Act of 1974 (Title 9 (commencing with Section 81000) of the Government Code), and the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code), implement this constitutional mandate by enabling natural persons to participate in and observe governmental processes.*
(2) Artificial intelligence (AI) systems can now be programmed to automatically and continuously engage with governmental processes at scales and speeds that far exceed human capacity. AI systems have the ability to submit thousands or millions of automated public records requests, generate mass public comments on proposed regulations, file automated petitions for rulemaking, or otherwise flood governmental agencies with interactions that simulate human participation but lack genuine human deliberation or judgment.
(3) Automated mass engagement would overwhelm government agencies, divert limited public resources from serving actual constituents, drown out genuine human participation, and transform deliberative processes into meaningless exchanges with machines. Public comment periods would become ineffective if agencies must process thousands of AI-generated submissions, and the administrative burden would undermine the purpose of California's transparency laws. This threat is not theoretical. In the United Kingdom, AI-powered platforms have already enabled automated generation of planning objections, prompting warnings from experts that such systems will overwhelm public agencies.
(4) California's transparency and governance laws referenced in paragraph (1) presuppose participants who possess consciousness, moral agency, deliberative judgment, and membership in the political community. AI systems, regardless of their sophistication, lack these essential attributes of personhood. Consistent with the United States Patent and Trademark Office's November 2025 guidance recognizing that AI systems are tools to support human activity rather than independent actors, and with the European Union's AI Act adopted in 2024 protecting the fundamental rights of natural persons, California law maintains the distinction between human beings and artificial intelligence.
(b) Therefore, it is the intent of the Legislature to clarify that, for purposes of California's transparency and governance laws referenced in subdivision (a), the terms "person," "interested person," "member of the public," and any other similar terms referring to those who may engage with governmental agencies under those laws, refer to natural persons and legally recognized entities capable of genuine participation in democratic governance, not AI systems that could be programmed to simulate participation at scales that would overwhelm governmental processes.

SEC. 2. *Section 17.5 is added to the Government Code, to read:*

17.5. *(a) For purposes of all of the following acts, the terms "person," "interested person," "participant," "member of the public," as applicable, and any other similar terms under each act referring to those who may engage with governmental agencies, do not include artificial intelligence systems, autonomous agents, robots, or other nonhuman entities, whether physical or digital:*

(1) The California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1).
(2) The Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2).
(3) The Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) Chapter 4 (commencing with Section 11370), Chapter 4.5 (commencing with Section 11400), and Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2).
(4) The Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5).
(5) The Political Reform Act of 1974 (Title 9 (commencing with Section 81000)).
(6) The California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).
(b) For purposes of this section, "artificial intelligence" means an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments.

SEC. 3. *The Legislature finds and declares that Section 2 of this act, which adds Section 17.5 to the Government Code, furthers, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:*
The clarification made by this act serves the public interest by preserving the integrity and functionality of California's democratic institutions, preventing automated systems from displacing genuine human participation, protecting public resources from being consumed by responding to machine-generated requests, and ensuring that governmental decisions remain responsive to the people of California.

SB 1204 Amends The Law: Introduced 2/19/2026

SECTION 1. Section 11349.3 of the Government Code is amended to read:

11349.3. (a) The office shall either approve a regulation submitted to it for review and transmit it to the Secretary of State for filing or disapprove it within 30 working days after the regulation has been submitted to the office for review. If the office fails to act within 30 days, the regulation shall be deemed to have been approved and the office shall transmit it to the Secretary of State for filing.
(b) *(1)* If the office disapproves a regulation, it shall return it to the adopting agency within the 30-day period specified in subdivision (a) accompanied by a notice specifying the reasons for disapproval. Within seven calendar days of the issuance of the notice, the office shall provide the adopting agency with a written decision detailing the reasons for disapproval. ~~No~~ *A* regulation shall *not* be disapproved except for failure to comply with the standards set forth in Section 11349.1 or for failure to comply with this chapter.
(2) Within 60 days of returning a regulation to the adopting agency pursuant to paragraph (1), the office shall report the disapproval and the reasons for disapproval to the Legislature in compliance with Section 9795.
(c) If an agency determines, on its own initiative, that a regulation submitted pursuant to subdivision (a) should be returned by the office prior to completion of the office's review, it may request the return of the regulation. All requests for the return of a regulation shall be memorialized in writing by the submitting agency no later than one week following the request. Any regulation returned pursuant to this subdivision shall be resubmitted to the office for review within the one-year period specified in subdivision (b) of Section 11346.4 or shall comply with Article 5 (commencing with Section 11346) prior to resubmission.
(d) The office shall not initiate the return of a regulation pursuant to subdivision (c) as an alternative to disapproval pursuant to subdivision (b).

SB 1248 Amends The Law: Introduced 2/19/2026

SECTION 1. *The Legislature finds and declares all of the following:*
(a) California's residents and businesses increasingly conduct transactions at unprecedented speeds, with private sector services such as loan approvals, insurance applications, and consumer purchases now processed in minutes or seconds through automated systems. Government services have not kept pace with these technological advances, creating a disconnect between public expectations and the reality of government service delivery.
(b) Delays in processing professional license applications, credential verifications, and occupational certifications impose significant hardships on California residents. Nurses, teachers, contractors, cosmetologists, and other professionals face prolonged delays in receiving licenses necessary to begin or continue working, which creates economic hardship and workforce shortages. Businesses cannot operate while waiting for required professional credentials, and California's economy suffers when qualified individuals are prevented from contributing their skills due to administrative backlogs.
(c) Automatic decisionmaking systems, when properly designed with appropriate safeguards, transparency measures, and human oversight mechanisms, have the potential to dramatically reduce processing times for routine governmental decisions while maintaining accuracy and fairness. These systems can enable state agencies to redirect limited staff resources from repetitive administrative tasks to complex cases requiring human judgment and to providing enhanced customer service.
(d) The deployment of automated decisionmaking technology in government services must be accompanied by robust protections to ensure equity, prevent algorithmic bias, protect individual privacy, and preserve meaningful human review and appeal rights. The benefits of speed and efficiency must not come at the expense of due process, equal protection, or the fundamental principle that government remains accountable to the people it serves.
(e) Authorizing state agencies to utilize automatic decisionmaking systems for professional licensing, occupational credentialing, and benefits determination in state-administered programs, subject to appropriate standards and oversight, will modernize California's public service infrastructure, reduce administrative burdens on both government and residents, and ensure that government responsiveness reflects the technological capabilities and expectations of the twenty-first century.
(f) California operates over 40 professional licensing boards, bureaus, and programs under the Department of Consumer Affairs, regulating more than 200 occupations and professions. These entities process hundreds of thousands of license applications, renewals, and verifications annually. Automatic decisionmaking systems provide state agencies the technological means to meet statutory processing timelines while ensuring consistent and fair application of licensing criteria and professional standards.

SEC. 2. *Chapter 6 (commencing with Section 12898) is added to Part 2.5 of Division 3 of Title 2 of the Government Code, to read:*

CHAPTER 6. Automated Decision Systems
12898. *For purposes of this chapter, the following definitions apply:*
(a) "Artificial intelligence" means an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments.
(b) "Automated decision system" means a computational process derived from machine learning, statistical modeling, data analytics, or artificial intelligence that issues simplified output, including a score, classification, or recommendation, that is used to assist or replace human discretionary decisionmaking and materially impacts natural persons. "Automated decision system" does not include a spam email filter, firewall, antivirus software, identity and access management tools, calculator, database, dataset, or other compilation of data.

(c) "Legally protected information" means information that a person is prohibited from disclosing under federal or state law, including provisions of the Evidence Code relating to privilege, or that would result in a violation of a legal duty of confidentiality.
(d) "State agency" has the same meaning as in Section 11000.
(e) "Personally identifiable information" means an individual's residential address, telephone number, social security number, driver's license number, state identification card number, passport number, license plate number, vehicle registration information for a motor vehicle owned or leased by the individual, and information regarding an individual's precise geolocation, as defined in Section 1798.140 of the Civil Code.
(f) "Protected health information" has the same meaning as defined in Section 160.103 of Title 45 of the Code of Federal Regulations.
(g) "Services" means both of the following:
(1) Services, benefits, or assistance, whether provided in cash or in kind, that a state agency provides or administers, including, but not limited to, social services, linkages to programs administered by the federal Social Security Administration, vocational and education-related services, and employment assistance.
(2) Issuance, renewal, denial, or suspension of a professional license or occupational credential.
12898.1. *If a state agency uses an automated decision system for services, not including competitive determinations, the state agency shall comply with all of the following:*
(a) The state agency may use an automated decision system to inform its decisionmaking process. The state agency shall not substitute the outputs of an automated decision system for human judgment.
(b) When an automated decision system is used to assist in a decisionmaking process, the system shall be only one of the factors a user considers in reaching a decision. The state agency may use an automated decision system to ascertain whether a services application or submission meets minimum eligibility thresholds as predetermined by the state agency.
(c) The state agency shall not use an output from an automated decision system as the sole basis for an adverse service determination affecting a natural person, such as denial of a benefit or license, except as expressly authorized by federal or state law.
(d) The state agency shall require that any output of an automated decision system that suggests noneligibility or other adverse action be reviewed by a human before any adverse action is taken.
(e) A state agency's user shall not represent work generated solely by an automated decision system as the user's own original work.
(f) When the use of an automated decision system is material to a decision, the state agency shall provide a means, consistent with applicable law, to document or disclose that the system was used in the decisionmaking process.
(g) The state agency shall verify the accuracy of an automated decision system's outputs, and shall promote nondiscrimination in its use of an automated decision system, by doing all of the following:
(1) Ensure content, recommendations, or other outputs generated by an automated decision system that may materially affect service levels are reviewed and verified by an employee of the state agency, or by another authorized person, for accuracy before being relied upon.
(2) Monitor and periodically evaluate the use of automated decision systems to reduce the risk that outputs contain or perpetuate bias, including bias based on race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, age, disability, medical condition, genetic information, immigration or citizenship status, or any other characteristic protected by federal or state law.
(3) Require that an application or submission contain all required fields, attachments, or information in the required format.
(h) The state agency shall safeguard personally identifiable information, protected health information, or other legally protected information by prohibiting a user of the automated decisions system from

inputting, uploading, or otherwise disclosing the information to an automated decision system, except where necessary for services administration or delivery, as authorized by law and subject to appropriate safeguards. For third-party systems, a state agency shall employ safeguards that may include access controls and appropriate security standards.
(i) The state agency's director or designee shall provide for an initial and subsequent periodic quality control review of the outputs of the automated decision system, or a statistically valid represented sample thereof to assure acceptable accuracy.
12898.2 *The Government Operations Agency, in collaboration with any other state entity the agency deems appropriate, may develop, adopt, and make publicly available guidance for a state agency's use of automated decision systems consistent with this chapter. Before issuing the guidance, the agency shall notify the Joint Legislative Budget Committee of its decision to issue guidance.*
12898.3 *The Government Operations Agency may provide technical assistance to state agencies to comply with this chapter.*

SB 1391 Amends The Law: Introduced 2/20/2026

SECTION 1. Section 464 of the Business and Professions Code is amended to read:

464. (a) *(1)* Any of the ~~boards~~ *boards, bureaus, or commissions* within the department may establish, by regulation, a system for a retired category of licensure for persons who are not actively engaged in the practice of their profession or vocation.
(2) A board that offers a retired category of licensure shall disclose that information on its internet website.
(b) The regulation shall contain the following:
(1) A retired license shall be issued to a person with either an active license or an inactive license that was not placed on inactive status for disciplinary reasons.
(2) The holder of a retired license issued pursuant to this section shall not engage in any activity for which a license is required, unless the board, by regulation, specifies the criteria for a retired licensee to practice ~~his or her~~ *their* profession or vocation.
(3) The holder of a retired license shall not be required to renew that license.
(4) The board shall establish an appropriate application fee for a retired license to cover the reasonable regulatory cost of issuing a retired license.
(5) In order for the holder of a retired license issued pursuant to this section to restore ~~his or her~~ *their* license to an active status, the holder of that license shall meet all the following:
(A) Pay a fee established by statute or regulation.
(B) Certify, in a manner satisfactory to the board, that ~~he or she~~ *the holder of the license* has not committed an act or crime constituting grounds for denial of licensure.
(C) Comply with the fingerprint submission requirements established by regulation.
(D) If the board requires completion of continuing education for renewal of an active license, complete continuing education equivalent to that required for renewal of an active license, unless a different requirement is specified by the board.
(E) Complete any other requirements as specified by the board by regulation.
(c) A board may upon its own determination, and shall upon receipt of a complaint from any person, investigate the actions of any licensee, including a person with a license that either restricts or prohibits the practice of that person in ~~his or her~~ *their* profession or vocation, including, but not limited to, a license that is retired, inactive, canceled, revoked, or suspended.
(d) Subdivisions (a) and (b) shall not apply to a board that has other statutory authority to establish a retired license.

CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS

BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR

SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY & HEARING AID DISPENSERS BOARD
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MEMORANDUM

DATE	March 26, 2026
TO	Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Cherise Burns, Executive Officer Maria Liranzo, Legislation/Regulation/Budget Analyst
SUBJECT	Agenda Item #9: Discussion and Possible Action on the Board's Rulemaking Calendarwith the Office of Administrative Law

Background

Government Code section 11017.6 requires every state agency subject to the Administrative Procedure Act to prepare and submit to the Office of Administrative Law (OAL) an annual rulemaking calendar describing its rulemaking activities for the upcoming year. OAL publishes these activities in the California Regulatory Notice Register and on its website at https://oal.ca.gov/publications/rulemaking_calendar/.

Attachment A is the Board's rulemaking calendar for 2026, which is also published on the Board's website at https://www.speechandhearing.ca.gov/board_activity/lawsregs/index.shtml. In developing the calendar, Board staff took into consideration scheduled Board meetings, legislative deadlines, regulatory review process, and the Board's regulatory priorities.

Regulatory Review Process

DCA's Director (Director) is provided the opportunity to review regulations pursuant to Business and Professions Code section 313.1. The Director does this through its Regulation Unit which was established on a temporary basis in 2019 and became a permanent unit in 2023.

Each board and bureau are assigned a Regulatory Counsel from the DCA Regulation Unit to help them through the regulatory process, including ensuring the rulemaking meets OAL's statutory requirements and assisting with initial and final submission to OAL. Prior to the establishment of the Regulation Unit, many of DCA's proposed rulemakings were disapproved by OAL for failing to meet statutory standards. The DCA Regulation Unit was established to improve the quality of rulemaking files and the efficiency of the overall rulemaking process.

With the Regulatory Counsel, all regulations adopted, amended, or repealed are reviewed to ensure compliance with the Administrative Procedure Act. All regulations must also go through their respective agency and the Department of Finance for review. Attachment B highlights the review process to prepare a rulemaking for initial notice and final submission. It has been updated to state that Board staff begin drafting the Initial Statement of Reasons (ISOR) under the Concept

Phase and split the Departmental Review under the Production phase into two to make it similar to the Final Phase.

Board's Regulatory Priorities

As part of its Strategic Plan, the Board expressed prioritizing regulatory packages to improve the Board's responsiveness to high priority issues. Currently, the Board has five (5) proposed rulemakings pending (Table 1).

Table 1. Proposed Rulemaking

Regulation Section in Title 16	Regulation Title	Board Approval Date	Package Status
Sections 1399.112, 1399.151.2, and 1399.170.14	Fingerprints Requirements	February 13, 2009	Additional text changes approved by Board May 7, 2009, March 24-25, 2010, May 11-12, 2017, August 10-11, 2017, and May 12-13, 2022. Additional review needed.
Sections 1399.131 and 1399.155	Disciplinary Guidelines	July 26–27, 2012	Additional text changes approved by Board on February 4–5, 2016, February 9-10, 2017, and May 30 – June 1, 2018. The Enforcement Ad Hoc Committee reviewed the regulatory text and 2018 proposed disciplinary guidelines in 2022, 2023, 2024, and 2025. Board staff is currently developing the regulatory package.
Section 1399.120, 1399.121,1399.122, and 1399.152.4	Hearing Aid Dispenser Examination Process and Dispensing Audiologist Examination Requirement	October 26-27, 2017	Additional text changes approved by Board on November 29-30, 2018, May 12-13, 2022, and December 1, 2023. Additional review needed.
Section 1399.152	Approved Institutions	February 8-9, 2018	Additional text changes approved by Board on August 25, 2023. Additional review needed.
Sections 1399.102 and 1399.115 through 1399.119	Hearing Aid Dispensers Trainee and Supervisor Requirements	November 29-30, 2018	Additional text changes approved by Board on August 25, 2023. Additional review needed.

To complete the rulemaking process, Board staff must draft and compile documents required for public notice and final submission to OAL, including the Notice of Proposed Regulatory Action, ISOR, Economic and Fiscal Impact Statement or Form 399, and Final Statement of Reasons.

For example, Attachment C is a portion of the final rulemaking for Processing Times. It includes all the documents drafted and submitted to OAL as well as public comments received. Not included is the Material Relied Upon or Underlying Data as those can be several hundred pages long of meeting agenda, materials, minutes, and other supporting documents.

When Board staff are not preparing documents for the rulemaking process, they are preparing meeting materials for Board and/or Board committee discussion. Board staff maintains a list internally of proposed regulatory concepts for future rulemaking. Below is a chart of proposed regulatory concepts which includes the three (3) that are either in committee or approved by a committee with recommendation to the Board to initiate the rulemaking process, and two (2) that were pulled from other prior rulemaking files (Table 2).

Table 2. Proposed Regulatory Concepts

Regulation Section in Title 16	Regulation Title	Board Approval Date	Package Status
Sections 1399.151.2, 1399.151.3, 1399.151.4, 1399.154, 1399.154.1, 1399.154.2, 1399.154.3, 1399.154.4, 1399.154.5, 1399.154.6, 1399.154.7, 1399.154.8, 1399.154.9, 1399.154.10, 1399.154.11, 1399.154.12, and 1399.157	SLP-AU Aides Requirements	Pending Board Approval	Approved by SLP Practice Committee on August 21, 2025, and in AU Practice Committee.
Section 1399.125 and 1399.126)	Hearing Aid Dome Removal	Pending Board Approval	Approved by HAD Committee on December 4, 2025
Section 1399.170.1, 1399.170.2, and 1399.170.3	SLPA Feeding and Swallowing	Pending Board Approval	In SLP Practice Committee for discussion.
Section 1399.170.6, 1399.170.7, 1399.170.10, and 1399.170.11	SLPA Program/Academic Clean Up	Pending Board Approval	Was pulled from SLPA Program and Academic Requirements for further discussion to remove outdate document and information.
Sections 1399.141 and 1399.160.7	CPD Providers	Pending Board Approval	Was pulled from Continuing Professional Development Requirements for further discussion to replace outdated application and information.

Currently, Board staff are prioritizing the proposed rulemakings listed in Table 1, and the proposed regulatory concepts in committee, or with committee recommendation to the Board, listed in Table 2. The Board staff is particularly focused on the packages that may have a fiscal impact on the Board as this may impact when the Board can move forward with the rulemaking process.

The following four (4) proposed rulemakings have been identified to potentially have a fiscal impact to the Board:

1. Hearing Aid Dispenser Examination Process and Dispensing Audiologist Examination Requirement

2. Hearing Aid Dispensers Trainee and Supervisor Requirements

3. Fingerprinting Requirements, and

4. SLP-AU Aides Requirements.

Board staff are still determining whether or not their fiscal impact is significant and if they can be absorbed within existing budgets and resources. When a rulemaking creates a fiscal impact that cannot be absorbed within existing budgets and resources, boards and bureaus can request changes through the state budget process. This process is separate from the rulemaking process, and DCA provides staff from their Budget Office to help boards and bureaus through this process.

Other goals from the Board's Strategic Plan include:

> *2.1 Review and update the Board's disciplinary guidelines to ensure more consistent disciplinary actions for similar violations.*
>
> *3.4 Continue to develop informational materials about the regulatory process and the importance of public comment to increase timely and meaningful engagement.*
>
> *4.1 Communicate and educate licensees about the recently changed continuing education regulations to keep licensees informed.*
>
> *4.2 Continue periodic reviews of Board regulations, and update, if necessary, to ensure clarity and understanding, and to reflect current professional practices and the use of technologies.*
>
> *4.3 Update regulations about supervision to increase clarity and address ethical issues.*

Board staff will work with the Board's Legislation and Regulation Ad Hoc Committee and DCA to address these goals.

Action Requested

No action is required. This item is for informational purposes only.

Attachment A: 2026 Rulemaking Calendar

Attachment B: Stages of the Regulatory Process

Attachment C: Part of a Final Rulemaking – Processing Times

DEPARTMENT OF CONSUMER AFFAIRS
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
2026 RULEMAKING CALENDAR

SCHEDULE A: NO PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED DURING THE YEAR 2025

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2025

Subject: Disciplinary Guidelines

California Code of Regulations Title and Sections Affected: 1399.131, 1399.131.1, 1399.155, and 1399.155.1

Statute(s) Being Implemented: Business and Professions Code sections 315, 315.2, and 315.4; and Government Code sections 11400.20 and 11425.50

Responsible Agency Unit: N/A

Contact Person and Phone Number: Maria Liranzo (916) 905-5441

Projected Notice Publication Date: December 18, 2026

Projected Public Hearing Date: Upon Request

Adoption by Your Agency Date: February 26, 2027

Projected To OAL for Review Date: August 5, 2027

NO REPORT ON THE STATUS OF ALL UNCOMPLETED RULEMAKINGS DESCRIBED ON PREVIOUS CALENDARS:

Regulatory Report Attachment - Stages of the Regulatory Process

The Department of Consumer Affairs (DCA) has a four-phase process to approve regular regulatory packages.

(1) CONCEPT PHASE: The Concept Phase of the regulatory process covers the development of the regulatory text through the time the text is approved by the Board.

Regulation Development	Preparing Regulatory Package	Legal and Budget Initial Review	Director and Agency Initial Review	OAL Public Comment Period	Finalizing Regulatory Package	Legal and Budget Final Review	Director and Agency Final Review	Submission to OAL for Review	OAL Decision

Regulation Development: The first stage of the regulatory process is to develop the regulatory text. Regulations may be required to implement, interpret, or make specific a law; or to address an issue raised by Board members, staff, the Legislature, licensees, or other stakeholders. The Board and/or Board Committee(s) works with Board staff and the Board's Regulatory Counsel to draft the regulatory text. Board staff begin drafting the Initial Statement of Reason (ISOR) before bringing the proposed text to the Board because the ISOR process requires staff to draft the purpose and rationale for each proposed amendment. This often illuminates any unintended consequences of the text and leads to further edits. Board staff work with Regulatory Counsel to present the best version of the text to the Board. The public and stakeholders can provide public comment on the draft text during the Board meeting(s). The Board's Regulatory Counsel may seek second-level review of the proposed regulatory text to ensure that the text is clear, concise, and non-repetitive.

(2) PRODUCTION PHASE: The Production Phase of the regulatory process begins once the regulatory text is approved by the Board and involves the drafting of the regulatory package documents and securing DCA and Agency approvals.

Regulation Development	Preparing Regulatory Package	Legal and Budget Initial Review	Director and Agency Initial Review	OAL Public Comment Period	Finalizing Regulatory Package	Legal and Budget Final Review	Director and Agency Final Review	Submission to OAL for Review	OAL Decision

Preparing Regulatory Package: In this stage, Board staff work on preparing the required regulatory documents required for public notice including the Notice of Proposed Regulatory Action, Initial Statement of Reasons, and the Economic and Fiscal Impact Statement or Form 399. Board staff review Board meeting materials, webcasts, and meeting minutes to assist in the development of these documents which must justify why the regulatory changes are necessary. Board staff may work closely with DCA Budget Office to develop the Form 399.

Regulation Development	Preparing Regulatory Package	Legal and Budget Initial Review	Director and Agency Initial Review	OAL Public Comment Period	Finalizing Regulatory Package	Legal and Budget Final Review	Director and Agency Final Review	Submission to OAL for Review	OAL Decision

Legal and Budget Initial Review: In this stage, the Board's Regulatory Counsel and DCA's Budget Office reviews the regulatory documents. Board staff may meet with the Board's Regulatory Counsel and/or DCA Budget Office to provide additional information in relation to the proposed regulation. Changes to the regulatory documents may be requested by the Board's Regulatory Counsel and/or DCA Budget Office which Board staff incorporates into the documents. At this stage, the Board's Regulatory Counsel approves the regulatory package and DCA's Budget Office signs off on the Form 399.

Regulation Development	Preparing Regulatory Package	Legal and Budget Initial Review	Director and Agency Initial Review	OAL Public Comment Period	Finalizing Regulatory Package	Legal and Budget Final Review	Director and Agency Final Review	Submission to OAL for Review	OAL Decision

Director and Agency Initial Review: Upon approval by the Board's Regulatory Counsel and DCA Budget Office, the entire regulatory package is submitted to DCA's Regulations Coordinator, who then prepares the package for the DCA Director (Director) and the Business, Consumer Services and Housing Agency's (Agency) review and approval. Changes to the proposed regulatory text and/or regulatory documents may be requested by the Director or Agency. Board staff work with the Board's Regulatory Counsel to incorporate those changes. Board approval of the proposed regulatory text may be required if substantive changes are made to the text.

(3) INITIAL PHASE: The Initial Phase covers starts with submission of the package to the Office of Administrative Law (OAL) and covers the public comment period.

Regulation Development	Preparing Regulatory Package	Legal and Budget Initial Review	Director and Agency Initial Review	OAL Public Comment Period	Finalizing Regulatory Package	Legal and Budget Final Review	Director and Agency Final Review	Submission to OAL for Review	OAL Decision

OAL Public Comment Period: Upon approval by Agency, the regulatory proposal is submitted to the OAL to be published in the California Regulatory Notice Register. This commences the initial phase of the formal rulemaking process. OAL publishes the Notice Register every Friday, and the publication date starts the formal 45-day public comment period as well as the one-year deadline to submit the completed rulemaking file to OAL.

Review and Respond to Comments: If comments are received during the comment period, Board staff reviews the comments and prepares written responses to Board review and approval. The Board must respond in writing to every comment with objection or recommendation received on time during the public comment period(s). Board staff work with the Board's Regulatory Counsel to propose responses to public comments to the Board, which the Board reviews and approves at a Board meeting. If the Board makes substantive changes to the regulatory text in response to the comments, or adds new underlying documents, the updated regulatory text and/or new underlying documents must be made available to the public for an additional 15-day public comment period. Any public comment with objection or recommendation received during a 15-day public comment period requires a response from the Board, which the Board reviews and approves at a Board meeting.

(4) FINAL PHASE: The Final Phase covers approval of the final rulemaking package and final submission to OAL.

Regulation Development	Preparing Regulatory Package	Legal and Budget Initial Review	Director and Agency Initial Review	OAL Public Comment Period	Finalizing Regulatory Package	Legal and Budget Final Review	Director and Agency Final Review	Submission to OAL for Review	OAL Decision

Finalizing Regulatory Package: In this stage, the Board approves an Order of Adoption for the rulemaking. Board staff then prepares the required regulatory documents for OAL review, including the Final Statement of Reasons which outlines any changes made to the regulatory text and required regulatory documents.

Regulation Development	Preparing Regulatory Package	Legal and Budget Initial Review	Director and Agency Initial Review	OAL Public Comment Period	Finalizing Regulatory Package	Legal and Budget Final Review	Director and Agency Final Review	Submission to OAL for Review	OAL Decision

Legal and Budget Final Review: In this stage, Board staff submits the entire regulatory package to the Board's Regulatory Counsel and, if necessary, DCA Budget Office for final review. Changes to the regulatory documents may be requested by the Board's Regulatory Counsel and/or DCA Budget Office which Board staff incorporates into the documents. At this stage, the Board's Regulatory Counsel approves the package. If there is a fiscal impact, DCA Budget Office works with the Department of Finance to obtain approval of the Form 399.

Regulation Development	Preparing Regulatory Package	Legal and Budget Initial Review	Director and Agency Initial Review	OAL Public Comment Period	Finalizing Regulatory Package	Legal and Budget Final Review	Director and Agency Final Review	Submission to OAL for Review	OAL Decision

Director and Agency Final Review: Upon approval by the Board's Regulatory Counsel and, if necessary, DCA Budget Office, the entire regulatory package is submitted to DCA's Regulations Coordinator, who then prepares the package for the Director and Agency review and approval (if no comments were received during comment period, no Agency review required at this stage). Changes to the regulatory documents may be requested by the Director or Agency. Board staff work with the Board's Regulatory Counsel to incorporate those changes. Agency review may not be required if there are no comments with objections or recommendations, or there are no substantial modifications to either the text or the Form 399.

Regulation Development	Preparing Regulatory Package	Legal and Budget Initial Review	Director and Agency Initial Review	OAL Public Comment Period	Finalizing Regulatory Package	Legal and Budget Final Review	Director and Agency Final Review	Submission to OAL for Review	OAL Decision

Submission to OAL for Review: Upon approval by Agency, the completed rulemaking package is submitted to OAL. OAL has 30 working days to approve or deny the regulatory proposal. During this stage, Board staff and Regulation Counsel work with the OAL Attorney to address any concerns with the regulatory documents or the regulatory text. Board staff work with the Board's Regulatory Counsel to incorporate those changes.

Regulation Development	Preparing Regulatory Package	Legal and Budget Initial Review	Director and Agency Initial Review	OAL Public Comment Period	Finalizing Regulatory Package	Legal and Budget Final Review	Director and Agency Final Review	Submission to OAL for Review	OAL Decision

OAL Decision: Unless the Board requested an early effective date, upon approval by OAL, regulations become effective on one of four quarterly dates (January 1, April 1, July 1, or October 1) based on when OAL files the final regulations with the Secretary of State (SOS).

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

Submittal: Processing Times

Repealing Title 16 California Code of Regulations sections 1399.113 and 1399.151.1 and amending sections 1399.141, 1399.153.2, 1399.160.6, 1399.170.4, and 1399.170.13

TABLE OF CONTENTS

CLOSING STATEMENT/CERTIFICATION

I, Cherise Burns, am the agency official who compiled this rulemaking file with the assistance of my employees and agents.

I certify that I have complied with the requirements of Business and Professions Code section 313.1.

I declare under penalty of perjury under the laws of the State of California that the record in this matter closed on August 8, 2025, was reopened on September 22, 2025, and reclosed on September 22, 2025, and the file and this copy of the file are complete.

Executed on September 22, 2025, Sacramento, California.

Cherise Burns

Cherise Burns, Executive Officer
Speech-Language Pathology and Audiology
and Hearing Aid Dispensers Board

Notice

DEPARTMENT OF CONSUMER AFFAIRS
TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS
DIVISIONS 13.3 and 13.4
SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY AND
HEARING AID DISPENSERS BOARD

NOTICE OF PROPOSED REGULATORY ACTION CONCERNING:
Processing Times

NOTICE IS HEREBY GIVEN that the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board (hereafter Board) is proposing to take the action described in the Informative Digest below, after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or their authorized representative, no later than 15 days prior to the close of the written comment period. A hearing may be requested by making such request in writing addressed to the individuals listed under “Contact Person” in this notice.

WRITTEN COMMENT PERIOD

Written comments relevant to the action proposed, including those sent by mail or e-mail to the addresses listed under “Contact Person” in this Notice must be received by the Board at its office no later than **by Tuesday, April 29, 2025**, or must be received by the Board at the hearing, should one be scheduled.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by sections 2531.06 and 2531.95 of the Business and Professions Code (BPC), and to implement, interpret, or make specific the provisions of Assembly Bill (AB) 1757 (Committee on Budget, Chapter 229, Statutes of 2003), the Board is considering repealing sections 1399.113 and 1399.151.1 and amending sections 1399.141, 1399.153.2, 1399.160.6, 1399.170.4, and 1399.170.13 of title 16 of the California Code of Regulations (CCR)[1].

INFORMATIVE DIGEST / POLICY STATEMENT OVERVIEW

[1] All CCR references are to Title 16 unless otherwise noted.

Summary of Existing Laws and Effect of the Proposed Action

Existing law under BPC sections 2531.06 and 2531.95 authorizes the Board to adopt or repeal regulations for the enforcement of the Speech-Language Pathologists and Audiologists and Hearing Aid Dispensers Licensure Act (Act) and the laws subject to its jurisdiction. The Board intends to use its authority to remove processing times related to hearing aid dispensers in CCR section 1399.113 and related to speech-language pathology and audiology in section 1399.151.1, delete any reference to CCR sections 1399.113 or 1399.151.1, and remove any other processing times specified in regulations.

The Board adopted and amended various regulations related to processing times in accordance with the Permit Reform Act of 1981 (Government Code sections 15374-15378). The Permit Reform Act of 1981 required state agencies, including the Board, to adopt regulations regarding their procedures for considering and issuing permits. The Permit Reform Act of 1981 was repealed by the legislature per Assembly Bill (AB) 1757 (Committee on Budget, Chapter 229, Statutes of 2003). As a result, specifying processing times in regulation is no longer statutorily required and, for the reasons detailed herein, no longer functionally necessary.

In October 2021, the Board adopted proposed regulatory text to repeal CCR sections 1399.113 and 1399.151.1 through the Section 100 rulemaking process. However, those sections did not qualify for the Section 100 rulemaking process due to the authority relied upon to adopt the Board's processing times in those regulations.

The reality is that processing times are dynamic and not always consistent throughout the year. The timeframe for processing applications varies due to factors outside the Board's control. For example, the Board generally processes applications in the date order received, but the Board is statutorily required to expediate the processing of applications for applicants who qualify under BPC sections 115.4, 115.5, 115.6, and 135.4. This can result in expedited applications being processed much faster than the processing times identified in regulation and in delays for the non-expedited applications. Further, processing times increase with influxes in application submissions, generally occurring at the end of the academic year around the months of May and June, and this can result in a backlog lasting several months due to the volume of those applications. Conversely, processing times are reduced when there are lulls in application submissions. Applicants also experience an increase in processing time when submitting an incomplete application, which requires Board staff to contact the applicant for the missing information.

Although the uniformity of processing times throughout the year may be affected by factors outside the Board's control, the Board utilizes technology to track processing times and provide application information. In accordance with BPC section 139.5, the Board provides timeframes for processing license and registration applications on its internet website, which are more accurate and more current than what is found in regulation because they are based on actual workloads rather than ideal or theoretical workloads, as the regulations are. Moreover, despite the requirements of BPC section 139.5 to provide information on at least a quarterly basis, the Board's internal policy is to update application processing timeframes more frequently than a quarterly basis, subject to actual workloads.

The Board believes it does not serve the public to provide outdated and inaccurate processing times in regulation, and, instead, consistent with BPC section 139.5, provides processing times on the Board's website, which is a more appropriate location for current information about processing times. From the Board's website, interested parties can find the Board's processing times by clicking the Applicant/Registrant tab or the Contact Us link at the top of the Board's website. The webpages will contain a table detailing the date through which applications are reviewed/processed, current processing times, and average processing times over the past month. In addition, the table provides dates for different stages of the review process and dates for forms and approvals that do not require a background check from fingerprints. In addition, applicants can quickly and conveniently check the details and status of their application by visiting the Board's website and entering the requested identifying information. The screen will then display useful information related to the applicant's application, including the license type applied, the requirements for licensure, the applicant's status in fulfilling each of those requirements, and whether any deficiencies were identified in the applicant's application.

Because the processing times reflected in regulation fail to adequately account for actual workloads that have changed since they were adopted and because it would be unduly burdensome to update the regulations every time workloads change, the Board proposes to remove processing times related to hearing aid dispensers in section 1399.113 and related to speech-language pathology and audiology in section 1399.151.1, delete any references to sections 1399.113 or 1399.151.1, and remove any other processing times specified in regulations.

The following is a summary of the proposed changes the Board seeks to make:

1. Repeal Section 1399.113 of Article 2 of Division 13.3 of the CCR

This section is being deleted to remove the processing time for hearing aid dispenser applications because it is no longer statutorily required or functionally necessary to specify processing times in regulation following the repeal of the Permit Reform Act of 1981 by AB 1757 and given the requirements of BPC section 139.5. Pursuant to BPC section 139.5, the Board provides timeframes for processing applications on its website. The website is more accurate and more current than the regulations because the website is updated on a more frequent basis than the regulations, which must go through the rulemaking process for amendment.

2. Amend Section 1399.141 of Article 7 of Division 13.3 of the CCR

This section is being amended to remove the processing time for reviewing and notifying the approval of continuing education provider applications and any reference to it because it is no longer statutorily required or functionally necessary to specify the processing time in regulation following the repeal of the Permit Reform Act of 1981 by AB 1757 and given the requirements of BPC section 139.5. Pursuant to BPC section 139.5, the Board provides timeframes for processing applications on its website. The website is more accurate and more current than the regulations because the website is updated on a more frequent than the regulations, which must go through the rulemaking process for amendment.

The timeframe the applicant has to correct any issues that arises during the review process is also being removed because it is outdated and no longer aligns with the Board's current or average processing time.

Grammatical corrections are made to maintain consistency with writing and formatting style found in other parts of these regulations.

3. Repeal Section 1399.151.1 of Article 2 of Division 13.4 of the CCR

This section is being deleted to remove the processing time for speech language pathology and audiology applications because it is no longer statutorily required or functionally necessary to specify processing times in regulation following the repeal of the Permit Reform Act of 1981 by AB 1757 and given the requirements of BPC section 139.5. Pursuant to BPC section 139.5, the Board provides timeframes for processing applications on its website. The website is more accurate and more current than the regulations because the website is updated on a more frequent basis than the regulations, which must go through the rulemaking process for amendment.

4. Amend Section 1399.153.2 of Article 4 of Division 13.4 of the CCR

This section is being amended to remove the processing time for reviewing and notifying the approval of RPE applications, as well as the reviewing and notifying the approval of the applicant's credentials because it is no longer statutorily required or functionally necessary to specify the processing time in regulation following the repeal of the Permit Reform Act of 1981 by AB 1757 and given the requirements of BPC section 139.5. Pursuant to BPC section 139.5, the Board provides timeframes for processing applications on its website. The website is more accurate and more current than the regulations because the website is updated on a more frequent basis than the regulations, which must go through the rulemaking process for amendment.

This section is also being amended to remove gendered language in accordance with Assembly Concurrent Resolution No. 260 of 2018.

5. Amend Section 1399.160.6 of Article 11 of Division 13.4 of the CCR

This section is being amended to delete any reference to section 1399.151.1 processing times because section 1399.151.1 is being deleted by this proposed regulatory action.

Grammatical corrections and authority and reference citation changes in the note are made to maintain consistency with the writing, citation, and formatting style found in other parts of these regulations.

6. Amend Section 1399.170.4 of Article 12 of Division 13.4 of the CCR

This section is being amended to remove the processing time for notifying an educational institution of the Board's decision regarding a request for approval of a speech-language pathology assistant training program because it is no longer statutorily required or functionally necessary to specify the processing time in regulation following the repeal of the Permit Reform Act of 1981 by AB 1757 and given the requirements of BPC section 139.5. Pursuant to BPC section 139.5, the Board provides timeframes for processing applications on its website. The website is more accurate and more current than the regulations because the website is updated on a more frequent basis than the regulations, which must go through the rulemaking process for amendment.

Authority and reference citation changes in the note are made to maintain consistency with the writing and citation style found in other parts of these regulations.

7. Amend Section 1399.170.13 of Article 12 of Division 13.4 of the CCR

This section is being amended to delete any reference to section 1399.151.1 because section 1399.151.1 is being deleted by this proposed regulatory action.

Authority and reference citation changes in the note are made to maintain consistency with writing and citation style found in other parts of these regulations.

Anticipated Benefits of Proposal

The Board has determined that this regulatory proposal will have the following benefits:

> This regulatory proposal does affect the health and welfare of California residents. The Board anticipates businesses and individuals who seek licensure or registration with the Board will benefit from this regulatory proposal because removing outdated information related to processing time will increase clarity. However, any benefits are unquantifiable at this time.

This regulatory proposal does not affect worker safety or the state's environment.

Evaluation of Consistency and Compatibility with Existing State Regulations

During the process of developing this regulatory proposal, the Board has conducted a search of any similar regulations on these topics and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

INCORPORATION BY REFERENCE: None.

DISCLOSURES REGARDING THIS PROPOSED ACTION

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

The regulations do not result in fiscal impact to the state. This proposal deletes obsolete provisions related to application processing timelines and makes non-substantive edits.

The regulations do not result in costs of savings in federal funding to the state.

Nondiscretionary Costs/Savings to Local Agencies: None.

Cost to any Local Agency or School District for which Government Code Sections 17500-17630 Require Reimbursement: None.

Mandate Imposed on Local Agencies or School Districts: None.

Significant Effect on Housing Costs (and, if applicable, including any estimated costs of compliance or potential benefits of a building standard): None.

BUSINESS IMPACT ESTIMATES

The Board has made the initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

This initial determination is based on the facts that the proposed regulatory action is related to application processing times and does not enhance or inhibit industry growth within the industries the Board regulates.

Cost Impact on Representative Private Person or Business

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

RESULTS OF ECONOMIC IMPACT ASSESSMENT / ANALYSIS:

Impact on Jobs / Businesses

The Board has determined that this regulatory proposal will not have any impact on the following:

1) the creation or elimination of jobs within the state,

2) the creation of new businesses or the elimination of existing businesses within the state, or,

3) the expansion of businesses currently doing business within the state.

This proposal would not have any of the above-referenced impacts as explained in the “Business Impact Estimates” section of this notice.

Benefits of Regulation

The Board has determined that this regulatory proposal will have the following benefits:

> This regulatory proposal does affect the health and welfare of California residents. The Board anticipates businesses and individuals who seek licensure or registration with the Board will benefit from this regulatory proposal because removing outdated processing time information from the CCR will increase clarity. However, any benefits are unquantifiable at this time.

This regulatory proposal does not affect worker safety or the state’s environment.

Business Reporting Requirements

The regulatory action does not require businesses to file a report with the Board.

Effect on Small Business

The Board has determined that the proposed regulations will not affect small businesses because they delete obsolete provisions related to application processing timelines and makes non-substantive edits.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed; would be as effective and less burdensome to affected private persons than the proposal described in this Notice; or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may submit comments to the Board in writing relevant to the above determinations at 1601 Response Road, Suite 260 Sacramento, CA 95815 during the written comment period, or at the hearing if one is scheduled or requested.

AVAILABILITY OF STATEMENT OF REASONS AND RULEMAKING FILE

The Board has compiled a record for this regulatory action, which includes the Initial Statement of Reasons (ISOR), proposed regulatory text, and all the information on which this proposal is based. This material is contained in the rulemaking file and is available for public inspection upon request to the Contact Person named in this Notice.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Board, at 1601 Response Road, Suite 260 Sacramento, CA 95815.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments, the Board, upon its own motion or at the request of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal, with the modifications clearly indicated, will be available for review and written comment for 15 days prior to its adoption from the person designated in this Notice as the Contact Person and will be mailed to those persons who submit written comments or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the Final Statement of Reasons once it has been prepared by making a written request to the Contact Person named below or by accessing the website listed below.

CONTACT PERSONS

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name:	Maria Liranzo; Legislation, Regulations, and Budget Analyst
Address:	Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board 1601 Response Road, Suite 260 Sacramento, CA 95815
Telephone No.:	(916) 287-7915
E-Mail Address:	SpeechandHearingRegulations@dca.ca.gov

The backup contact person is:

Name:	Cherise Burns, Interim Executive Officer
Address:	Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board 1601 Response Road, Suite 260 Sacramento, CA 95815
Telephone No.:	(916) 287-7915
E-Mail Address:	SpeechandHearingRegulations@dca.ca.gov

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations with modifications noted, as well as the Final Statement of Reasons when completed, and modified text ,if any, can be accessed through the Board's website at https://www.speechandhearing.ca.gov/board_activity/lawsregs/proposed_regulations.shtml.

Proposed
Text

DEPARTMENT OF CONSUMER AFFAIRS

TITLE 16. SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY AND HEARING AID DISPENSERS BOARD

PROPOSED REGULATORY LANGUAGE
Processing Times

Legend:	Added text is indicated with an underline. Deleted text is indicated by ~~strikeout~~.

Repeal Section 1399.113 of Article 2 of Division 13.3 of Title 16 of the California Code of Regulations (CCR)[1] as follows:

~~§ 1399.113. Review of Hearing Aid Dispenser Applications; Processing Time.~~

~~(a) The Board shall inform in writing an applicant for licensure as a hearing aid dispenser within 17 days of receipt of the initial application form whether the application is complete and accepted for filing or is deficient and what specific information is required.~~

~~(b) The Board shall inform an applicant for licensure as a hearing aid dispenser within 189 days after completion of the application of its decision whether the applicant meets the requirements for licensure. "Completion of the application" means that a completed application form together with all required information, documentation and fees have been filed by the applicant. This period may be extended by that time necessary for retaking or rescheduling an examination.~~

~~NOTE: Authority cited: Section 2531.06, Business and Professions Code. Reference: Section 2538.24, Business and Professions Code.~~

Amend Section 1399.141 of Article 7 of Division 13.3 of the CCR as follows:

§ 1399.141. Approval of Continuing Education Providers.

(a) In order to be approved by the Board as a continuing education provider the following information shall be submitted with an application, Continuing Education Course Approval Application for Hearing Aid Dispensers, form CEP 100 (Rev 05/16), incorporated herein by reference, provided by the Board:

(1) Remit the $50 per subject continuing education course approval fee.

[1] [1] Unless otherwise noted, all references to the CCR hereafter are to Title 16.

(2) The course content for all courses, including ethics, shall be current practices as related to the fitting of hearing aids for aiding or compensating for impaired human hearing or any of the subjects listed in subsection (a)(1) of section 1399.140, within the scope of practice for a dispenser as defined by Section 2538.11 of the Code and generally for the benefit of the consumer. The course content shall be information related to the fitting of hearing aids, and this information shall be at a level above that basic knowledge required for licensure as set forth in Section 2538.25 of the Code, except that basic knowledge which would serve as a brief introduction to the course. The phrase "at a level above that basic knowledge" means any subjects, issues, topics, theories, or findings that are more advanced than the entry level of knowledge of the practice of fitting or selling hearing aids as provided in Section 2538.11 of the Code.

(3) Teaching methods for each course or program shall be described, e.g., lecture, seminar, audiovisual, simulation, etc.

(4) Each course or program shall clearly state the educational objective that can be realistically accomplished within the framework of the course or program, and the number of hours of continuing education credit which may be obtained by completion of a specified course.

(5) Instructors shall be qualified to teach the specified course content by virtue of their prior education, training, and experience. A provider shall ensure that an instructor teaching a course has at least two of the following minimum qualifications:

> (A) A license, or, if in a setting or state which does not require licensure, legal authorization to provide services in an area related to the subject matter of the course. The license shall be current, valid, and free from restrictions due to disciplinary action by the Board or any other health care regulatory agency;
>
> (B) Training or experience in teaching courses in the subject matter; or
>
> (C) At least two ~~years'~~ (2) years of experience in an area related to the subject matter of the course. A resume of each instructor shall be forwarded with the application for approval.

(6) Each course or program shall include an evaluation method which documents that educational objectives have been met, such as, but not limited to, a written evaluation or written examination by each participant.

(7) Only those courses or programs which are open to all licensed hearing aid dispensers shall be approved by the Board.

(b) Providers shall maintain a record of attendance of each participant who is licensed as a hearing aid dispenser for a period of four (4) years, and shall provide such record to the Board upon request. The record shall indicate those dispensers who have complied with the requirements of the course or program offered.

(c) Applications for approval of a continuing education provider shall be submitted to the Board at its Sacramento office~~ allowing for sufficient time for review and prior approval as follows: The Board will inform the provider within 30 days of receipt of the application whether the application is complete or deficient. The provider shall cure any deficiency within 30 days of such notice. The Board will approve or deny the application within 30 days of the date that the application is complete, or the last date to cure the deficiency~~. A provider may appeal to the Executive Officer of the Board the denial of approval of any course. Such appeal shall be filed with the Executive Officer of the Board not more than <u>thirty (30)</u>~~30~~ days after the date of notice of such denial. The Executive Officer shall notify the provider of the final decision within ten (10) days of the appeal.

(d) Any change in the course content or instructor shall be reported to the Board on a timely basis.

(e) The Board may withdraw the approval of any provider for failure to comply with the provisions of this section.

(f) Each provider shall submit to the Board on an annual basis a description or outline of each approved course to be offered the following year and a resume of any new instructor who will be presenting the course. This information shall be submitted prior to the re-offering of the course ~~within the timeframe set forth in subsection (c)~~.

NOTE: Authority cited: Section 2538.18, Business and Professions Code. Reference: Sections 2538.18 and 2538.57, Business and Professions Code.

Repeal Section 1399.151.1 of Article 2 of Division 13.4 of the CCR as follows:

~~§ 1399.151.1. Review of Applications; Processing Time.~~

~~(a) Speech-Language Pathology Licenses.~~

~~(1) The Board shall inform in writing an applicant for licensure as a speech-language pathologist within 37 days whether the application is complete and accepted for filing or is deficient and what specific information is required.~~

~~(2) The Board shall inform in writing an applicant for licensure as a speech-language pathologist within 37 days after completion of the application, of its decision whether the applicant meets the requirements for licensure. "Completion of the application" means~~

~~that a completed application form together with all required information, documentation and fees have been filed by the applicant. This period may be extended if the applicant is delayed in obtaining or completing any required professional experience.~~

~~(b) Audiology Licenses.~~

~~(1) The Board shall inform in writing an applicant for licensure as an audiologist within 46 days whether the application is complete and accepted for filing or is deficient and what specific information is required.~~

~~(2) The Board shall inform in writing an applicant for licensure as an audiologist within 20 days after completion of the application of its decision whether the applicant meets the requirements for licensure. "Completion of the application" means that a completed application form together with all required information, documentation and fees have been filed by the applicant. This period may be extended if the applicant is delayed in obtaining or completing any required professional experience.~~

~~(c) Aide Registrations.~~

~~(1) The Board shall inform in writing an applicant for registration as an aide within 30 days whether the application is complete and accepted for filing or is deficient and what specific information is required.~~

~~(2) The Board shall inform in writing an applicant for registration as an aide within 20 days after completion of the application, of its decision whether the applicant meets the requirements for registration. "Completion of the application" means that a completed application form together with all required information, documentation and fees have been filed by the applicant.~~

~~(d) Continuing Professional Development Provider Approvals.~~

~~(1) The Board shall inform in writing an applicant for approval as a continuing professional development provider within 30 days whether the application is complete and accepted for filing or is deficient and what specific information is required to correct the deficiency.~~

~~(2) The Board shall inform in writing an applicant for approval as a continuing professional development provider within 30 days after completion of the application, of its decision whether the applicant meets the requirements for approval. "Completion of the application" means that a completed application form together with all required information, documentation and fees have been filed by the applicant.~~

~~(e) Continuing Professional Development Course Submissions.~~

~~(1) The Board shall inform in writing a licensee and/or a continuing professional development provider within 30 days as to whether a voluntary petition for course approval documentation is complete and accepted for filing or is deficient and what specific information is required to correct the deficiency. The term "complete" means that all required information and documentation has been filed by the licensee and/or continuing professional development provider.~~

~~(2) The Board shall inform in writing a licensee and/or continuing professional development provider within 45 days after completion of the documentation submitted for a voluntary petition for course approval, of its decision whether the course meets the course content requirements as defined in Section 1399.160.4.~~

~~(f) Speech-Language Pathology Assistant.~~

~~(1) The Board shall inform an applicant for registration as a speech-language pathology assistant within 30 days whether the application is complete and accepted for filing or is deficient and what specific information is required.~~

~~(2) The Board shall inform an applicant for approval as a speech-language pathology assistant within 85 days after completion of the application, of its decision whether the applicant meets the requirements for registration. "Completion of the application" means that a completed application form together with all required information, documentation and fees have been filed by the applicant.~~

~~NOTE: Authority cited: Sections 2531.95, 2532.6(a) and 2538.1(a), Business and Professions Code. Reference: Sections 2530.6, 2531.4, 2532.6(e), 2532.6(e)(2) and 2534.2(f), Business and Professions Code.~~

Amend Section 1399.153.2 of Article 4 of Division 13.4 of the CCR as follows:

§ 1399.153.2. Application and Fees.

(a) All persons desiring to begin their required professional experience shall file an RPE temporary license application with the Board as provided in Section 1399.151. No person shall commence any RPE in a setting in which licensure is required in the Act until ~~he or she has~~ <u>they have</u> been issued a required professional experience temporary license. ~~Upon receipt of the RPE temporary license application, the Board will immediately review the RPE plan and notify the applicant of its approval or disapproval. As soon as possible thereafter the Board will review the applicant's credentials and notify the applicant as to the approval of his or her credentials for licensure.~~

(b) All RPE temporary license applicants shall submit at the time of filing the RPE temporary license application a non-refundable fee of $35.00 which is applicable to the application fee as required in Section 1399.157(a).

(c) Any experience gained prior to the issuance of the RPE temporary license will not be counted toward licensure, unless the RPE temporary license holder is practicing in a setting exempt under Section 2530.5 of the Code, or in another state.

(d) Application under this section shall constitute temporary licensure of the RPE applicant under Section 2530.5 of the Code.

NOTE: Authority cited: Section 2531.95, Business and Professions Code. Reference: Sections 2530.5, 2532.1 and 2532.2, Business and Professions Code.

Amend Section 1399.160.6 of Article 11 of Division 13.4 of Title 16 of the CCR as follows:

§ 1399.160.6. Continuing Professional Development Course Approval.

(a) A licensee shall only be credited with continuing professional development hours if the licensee takes a course from a board-approved provider with a valid, current approval as a provider or from an entity listed in Section 2532.6(e)(1) of the Code.

(b) Courses related to the dispensing of hearing aids as offered by hearing aid manufacturers or companies for the purposes of continuing professional development shall be reviewed by the Board prior to the offering of the course. The continuing professional development provider must submit such request for course approval to the Board~~ according to the timeline in Section 1399.151.1(e)~~. Such request shall include:

> (1) The nature of the sponsoring institution, the Board issued professional development provider number (with the exception of those entities listed in Section 2532.6(e)(1)), the address, telephone number, and contact person.
>
> (2) Course title, date(s), location(s), and number of continuing professional development hours offered.
>
> (3) Type and method of educational instruction and learner outcomes to be met.
>
> (4) A course outline, course description, and instructor information and qualifications.
>
> (5) If available, advertisements intended to be used by the provider to advertise the relevant course.

(c) A licensee or a continuing professional development provider may voluntarily petition Board consideration of any courses offered by an approved provider or an entity listed in Section 2532.6(e)(1) of the Code. The licensee or continuing professional development provider must submit such request for course approval to the Board ~~according to the timeline in Section 1399.151.1(e)~~. Such request shall include:

(1) The name of the sponsoring institution, the Board issued professional development provider number (with the exception of those entities listed in Section 2532.6(e)(1)), the address, telephone number, and contact person.

(2) Course title, date(s), location(s), and number of continuing professional development hours offered.

(3) Type and method of educational instruction and learner outcomes to be met.

(4) A course outline, course description, and instructor information and qualifications.

(5) If available, advertisements intended to be used by the provider to advertise the relevant course.

NOTE: Authority cited: Sections 2531.95 and 2532.6~~(a)~~, Business and Professions Code. Reference: Section 2532.6~~(b), (e)(1) and (e)(2)~~, Business and Professions Code.

Amend Section 1399.170.4 of Article 12 of Division 13.4 of the CCR to read as follows:

§ 1399.170.4. Eligibility for Approval of Speech-Language Pathology Assistant Training Programs.

(a) To be eligible for approval by the Board as a speech-language pathology assistant training program (hereinafter referred to as "program"), the sponsoring institution shall be accredited by the Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges.

(b) To be eligible for program approval by the Board, the program director must meet the following requirements:

(1) hold a current, active, and unrestricted California license,

(2) have practiced speech-language pathology for at least five (5) years, and

(3) not be the subject of Board disciplinary action within the past five (5) years.

(c) For the purposes of this section, the terms "disciplinary action" and "restricted California license" shall both mean that the license was revoked, suspended, placed on probation, or publicly reproved.

(d) An educational institution seeking approval of a speech-language pathology assistant program shall:

(1) Notify the Board in writing, by submitting a request from the officially designated representative of the sponsoring institution and the speech-language pathology assistant program director, of its intent to offer a new program.

(2) No later than six (6) months prior to the enrollment of students, submit a formal proposal to the Board demonstrating how the program will meet the requirements of Sections 1399.170.5. through 1399.170.10. The Board, at its sole discretion, may retroactively approve programs that enrolled students prior to the effective date of the regulations.

(e) The Board shall review the request and formal proposal and may thereafter grant or deny approval. The Board may request additional information to evaluate the request for approval~~ and shall notify the program of its decision in writing within sixty (60) days from receipt of all requested documents~~.

(f) A material misrepresentation by the program of any information required to be submitted to the Board may be grounds for denial of approval or removal of the program from the approved list.

NOTE: Authority cited: Sections 2531.95 and 2538.1, Business and Professions Code. Reference: Section 2538.1, Business and Professions Code.

Amend Section 1399.170.13 of Article 12 of Division 13.4 of Title 16 of the CCR to read as follows:

§ 1399.170.13. Application.

Each person desiring registration as a speech-language pathology assistant shall file application forms (77A-60 New 08/01 and, if applicable, 77A-61 New 12/99) and any required supporting documentation with the Board~~ as provided in Section 1399.151.1~~. Upon receipt of the speech-language pathology assistant application, the Board will review the application for registration and notify the applicant of its approval or disapproval.

NOTE: Authority cited: Sections 2531.95 and 2538.1~~(a)~~, Business and Professions Code. Reference: Section 2538.1~~(b)(1)~~, Business and Professions Code.

Initial Statement of Reasons

TITLE 16. SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY AND HEARING AID DISPENSERS BOARD DEPARTMENT OF CONSUMER AFFAIRS

INITIAL STATEMENT OF REASONS

Hearing Date:

No public hearing has been scheduled for this proposed regulatory action.

Subject Matter of Proposed Regulations:

Processing Times

Sections Affected:

Sections 1399.113 and 1399.141 of Division 13.3 and sections 1399.151.1, 1399.153.2, 1399.160.6, 1399.170.4, and 1399.170.13 of Division 13.4, Title 16 of the California Code of Regulations (CCR).[1]

Background and Statement of the Problem:

The Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board (Board) licenses, regulates, and disciplines within the practices of speech-language pathology, audiology, and hearing aid dispensing in accordance with the Speech-Language Pathologists and Audiologists and Hearing Aid Dispensers Licensure Act (commencing with section 2530 of Division 2 of the Business and Professions Code (BPC)) (Act). The Board's mandate and mission is protection of the public. The Board oversees approximately 38,000 licensed or registered speech-language pathologists, speech-language pathology assistants, speech-language pathology aides, audiologists, dispensing audiologists, audiology aides, hearing aid dispensers, hearing aid dispenser trainees, temporary hearing aid dispensers, and continuing professional development providers.

Existing law under BPC sections 2531.06 and 2531.95 authorizes the Board to adopt or repeal regulations for the enforcement of the Act and the laws subject to its jurisdiction. The problem the Board is addressing with this proposed rulemaking is removing outdated processing time information from existing regulations through the formal rulemaking process.

In October 2021, the Board adopted proposed regulatory text to repeal CCR sections 1399.113 and 1399.151.1 through the Section 100 rulemaking process. However, those

[1] All CCR references are to Title 16 unless otherwise noted

sections did not qualify for the Section 100 rulemaking process due to the authority relied upon to adopt the Board's processing times in those regulations.

The Board adopted and amended various regulations related to processing times in accordance with the Permit Reform Act of 1981 (Government Code sections 15374-15378). The Permit Reform Act of 1981 required state agencies, including the Board, to adopt regulations regarding their procedures for considering and issuing permits. The Permit Reform Act of 1981 was repealed by the legislature per Assembly Bill (AB) 1757 (Committee on Budget, Chapter 229, Statutes of 2003). As a result, specifying processing times in regulation is no longer statutorily required and, for the reasons detailed herein, no longer functionally necessary.

The reality is that processing times are dynamic and not always consistent throughout the year. The timeframe for processing applications varies due to factors outside the Board's control. For example, the Board generally processes applications in the date order received, but the Board is statutorily required to expediate the processing of applications for applicants who qualify under BPC sections 115.4, 115.5, 115.6, and 135.4. This can result in expedited applications being processed much faster than the processing times identified in regulation and in delays for the non-expedited applications. Further, processing times increase with influxes in application submissions, generally occurring at the end of the academic year around the months of May and June, and this can result in a backlog lasting several months due to the volume of those applications. Conversely, processing times are reduced when there are lulls in application submissions. Applicants also experience an increase in processing time when submitting an incomplete application, which requires Board staff to contact the applicant for the missing information.

Although the uniformity of processing times throughout the year may be affected by factors outside the Board's control, the Board utilizes technology to track processing times and provide application information. In accordance with BPC section 139.5, the Board provides timeframes for processing license and registration applications on its internet website, which are more accurate and more current than what is found in regulation because they are based on actual workloads rather than ideal or theoretical workloads, as the regulations are. Moreover, despite the requirements of BPC section 139.5 to provide information on at least a quarterly basis, the Board's internal policy is to update application processing timeframes more frequently than a quarterly basis, subject to actual workloads.

The Board believes it does not serve the public to provide outdated and inaccurate processing times in regulation, and, instead, consistent with BPC section 139.5, provides processing times on the Board's website, which is a more appropriate location for current information about processing times. From the Board's website, interested parties can find the Board's processing times by clicking the Applicant/Registrant tab or the Contact Us link at the top of the Board's website. The webpages contain a table detailing the date through which applications are reviewed/processed, current processing times, and average processing times over the past month. In addition, the table provides dates for different stages of the review process and dates for forms and approvals that do not require a background check from fingerprints. In addition, applicants can quickly and conveniently check the details and status of their application by visiting the Board's website and entering the requested identifying information. The screen will then display useful information related to the applicant's application, including the license type applied, the requirements for licensure, the applicant's status in fulfilling each of those requirements, and whether any deficiencies were identified in the applicant's application.

Because the processing times reflected in regulation fail to adequately account for actual workloads that have changed since they were adopted and because it would be unduly burdensome to update the regulations every time workloads change, the Board proposes to remove processing times related to hearing aid dispensers in section 1399.113 and related to speech-language pathology and audiology in section 1399.151.1, delete any references to sections 1399.113 or 1399.151.1, and remove any other processing times specified in regulations.

Anticipated benefits from this regulatory action:

The Board has determined that this regulatory proposal will have the following benefits:

> This regulatory proposal does affect the health and welfare of California residents. The Board anticipates businesses and individuals who seek licensure or registration with the Board will benefit from this regulatory proposal because removing outdated information related to processing time will increase clarity. However, any benefits are unquantifiable at this time.
>
> This regulatory proposal does not affect worker safety or the state's environment.

Specific purpose of, and rationale for, each adoption, amendment, or repeal:

1. Repeal Section 1399.113 of Article 2 of Division 13.3 of Title 16 of the CCR

   A. Purpose: The proposed rulemaking deletes section 1399.113 from the CCR.

   B. Rationale: Consistent with the repeal of the Permit Reform Act of 1981, the Board proposes to repeal CCR section 1399.113, which specifically states the Board's processing times for hearing aid dispenser license applications. Processing times are dynamic and vary for reasons beyond the Board's control, including applicants under an expediated process, seasonal increases and decreases in application submissions, and the submission of incomplete applications. Given the length of the rulemaking process, regulations naturally cannot be revised with the regularity needed to reflect accurate and up-to-date processing times. As such, the Board finds it is not necessary to state new or updated processing times in its regulations. Instead, the Board displays processing times on its website, which is easily accessible and provides realistic expectations about how long the license and registration application review process can take at a given time. Although the Board is no longer statutorily required to specify its processing times in regulation, the Board provides timeframes for processing license and registration applications on its internet website in accordance with BPC section 139.5. The processing times on the Board's website are more accurate and more current than what appears in regulation because the information is based on actual workloads and is updated regularly. The Board's internal policy is to update processing timeframes on a weekly basis, subject to workloads, which far exceeds the quarterly updates required by BPC section 139.5.

2. Amend Section 1399.141 of Article 7 of Division 13.3 of Title 16 of the CCR

   A. Purpose: This proposed rulemaking amends subsection (a)(5) to make a grammatical correction by adding a comma after the word "training."

      This proposed rulemaking also amends subsection (a)(5)(C) to make a grammatical correction to replace "years'" to "(2) years of."

      This proposed rulemaking also amends subsection (c) to delete processing times for the following: (i) the Board to inform continuing education provider applicants whether their application is complete; (ii) the applicant to correct any issues that arise during the review process; and (iii) the Board to approve or deny the application. This subsection is also amended to make a grammatical correction to replace "30" with "thirty (30)."

      This proposed rulemaking also amends subsection (f) to delete reference to subsection (c) processing times.

   B. Rationale: Subsection (a)(5) and (a)(5)(C) are amended to maintain consistency with the writing and formatting style found in other parts of these regulations.

      Language from subsection (c), related to the timeframe for the Board to inform continuing education provider applicants whether their application is complete and the timeframe for the Board to approve or deny applications, is deleted because it is no longer statutorily required or functionally necessary to specify processing times in regulation following the repeal of the Permit Reform Act of 1981 by AB 1757 and given the requirements of BPC section 139.5. Pursuant to BPC section 139.5, the Board provides timeframes for processing applications on its website. The website is more accurate and more current than the regulations because the website is updated on a more frequent basis than the regulations, which must go through the rulemaking process for amendment. For these reasons, the Board does not find it necessary to state new or updated information regarding processing times in its regulations.

Language from subsection (c), related to the timeframe for applicants to correct issues arising during the review process, is deleted because it is outdated and no longer aligns with the Board's current or average processing time.

Subsection (c) is amended to replace "30" with "thirty (30)" for the purpose of maintaining consistency with the writing and formatting style found in other parts of these regulations.

The Board proposes to amend subsection (f) by striking out language referencing the timeframe set forth in subsection (c) because processing time is being deleted from subsection (c) by this proposed regulatory action.

3. Repeal Section 1399.151.1 of Article 2 of Division 13.4 of Title 16 of the CCR

   A. Purpose: The proposed rulemaking deletes section 1399.151.1 from the CCR.

   B. Rationale: Consistent with the repeal of the Permit Reform Act of 1981 the Board proposes to repeal CCR section 1399.151.1, which specifically states the Board's processing times related to speech language pathology and audiology. The rationale for repealing CCR section 1399.151.1 is the same rationale as previously stated in Section 1.B above with respect to repealing CCR section 1399.113.

4. Amend Section 1399.153.2 of Article 4 of Division 13.4 of Title 16 of the CCR

   A. Purpose: The proposed rulemaking amends subsection (a) to eliminate gendered pronouns and replaces them with gender-neutral terms.

      The proposed rulemaking also amends subsection (a) to delete language stating the Board's processing time for reviewing and notifying the approval or disapproval of required professional experience (RPE) plan applications and an applicant's credentials for licensure.

   B. Rationale: The rationale for changing gendered terms to gender-neutral terms is to parallel other efforts throughout the state in accordance with Assembly Concurrent Resolution No. 260 of 2018 and are without regulatory effect.

      The rationale for striking out language from subsection (a) of section 1399.153.2, related to the timeframes for the Board to review and notify the approval of RPE plan applications and an applicant's credentials for licensure, is the same rationale as previously stated in Section 2.B above with respect to deleting processing times from subsection (c) of CCR 1399.141.

5. Amend Section 1399.160.6 of Article 11 of Division 13.4 of Title 16 of the CCR

   A. Purpose: The proposed action amends subsections (b) and (c) to delete reference to section 1399.151.1.

      The proposed action also amends subsections (b)(1) and (c)(1) to make grammatical corrections by adding a comma after the phrases “telephone number” found in both of those subsections.

      The proposed action also amends the authority and reference citation in the notation to delete reference to specific subsections.

   B. Rationale: Amending subsections (b) and (c) are necessary because section 1399.151.1 is being repealed by this proposed regulatory action, so any reference to that section should also be deleted from the CCR.

      Subsection (b)(1) and (c)(1) are amended to maintain consistency with the writing and formatting style found in other parts of these regulations.

      The deletion of specific subsections in the authority and reference citation in the note is necessary to maintain consistency with the writing and citation style found in other parts of these regulations.

6. Amend Section 1399.170.4 of Article 12 of Division 13.4 of Title 16 of the CCR

   A. Purpose: The proposed rulemaking amends subsection (e) to delete the processing time for the Board to notify an educational institution of the Board’s decision regarding a request for approval of a speech-language pathology assistant training program.

      The proposed action also amends the authority and reference citation in the notation to delete reference to specific subsections.

   B. Rationale: The rationale for striking out language from subsection (e) of section 1399.170.4, related to processing time for the Board to notify an educational institution of the Board’s decision regarding a request for approval of a speech-language pathology assistant training program, is the same rationale as previously stated in Section 2.B above with respect to deleting processing times from subsection (c) of section 1399.141.

      The deletion of specific subsections in the authority and reference citation in the note is necessary to maintain consistency with the writing and citation style found in other parts of these regulations.

7. Amend Section 1399.170.13 of Article 12 of Division 13.4 of Title 16 of the CCR

   A. Purpose: This proposed rulemaking amends section 1399.170.13 to delete reference to section 1399.151.1.

      The proposed action also amends the authority and reference citation in the notation to delete reference to specific subsections.

   B. Rationale: Section 1399.170.13 is amended because this proposed regulatory action repeals Section 1399.151.1, so any reference to that section should also be deleted from the CCR.

      The deletion of specific subsections in the authority and reference citation in the note is necessary to maintain consistency with the writing and citation style found in other parts of these regulations.

Underlying Data:

1. May 12-13, 2022 Board Meeting Agenda, relevant materials, and Minutes
2. August 11-12, 2022 Board Meeting Agenda, relevant materials, and Minutes
3. November 30-December 1, 2023 Board Meeting Agenda, relevant materials, and Minutes
4. September 5-6, 2024 Board Meeting Agenda, relevant materials, and Minutes

Business Impact:

The Board has made the initial determination that the proposed regulations will not have a significant statewide adverse economic impact directly affecting businesses, including the inability of California businesses to compete with businesses in other states. This initial determination is based on the fact that the proposed regulatory action deletes obsolete provisions related to application processing times and does not enhance or inhibit industry growth within the industries the Board regulates.

The Board is not aware of any costs that businesses or individuals may incur to comply with this regulation over its lifetime nor of any other economic costs. The Board is also not aware of any effect this proposed regulatory action will have on housing costs or impact to local agencies or federal funding to the state.

The Board is aware of benefits that may occur for businesses or individuals to comply with this regulation over its lifetime. The Board anticipates businesses and individuals who seek licensure or registration with the Board will benefit from this regulatory proposal because removing outdated information related to processing time will increase clarity. However, any benefits are unquantifiable at this time.

Economic Impact Assessment:

This Board has determined that this regulatory proposal will have the following effects:

It will not create or eliminate jobs within the State of California because the proposed regulatory action deletes obsolete provisions related to application processing times and does not enhance or inhibit industry growth within the industries the Board regulates.

It will not create new business or eliminate existing businesses within the State of California because the proposed regulatory action deletes obsolete provisions related to application processing times and does not enhance or inhibit industry growth within the industries the Board regulates.

It will not affect the expansion of businesses currently doing business within the State of California because the proposed regulatory action deletes obsolete provisions related to application processing times and does not inhibit industry growth within the industries the Board regulates.

This regulatory proposal does affect the health and welfare of California residents. The Board anticipates businesses and individuals who seek licensure or registration with the Board will benefit from this regulatory proposal because removing outdated information related to processing time will increase clarity.

This regulatory proposal does not affect worker safety because the proposed regulatory action deletes obsolete provisions related to application processing times and does not concern or impact worker safety.

This regulatory proposal does not affect the state's environment because the proposed regulatory action deletes obsolete provisions related to application processing times and does not concern or impact the state's environment.

Specific Technologies or Equipment:

This regulation does not mandate the use of specific technologies or equipment.

Consideration of Alternatives:

No reasonable alternative to the regulatory proposal would be either more effective in carrying out the purpose for which the action is proposed or would be as effective or less burdensome to affected private persons and equally effective in achieving the purposes of the regulation in a manner that ensures full compliance with the law being implemented or made specific.

No such alternatives have been proposed, however, the Board welcomes comments from the public.

Description of reasonable alternatives to the regulation that would lessen any adverse impact on small business:

No such alternatives have been proposed, however, the Board welcomes comments from the public.

Underlying Documents

and

May 15-16, 2025 Board Meeting Documents

Underlying documents can be requested by sending an email to speechandhearing@dca.ca.gov.

Statement of Mailing (45-Day)

STATEMENT OF SERVICE BY MAIL

I certify that the Speech-Language Pathology, Audiology, and Hearing Aid Dispenser Board of the Department of Consumer Affairs has complied with the requirements of Government Code Section 11346.4(a)(1) through (4) and that the notice was mailed, and pursuant to Government Code Section 11340.85, sent by electronic communication, March 14, 2025.

DATED: March 14, 2025

Maria V. Liranzo

Maria Liranzo
Legislation, Regulation and Budget Analyst
Speech-Language Pathology, Audiology, and
Hearing Aid Dispenser Board

Written Comments

45-Day

Liranzo, Maria@DCA

From:	Jennifer Gililland <[redacted]>
Sent:	Friday, March 14, 2025 11:47 AM
To:	SpeechandHearingRegulations@DCA
Subject:	RE: Public Notice of Proposed Regulatory Action (Processing Times)

This Message Is From an External Sender

WARNING:This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

Report Suspicious

The board has struggled to keep up with processing HAD Trainee license applications, practical exam applications, and CEU course applications in the past. These changes proposed here remove the reasonable response timelines for applicants, reducing the accountability to the state licensing board. In the absence of these regulations, applicants may expect faster response times or may suffer further delays.

There has been improvement in processing timelines over the last 6-8 months, but 2023-early 2024 had major delays. There is concern that another situation may arise when similar delays occur and applicants have no frame of reference for timely response and there will be nothing that the board can use as a guideline.

It is suggested that rather than removing the language with response times, the response times be adjusted to a reasonable expectation for the state board.

Jennifer Gililland
Director of Sales

sonus hearing care professionals
5555 Garden Grove Blvd. Suite 200
Westminster, CA 92683
Office ([redacted]) [redacted]5732 | Ext [redacted]
Cell ([redacted]) [redacted]-[redacted]

www.sonushearing.com

From: SLPAHADB Legislation/Regulation Changes <SLPAHADB-CHANGES@SUBSCRIBE.DCALISTS.CA.GOV> **On Behalf Of** Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board
Sent: Friday, March 14, 2025 8:35 AM
To: SLPAHADB-CHANGES@SUBSCRIBE.DCALISTS.CA.GOV
Subject: Public Notice of Proposed Regulatory Action (Processing Times)

CAUTION EXTERNAL EMAIL: This email originated from outside of the organization. DO NOT click links or open attachments unless you recognize the sender and know the contact is safe. If you are not sure, please contact IT.

Good morning,

The Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board has filed a Public Notice of Proposed Regulatory Action with the Office of Administrative Law.

This regulatory proposal will remove processing times related to hearing aid dispensers in California Code of Regulations (CCR) section 1399.113 and related to speech-language pathology and audiology in section 1399.151.1, delete any reference to CCR sections 1399.113 or 1399.151.1, and remove any other processing times specified in regulations.

The mandatory 45-day public comment period begins on Friday, March 14, 2025, and ends on Tuesday, April 29, 2025. Please submit your comments to SpeechandHearingRegulations@dca.ca.gov.

To view the Notice of Proposed Regulatory Action, Proposed Text, and Initial Statement of Reasons, please visit: www.speechandhearing.ca.gov/board_activity/lawsregs/proposed_regulations.shtml

Thank you.

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

1601 Response Road, Suite 260 | Sacramento, CA 95815

Phone: (916) 287-7915

Web: www.speechandhearing.ca.gov

Updated Informative Digest

TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS
DIVISION 13.3. and 13.4

DEPARTMENT OF CONSUMER AFFAIRS

SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY
AND HEARING AID DISPENSERS BOARD

Updated Informative Digest

There have been no changes to statutes or regulations which would warrant a change to the Informative Digest contained in the Notice for this rulemaking file. During the 45-day public comment period, one (1) written comment was received. For the reasons set forth in the Final Statement of Reasons, the Board did not modify the text to accommodate the comment.

Final Statement of Reasons

TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS
DIVISION 13.3. and 13.4

DEPARTMENT OF CONSUMER AFFAIRS

SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY AND HEARING AID DISPENSERS BOARD

Final Statement of Reasons

Subject Matter of Proposed Regulations:

This final statement of reasons addresses the regulations applicable to Processing Times.

Sections Affected:

Sections 1399.113 and 1399.141 of Division 13.3 and sections 1399.151.1, 1399.153.2, 1399.160.6, 1399.170.4, and 1399.170.13 of Division 13.4, Title 16 of the California Code of Regulations (CCR).

Updated Information

The Informative Digest and Initial Statement of Reasons are included in the rulemaking file and incorporated as though set forth herein.

The Board staff noticed the proposed rulemaking with a 45-day comment period ending on April 29, 2025. The Board received one (1) comment with objection or recommendation during the comment period. There were no requests for a public hearing and no separate public hearing was held.

Local Mandate

A mandate is not imposed on local agencies or school districts.

Consideration of Alternatives

No reasonable alternative which was considered or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which it was proposed or would be as effective and less burdensome to affected private persons than the adopted regulations or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The Board incorporates by reference the alternatives identified in its Initial Statement of Reasons and did not receive any comments that altered its findings.

Comments:

The 45-day comment period began on March 14, 2025, and ended on April 29, 2025. The Board did not hold a hearing. The Board's summary of and response to the comment received is presented below.

Comment:

The comment recommended that rather than removing language with response times from the regulation, the response times should instead be adjusted to a reasonable expectation for the Board. The comment stated that the Board has struggled to keep up with processing applications for hearing aid dispensing trainee licenses, practical exams and continuing education courses in the past and it is reducing accountability by removing the reasonable response timelines for applicants. The comment also stated that applicants may expect faster response times or may suffer further delays in the absence of these regulations. The comment also stated that there has been improvement in processing timelines over the last six (6) to eight (8) months, but from 2023 to early 2024 there were major delays. The comment expressed concern that another situation may arise with similar delays. Applicants will have no frame of reference for timely response and there will be nothing that the Board can use as a guideline.

Response to Comment:

The Board has reviewed and considered the comment and declines to amend the proposed text.

As described on pages 3 and 4 of the Initial Statement of Reasons, "processing times are dynamic and vary for reasons beyond the Board's control, including applicants under an expedited process, seasonal increases and decreases in application submissions, and the submission of incomplete applications. Given the length of the rulemaking process, regulations naturally cannot be revised with the regularity needed to reflect accurate and up-to-date processing times. As such, the Board finds it is not necessary to state new or updated processing times in its regulations. Instead, the Board displays processing times on its website, which is easily accessible and provides realistic expectations about how long the license and registration application review process can take at a given time. Although the Board is no longer statutorily required to specify its processing times in regulation, the Board provides timeframes for processing license and registration applications on its internet website in accordance with BPC section 139.5. The processing times on the Board's website are more accurate and more current than what appears in regulation because the information is based on actual workloads and is updated regularly. The Board's internal policy is to update processing timeframes on a weekly basis, subject to workloads, which far exceeds the quarterly updates required by BPC section 139.5."

Due to potential variability in processing times based on many factors beyond the Board's control, the Board finds removing the processing times from the regulation to be an appropriate amendment to avoid confusion and misrepresentation of actual, current processing times.

The Board also works hard to meet the 30-day goal set by the Department of Consumer Affairs (DCA) for processing applications. The Board has been under that benchmark since February 2024.

In 2023 and early 2024, there were major delays in processing applications while the Board modernized its application process by moving to an online platform for payment and application submission. The Board's online application platform processes all applications online and requires each applicant to submit all necessary supporting documents (except college transcripts) before the application is submitted to the Board for staff review and approval. Since the modernization of the application process, the Board has seen significant reduction in processing times and an increase in the number of applications processed annually. The Board does not anticipate delays to the application process aside from those caused by seasonal increases in application submissions and incomplete applications where the applicant has failed to provide the correct supporting documentation, such as college transcripts.

Std. Form 399 Economic and Fiscal Impact Statement

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STATE OF CALIFORNIA — DEPARTMENT OF FINANCE

ECONOMIC AND FISCAL IMPACT STATEMENT (REGULATIONS AND ORDERS)

STD. 399 (Rev. 10/2019)

ECONOMIC IMPACT STATEMENT

DEPARTMENT NAME	CONTACT PERSON	EMAIL ADDRESS	TELEPHONE NUMBER
Consumer Affairs	Maria Liranzo	maria.liranzo@dca.ca.gov	916-905-5441
DESCRIPTIVE TITLE FROM NOTICE REGISTER OR FORM 400			NOTICE FILE NUMBER
Processing Times			Z

WA/SP

A. ESTIMATED PRIVATE SECTOR COST IMPACTS *Include calculations and assumptions in the rulemaking record.*

1. Check the appropriate box(es) below to indicate whether this regulation:

- [ ] a. Impacts business and/or employees
- [ ] b. Impacts small businesses
- [ ] c. Impacts jobs or occupations
- [ ] d. Impacts California competitiveness
- [ ] e. Imposes reporting requirements
- [ ] f. Imposes prescriptive instead of performance
- [x] g. Impacts individuals
- [ ] h. None of the above (Explain below):

If any box in Items 1 a through g is checked, complete this Economic Impact Statement.
If box in Item 1.h. is checked, complete the Fiscal Impact Statement as appropriate.

2. The SLPAHAD Board (Agency/Department) estimates that the economic impact of this regulation (which includes the fiscal impact) is:

- [x] Below $10 million
- [ ] Between $10 and $25 million
- [ ] Between $25 and $50 million
- [ ] Over $50 million *[If the economic impact is over $50 million, agencies are required to submit a Standardized Regulatory Impact Assessment as specified in Government Code Section 11346.3(c)]*

3. Enter the total number of businesses impacted: Approx 40,000

Describe the types of businesses (Include nonprofits): Speech-Language Pathology, Audiology, and Hearing Aid Dispensing

Enter the number or percentage of total businesses impacted that are small businesses: 0

4. Enter the number of businesses that will be created: 0 eliminated: 0

Explain: N/A

5. Indicate the geographic extent of impacts:
- [x] Statewide
- [ ] Local or regional (List areas):

6. Enter the number of jobs created: 0 and eliminated: 0

Describe the types of jobs or occupations impacted: Speech-Language Pathology, Audiology, and Hearing Aid Dispensing

7. Will the regulation affect the ability of California businesses to compete with other states by making it more costly to produce goods or services here?
- [ ] YES
- [x] NO

If YES, explain briefly: N/A

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STATE OF CALIFORNIA — DEPARTMENT OF FINANCE

ECONOMIC AND FISCAL IMPACT STATEMENT (REGULATIONS AND ORDERS)

STD. 399 (Rev. 10/2019)

MN/SD

ECONOMIC IMPACT STATEMENT (CONTINUED)

B. ESTIMATED COSTS *Include calculations and assumptions in the rulemaking record.*

1. What are the total statewide dollar costs that businesses and individuals may incur to comply with this regulation over its lifetime? $ 0

   a. Initial costs for a small business: $0 Annual ongoing costs: $ 0 Years: 0

   b. Initial costs for a typical business: $0 Annual ongoing costs: $ 0 Years: 0

   c. Initial costs for an individual: $0 Annual ongoing costs: $ 0 Years: 0

   d. Describe other economic costs that may occur: The regulations do not result in an economic impact to the state.

2. If multiple industries are impacted, enter the share of total costs for each industry: N/A

3. If the regulation imposes reporting requirements, enter the annual costs a typical business may incur to comply with these requirements. *Include the dollar costs to do programming, record keeping, reporting, and other paperwork, whether or not the paperwork must be submitted.* $0

4. Will this regulation directly impact housing costs? ☐ YES ☒ NO

   If YES, enter the annual dollar cost per housing unit: $

   Number of units:

5. Are there comparable Federal regulations? ☐ YES ☒ NO

   Explain the need for State regulation given the existence or absence of Federal regulations: There are no comparable federal regulations. Licensees are regulated at the state level.

MN/SD

   Enter any additional costs to businesses and/or individuals that may be due to State - Federal differences: $ 0

C. ESTIMATED BENEFITS *Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.*

1. Briefly summarize the benefits of the regulation, which may include among others, the health and welfare of California residents, worker safety and the State's environment: The regulations are intended to better align with current law and existing practice, which will benefits businesses and individuals applying for licensure or registration with the Board, and consumers with a more responsive, adaptable, and efficient Board.

2. Are the benefits the result of: ☐ specific statutory requirements, or ☒ goals developed by the agency based on broad statutory authority?

   Explain: Business & Professions Code sections 2531.06 and 2531.95

3. What are the total statewide benefits from this regulation over its lifetime? $ Unknown

4. Briefly describe any expansion of businesses currently doing business within the State of California that would result from this regulation: N/A

MN/SD

D. ALTERNATIVES TO THE REGULATION *Include calculations and assumptions in the rulemaking record. Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.*

1. List alternatives considered and describe them below. If no alternatives were considered, explain why not: No reasonable alternative to the regulatory proposal would be either more effective in carrying out the purpose for which the regulation is proposed or would be as effective or less burdensome to affected private persons than the proposed regulation.

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STATE OF CALIFORNIA — DEPARTMENT OF FINANCE

ECONOMIC AND FISCAL IMPACT STATEMENT (REGULATIONS AND ORDERS)

STD. 399 (Rev. 10/2019)

ECONOMIC IMPACT STATEMENT (CONTINUED)

2. Summarize the total statewide costs and benefits from this regulation and each alternative considered:

Regulation: Benefit: $ Unknown Cost: $ 0

Alternative 1: Benefit: $ N/A Cost: $ N/A

Alternative 2: Benefit: $ N/A Cost: $ N/A

3. Briefly discuss any quantification issues that are relevant to a comparison of estimated costs and benefits for this regulation or alternatives: The regulations are intended to better align with current law & practice, and the benefits are difficult to quantify.

4. Rulemaking law requires agencies to consider performance standards as an alternative, if a regulation mandates the use of specific technologies or equipment, or prescribes specific actions or procedures. Were performance standards considered to lower compliance costs? ☐ YES ☒ NO

Explain: The regulations do not mandate the use of specific technologies or equipment, or prescribe specific actions or procedures.

MN/SD

E. MAJOR REGULATIONS *Include calculations and assumptions in the rulemaking record.*

California Environmental Protection Agency (Cal/EPA) boards, offices and departments are required to submit the following (per Health and Safety Code section 57005). Otherwise, skip to E4.

1. Will the estimated costs of this regulation to California business enterprises **exceed $10 million**? ☐ YES ☐ NO

If YES, complete E2. and E3
If NO, skip to E4

2. Briefly describe each alternative, or combination of alternatives, for which a cost-effectiveness analysis was performed:

Alternative 1: ____________________

Alternative 2: ____________________

(Attach additional pages for other alternatives)

3. For the regulation, and each alternative just described, enter the estimated total cost and overall cost-effectiveness ratio:

Regulation: Total Cost $ ________ Cost-effectiveness ratio: $ ________

Alternative 1: Total Cost $ ________ Cost-effectiveness ratio: $ ________

Alternative 2: Total Cost $ ________ Cost-effectiveness ratio: $ ________

4. Will the regulation subject to OAL review have an estimated economic impact to business enterprises and individuals located in or doing business in California exceeding $50 million in any 12-month period between the date the major regulation is estimated to be filed with the Secretary of State through12 months after the major regulation is estimated to be fully implemented?

☐ YES ☒ NO

If YES, agencies are required to submit a Standardized Regulatory Impact Assessment (SRIA) as specified in Government Code Section 11346.3(c) and to include the SRIA in the Initial Statement of Reasons.

5. Briefly describe the following:

The increase or decrease of investment in the State: N/A

The incentive for innovation in products, materials or processes: N/A

The benefits of the regulations, including, but not limited to, benefits to the health, safety, and welfare of California residents, worker safety, and the state's environment and quality of life, among any other benefits identified by the agency: N/A

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STATE OF CALIFORNIA — DEPARTMENT OF FINANCE

ECONOMIC AND FISCAL IMPACT STATEMENT
(REGULATIONS AND ORDERS)

STD. 399 (Rev. 10/2019)

MN/SD

FISCAL IMPACT STATEMENT

A. FISCAL EFFECT ON LOCAL GOVERNMENT *Indicate appropriate boxes 1 through 6 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*

☐ 1. Additional expenditures in the current State Fiscal Year which are reimbursable by the State. (Approximate) (Pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code).

$ ______________

☐ a. Funding provided in ______________

Budget Act of ______________ or Chapter ______________ , Statutes of ______________

☐ b. Funding will be requested in the Governor's Budget Act of ______________

Fiscal Year: ______________

☐ 2. Additional expenditures in the current State Fiscal Year which are NOT reimbursable by the State. (Approximate) (Pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code).

$ ______________

Check reason(s) this regulation is not reimbursable and provide the appropriate information:

☐ a. Implements the Federal mandate contained in ______________

☐ b. Implements the court mandate set forth by the ______________ Court.

Case of: ______________ vs. ______________

☐ c. Implements a mandate of the people of this State expressed in their approval of Proposition No. ______________

Date of Election: ______________

☐ d. Issued only in response to a specific request from affected local entity(s).

Local entity(s) affected: ______________

☐ e. Will be fully financed from the fees, revenue, etc. from: ______________

Authorized by Section: ______________ of the ______________ Code;

☐ f. Provides for savings to each affected unit of local government which will, at a minimum, offset any additional costs to each;

☐ g. Creates, eliminates, or changes the penalty for a new crime or infraction contained in ______________

☐ 3. Annual Savings. (approximate)

$ ______________

☐ 4. No additional costs or savings. This regulation makes only technical, non-substantive or clarifying changes to current law regulations.

☒ 5. No fiscal impact exists. This regulation does not affect any local entity or program.

☐ 6. Other. Explain ______________

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STATE OF CALIFORNIA — DEPARTMENT OF FINANCE
ECONOMIC AND FISCAL IMPACT STATEMENT (REGULATIONS AND ORDERS)
STD. 399 (Rev. 10/2019)

FISCAL IMPACT STATEMENT (CONTINUED)

MN/SD

B. FISCAL EFFECT ON STATE GOVERNMENT *Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*

☐ 1. Additional expenditures in the current State Fiscal Year. (Approximate)

$ ____________

It is anticipated that State agencies will:

☐ a. Absorb these additional costs within their existing budgets and resources.

☐ b. Increase the currently authorized budget level for the ____________ Fiscal Year

☐ 2. Savings in the current State Fiscal Year. (Approximate)

$ ____________

☒ 3. No fiscal impact exists. This regulation does not affect any State agency or program.

☐ 4. Other. Explain ____________

MN/SD

C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS *Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*

☐ 1. Additional expenditures in the current State Fiscal Year. (Approximate)

$ ____________

☐ 2. Savings in the current State Fiscal Year. (Approximate)

$ ____________

☒ 3. No fiscal impact exists. This regulation does not affect any federally funded State agency or program.

☐ 4. Other. Explain ____________

RD/KM

FISCAL OFFICER SIGNATURE	DATE
Theresa Burns	January 7, 2025

The signature attests that the agency has completed the STD. 399 according to the instructions in SAM sections 6601-6616, and understands the impacts of the proposed rulemaking. State boards, offices, or departments not under an Agency Secretary must have the form signed by the highest ranking official in the organization.

AGENCY SECRETARY Undersecretary for Secretary	DATE
Melinda Grant (Feb 24, 2025 17:06 PST)	Feb 24, 2025

Finance approval and signature is required when SAM sections 6601-6616 require completion of Fiscal Impact Statement in the STD. 399.

DEPARTMENT OF FINANCE PROGRAM BUDGET MANAGER	DATE

MEMORANDUM

DATE	March 10, 2026
TO	Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Maria Liranzo, Legislation/Regulation/Budget Analyst
SUBJECT	Agenda Item 10: Review and Possible Approval of the December 4 - 5, 2025 Board Meeting Minutes

Background

Attached is a draft of the meeting minutes from the December 4 - 5, 2025 Board meeting.

Action Requested

Staff recommends the Board review and discuss the provided materials. The Board may wish to determine whether or not to approve the December 4 - 5, 2025 Board meeting minutes.

Attachment: December 4 - 5, 2025 Board Meeting Minutes

BOARD MEETING MINUTES - DRAFT
Norwalk, CA
Thursday, December 4, 2025

1. Call to Order / Roll Call / Establishment of Quorum

Gilda Dominguez, Board Chair, called the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board (Board) meeting to order on December 4, 2025, at 1:01 p.m. and 3:49 p.m. Ms. Dominguez called roll; seven members of the Board were present and thus a quorum was established.

Board Members Present
Gilda Dominguez, Speech-Language Pathologist, Board Chair
Amy White, Dispensing Audiologist, Board Vice Chair
Tod Borges, Hearing Aid Dispenser
Tamara Chambers, Otolaryngologist, Public Member
Karen Chang, Public Member
Francis David, Speech-Language Pathologist
Charles Sanders, Dispensing Audiologist

Staff Present
Cherise Burns, Executive Officer
Maria Liranzo, Legislation/Regulation/Budget Analyst
Yuping Lin, DCA Legal Counsel

2. Welcome and Thank You to Cerritos Community College and their Speech-Language Pathology Assistant (SLPA) Associate Degree Program Staff and Students

Ms. Dominguez invited Susan McDonald, Cerritos College SLPA Program Director, to welcome the Board to Cerritos College whereupon a presentation was presented to the Board.

Ms. Dominguez, Cherise Burns, and Dr. Amy White expressed gratitude to Cerritos College and their SLPA Program for welcoming the Board.

Ms. Dominguez asked for public comment. There were no comments from the public, outside agencies, or associations.

3. Public Comment for Items Not on the Agenda

Ms. Dominguez asked for public comment for items not on the agenda.

Ms. Burns read a comment from the California Speech and Hearing Association regarding practices by Kaiser Permanente that limit access to speech services through use of an episodic care methodology that include breaks in care provisions.

4. Closed Session Pursuant to Government Code section 11126(a)(1) the Board will conduct the annual performance evaluation and consider the salary of its Executive Officer.

The Board met in closed session to conduct the annual performance evaluation and consider the salary of its Executive Officer.

SPEECH-LANGUAGE PATHOLOGY PRACTICE COMMITTEE – DRAFT
Norwalk, CA
Thursday, December 4, 2025

1. Call to Order / Roll Call / Establishment of Quorum

Gilda Dominguez, Committee Chair, called the Speech-Language Pathology Practice Committee (Committee) meeting to order on December 4, 2025, at 1:22 p.m. Ms. Dominguez called roll; three members of the Committee were present and thus a quorum was established.

Committee Members Present
Gilda Dominguez, Speech-Language Pathologist, Committee Chair
Tamara Chambers, Otolaryngologist, Public Member
Francis David, Speech-Language Pathologist

Staff Present
Cherise Burns, Executive Officer
Maria Liranzo, Legislation/Regulation/Budget Analyst
Yuping Lin, DCA Legal Counsel

2. Public Comment for Items Not on the Agenda

Ms. Dominguez asked for public comment for items not on the agenda. There were no comments from the public, outside agencies, or associations.

3. Discussion and Possible Action to Amend Regulations Regarding Scope of Responsibility, Duties, and Functions of Speech-Language Pathology Assistants Related to Swallow Therapy as Stated in Title 16, California Code of Regulations (CCR) sections 1399.170.1, 1399.170.2, and 1399.170.3

Ms. Dominguez invited Maria Liranzo to discuss possible action to amend regulations regarding speech-language pathology assistant (SLPA) scope of responsibility, duties, and functions related to swallow therapy. Ms. Liranzo provided a background on the proposed regulatory changes.

Ms. Liranzo asked if the speech-language pathologist (SLP), who signed the verification of competency, is the same SLP who provides immediate supervision for all 100 hours of feeding and swallowing therapy with bolus material. Cherise Burns said that for SLPs to perform Fiberoptic Endoscopic Evaluation of Swallowing (FEES), they are required to complete 25 supervised FEES procedure and some SLPs are supervised by someone different than the one who signs the verification of competency.

Francis David asked if each feeding and swallowing therapy under immediate supervision would be signed by the attending SLP. Ms. Burns said that is how some SLPs are doing it for their supervised

FEES procedures.

Mr. David asked if it's possible to require the SLP signing the verification of competency to confer with the other SLPs. Ms. Burns said that it is possible. Ms. Liranzo said that it should be specified in regulations to ensure that it does happen.

Mr. David asked if it would be possible to require the SLP with the most supervision to sign the verification of competency. Ms. Burns said that it could be restrictive due to the number of hours required. Ms. Dominguez said that it could be possible that the SLP with the most supervision may no longer be working at the location when the SLPA completes their hours and needs their written verification and recommendation from the supervising SLP to sign their verification. Ms. Liranzo noted that the written verification is a one-time documentation and that it will have to be available for Board inspection whether that is a copy in the SLPA's employee records or retained by the SLPA and/or their supervising SLP.

Ms. Liranzo asked if the intent of the 100 hours of supervised feeding and swallowing therapy will be that it is performed in the workplace and said that if requiring the supervising SLP to sign the verification is a reasonable requirement. Ms. Dominguez expressed agreement with the proposed changes. Dr. Tamara Chambers expressed agreement with the proposed changes and said that this will give SLPAs the opportunity to have different experiences with different SLPs while ensuring that there is oversight from one SLP.

Ms. Liranzo asked if "unwillingness to cooperate with the examination" should be added as a contraindication or is it sufficiently covered by "inability to cooperate." Ms. Dominguez said that it would be common among children to be unwilling to cooperate. Mr. David said that unwillingness and refusal are two different things and said that a procedure cannot be performed if the patient refuses. Dr. Chambers said that "inability to cooperate" is different from unwillingness as inability could be a physical limitation whereas unwillingness can be something that is coachable. Ms. Dominguez said that SLPAs may be in a situation where they are already coaching an unwilling patient and it could be dangerous with bolus material to continue with the therapy. Ms. Liranzo noted that "unwillingness to cooperate with the examination" will be added as a contraindication.

Ms. Liranzo asked if the proposed regulations create barriers to SLPAs to obtain the education and experience needed to perform feeding and swallowing therapy with bolus material, such as only requiring an approved continuing education (CE) provider to provide the education, a California licensed SLP can supervise the 100 hours of feeding and swallowing therapy, and direct client care can count toward the 100 hours of supervised feeding and swallowing therapy.

Ms. Dominguez asked if the approved CE provider is in regard to the 45 hours of required education. Ms. Liranzo said that it is and commented that employers may offer education on the topics required but may not be an approved CE provider. Ms. Burns commented on the courses being reviewed during audits and who is providing them.

Ms. Dominguez asked how feasible it is to approve courses from hospitals or clinic. Ms. Burns said that the Board doesn't approve CE courses for SLP and audiology and they are required to become an approved provider, whether that is applying with the board to become an approved provider or through an exemption as stated in the Board's Practice Act. Ms. Dominguez said that the education should be from an approved provider or through an exempt organization. Mr. David expressed agreement that it should be from an approved provider or through an exempt organization.

Dr. Chambers asked how SLPAs could get CE credit for education from a research or teaching hospital. Ms. Liranzo asked Ms. Burns if hospitals would be part of the exempt organizations. Ms. Burns said that providers approved by the American Speech-Language-Hearing Association, American Academy of Audiology, or California Medical Association are exempt from Board approval process. Ms. Liranzo asked Dr. Chambers if her hospital is a CE provider through the California Medical Association. Dr. Chambers asked if the education for CE credit would be tied to the work setting or the person providing the course. Ms. Dominguez said that education should be from an approved provider or through an exempted organization to ensure the quality of education is consistent. Ms. Dominguez asked Dr. Chambers if the courses are open to the community or just employees. Dr. Chambers said that they are only open to employees.

Ms. Dominguez continued with the discussion questions regarding whether the 100 hours of supervised feeding and swallowing therapy should only be from a California licensed SLP or if it could be from a SLP licensed in another state. Ms. Burns said that a SLP licensed in another state could come to California to provide training and supervision for the FEES procedures to a group a SLPs and this could be something that could happen for SLPA. Ms. Liranzo clarified that this question and the next question may no longer be applicable as it was clarified earlier that the intent of the 100 hours of supervised feeding and swallowing therapy is that they happen in the workplace where the opportunities will be available. The Committee expressed agreement that this was the intent of the requirement.

Ms. Liranzo asked if there should be restrictions and/or specified requirements to feeding and swallowing therapy with bolus material for specific age groups or conditions such as newborns or infants or patients with artificial airways. Ms. Dominguez said that SLPs are required to obtain additional training to provide feeding and swallowing to neonates and does not recommend that SLPAs be allowed to work with these populations. Mr. David recommended that there should be restrictions to some medically fragile patients such as those on advanced airways or with certain comorbidities.

Ms. Liranzo asked what those comorbidities would be and noted the contraindications currently specified. Mr. David recommended adding restrictions related to cognitive functioning. Ms. Liranzo asked if that would be similar to “inability to cooperate with the examination.” Mr. David said that it would be different, such as a patient may not be able to follow instruction or provide feedback during the therapy. Ms. Liranzo noted the changes to add neonate/infants, cognitive impairment, and patient with advanced airways as contraindications.

Mr. David asked if medically fragile patients should be excluded. Ms. Liranzo said that a higher level of supervision is required when SLPAs are working with medically fragile patients and that these regulations should specify which of the medically fragile patients a SLPA cannot work on at all, if any. Dr. Chambers read the definition of medically fragile to mean a client that is acutely ill and in an unstable condition and said that being “acutely ill” is different from “cognitive impairment.”

Ms. Liranzo said that education in swallowing/dysphasia may lack clarity for the rulemaking process and asked what exactly about swallowing/dysphasia should a SLPA know that would provide them with the knowledge they need to perform feeding and swallowing therapy with bolus material such as causes of dysphasia, signs and symptoms of dysphasia, and screening, assessments, and treatment for of dysphasia. Ms. Dominguez and Mr. David recommended adding anatomy and physiology of swallowing. Ms. Dominguez recommended adding etiology or causes of dysphasia;

signs and symptoms of swallowing disorders; aspiration; knowledge of screening and assessments including clinical bedside and instrumental assessment such as FEES, modified barium swallow, and video fluoroscopies; and the International Dysphagia Diet Standardisation Initiative's framework for diet textures and liquid. Dr. Chambers asked if maneuvers should be added. Ms. Dominguez and Mr. David said it would fall under treatment. Ms. Dominguez recommended the word "maneuvers" should be used. Ms. Liranzo noted the changes.

Dr. Chambers asked if the education should cover pediatrics. Ms. Dominguez and Mr. David said that it should, and recommended the regulations should specify that the required education should cover a wide range of ages. Ms. Dominguez and Mr. David also recommended that the required education should also cover documentation such as writing notes. Ms. Liranzo noted the changes.

Ms. Burns commented on the rulemaking process and recommended that the Board can hold an Ad Hoc meeting with SLPA programs to continue discussion on how this task can be part of future SLPA program curriculum.

Ms. Dominguez said the proposed regulations will permit SLPAs to provide feeding and swallowing therapy, but SLPs need to consider other requirements when determining if their SLPA is allowed to provide feeding and swallowing therapy such as facility requirements, coverage, and reimbursement requirements established by health care insurance and managed care providers like Medicare.

Ms. Dominguez asked for public comment.

Susan McDonald, SLPA Program Director at Cerritos College, commented on future discussions with SLPA programs to provide training on feeding and swallowing and said that she looks forward to seeing the invitation.

4. Adjournment

The meeting adjourned at 2:34 p.m.

HEARING AID DISPENSING COMMITTEE – DRAFT
Norwalk, CA
Thursday, December 4, 2025

1. Call to Order / Roll Call / Establishment of Quorum

Tod Borges, Committee Chair, called the Hearing Aid Dispensing Committee (Committee) meeting to order on December 4, 2025, at 2:50 p.m. Mr. Borges called roll; four members of the Committee were present and thus a quorum was established.

Committee Members Present
Tod Borges, Hearing Aid Dispenser, Committee Chair
Tamara Chambers, Otolaryngologist, Public Member
Charles Sanders, Dispensing Audiologist
Amy White, Dispensing Audiologist

Staff Present
Cherise Burns, Executive Officer
Maria Liranzo, Legislation/Regulation/Budget Analyst
Yuping Lin, DCA Legal Counsel

2. Public Comment for Items Not on the Agenda

Mr. Borges asked for public comment for items not on the agenda. There were no comments from the public, outside agencies, or associations.

3. Discussion and Possible Action to Add and Amend Regulations Regarding Postfitting Counseling and Foreign Body In The Ear Canal Related to Hearing Aid Dome Removal at Title 16, CCR Sections 1399.125 and 1399.126, as used in BPC Sections 2538.11, 2538.36, and 2539.6

Mr. Borges invited Maria Liranzo to provide an update on discussion and possible action regarding hearing aid dome removal. Ms. Liranzo provided a background and summary of changes to the proposed regulatory text.

Mr. Borges asked what the meaning of higher air conduction and lower bone conduction is in the definition of significant air-bone gap in Section 1399.126(a). Ms. Liranzo said that this text already existed and may be outdated and recommended the Committee make changes to the definition if they find it confusing as currently written.

Dr. Amy White said that it may be trying to omit hearing tests where the bone conduction is worse than the air conduction because this, in theory, is not possible and may be a placement issue with the oscillator. Dr. White said that it should read as bone conduction is better than air conduction and recommended to replace the word "succeeding" with the word "successive." Mr. Borges asked if it could be revised to say that bone conduction is fifteen (15) decibels or more better than air conduction. Cherise Burns said that it can be revised so that it is clearer. Ms. Liranzo asked Dr. Tamara Chambers if that is her understanding of significant air-bone gap. Dr. Chamber said that it is and she understands it both ways. Ms. Burns asked for clarification on how it should be read. Dr. White said that it should read as "a significant air-bone gap means a difference of fifteen (15) decibels or more where bone conduction is better than air conduction at two (2) or more successive octave frequencies…" Ms. Liranzo noted the changes.

Dr. Charles Sanders said that it should be consecutive or adjacent octave frequencies. Dr. White said the word "successive" is similar to the words like "continuous" and "adjacent." Ms. Liranzo said that there are different definitions that Board staff can provide when it presents this text to the Board, if the Committee recommended the text to the Board as amended. Dr. White and Mr. Borges said that the FDA's definition will be the most appropriate definition for hearing aid dispensers.

Mr. Borges asked for public comment. There were no comments from the public, outside agencies, or associations.

Amy White moved to recommend the regulatory text for Title 16, CCR Sections 1399.125 and 1399.126 to the Board to initiate the rulemaking process, as amended, and direct Board staff to prepare the regulatory text for Board review and approval.

Charles Sanders seconded the motion. The motion carried 4-0. (Ayes: Borges, Chambers, Sanders, White)

4. Adjournment

The meeting adjourned at 3:06 p.m.

AUDIOLOGY PRACTICE COMMITTEE – DRAFT
Norwalk, CA
Thursday, December 4, 2025

1. Call to Order / Roll Call / Establishment of Quorum

Dr. Amy White, Committee Chair, called the Audiology Practice Committee (Committee) meeting to order on December 4, 2025, at 3:07 p.m. Dr. White called roll; four members of the Committee were present and thus a quorum was established.

Committee Members Present
Amy White, Dispensing Audiologist, Committee Chair
Tamara Chambers, Otolaryngologist, Public Member
Karen Chang, Public Member
Charles Sanders, Dispensing Audiologist

Staff Present
Cherise Burns, Executive Officer
Maria Liranzo, Legislation/Regulation/Budget Analyst
Yuping Lin, DCA Legal Counsel

2. Public Comment for Items Not on the Agenda

Dr. White asked for public comment for items not on the agenda. There were no comments from the public, outside agencies, or associations.

3. Discussion and Possible Action to Add and Amend Regulations Regarding General Application Requirements and Speech-Language Pathology Aide and Audiology Aide Requirements and Scope of Activities, Duties and Functions at Title 16, CCR Sections 1399.151.2, 1399.151.3, 1399.151.4, 1399.154 through 1399.154.12, and 1399.157

Dr. White invited Maria Liranzo to discuss possible action to amend regulations regarding general application requirements and audiology aide requirements. Ms. Liranzo provided a background and summary of changes to the proposed text.

Dr. White and Dr. Charles Sanders said that screenings are not the same as evaluations. Dr. Sanders said that it wouldn't be within an audiology aide's scope because school audiometrist who conduct screenings in schools must complete some level of education to conduct those screenings. Dr. Sanders also said that the Board does not have a mechanism to require and verify such training. Dr. White said that she disagrees because an audiology aide would have an audiologist present at the time, whereas an audiometrist doesn't have an audiologist who can review their work, which is why there is additional education and training. Dr. Sanders said that it could be possible for an audiology aide to perform screenings without their supervisor being present. Dr. White said that the audiology aide cannot work without an audiologist. Cherise Burns said that the regulations are being amended to not permit an audiology aide to work on their own while performing certain tasks. Ms. Liranzo said that indirect client care is the only task where an audiologist would not be required to be onsite with the audiology aide.

Dr. Sanders asked if immediate supervision would be required when the audiology aide is performing screening. Dr. White said initially or if the supervisor is training them until they are competent, at which point direct supervision can be provided to the audiology aide. Ms. Liranzo said that the question came up in reviewing speech-language pathology assistant laws and regulations which permit them to conduct screenings and wanted to know if this would be prohibited for audiology aides. Dr. White said the audiometrist work independently by conducting the screening and reviewing results on their own, whereas an audiology aide would conduct the screening but the results would be provided to their supervisor for review. Ms. Liranzo noted that the meeting material included examples of screenings as defined by Medicare and asked which ones an audiology aide would be able to do and which ones they would not be able to do. Ms. Burns said that the screening should be appropriate for someone who doesn't have any education or experience. Dr. White said that newborn hearing screeners do not have education. Ms. Liranzo said that is why she wanted the Committee to discuss this item because screening was not identified as being out of an audiology aide scope. Dr. White said that the use of audiology aide is very narrow and that they are not used for that reason.

Dr. White also said that she hopes that audiology aides will be more used if they are better defined and asked if the Board would be able to come back if it needs to narrow down the use of audiology aides if an audiologist assistant license was created. Ms. Burns said that the scope of an audiology aide should be developed so that it is for someone who has no education or experience. Dr. White said that audiology aide will be trained by their supervisor. Ms. Burns said that it is training directed by the supervisor after they are registered. Dr. White recommended that the only hearing screening an audiology aide could perform is the one defined in the Practice Act. Dr. Sander expressed agreement with the recommendation.

Dr. White continued with the discussion questions regarding the fitting, selling, or independently adjusting a hearing aid as used in Section 1399.154.11(j) having the same meaning as the practice of fitting or selling hearing as defined in BPC section 2538.11. Dr. White said that they do not have the same meaning because there are some aspects of postfitting counseling an audiology aide can do, such as help patients use and care for their hearing aids, which is information typically found in a user manual.

Ms. Liranzo asked what the word "adjust" means in the profession. Dr. White and Dr. Sanders said that it would be adjusting the programming or making gain change on a hearing aid. Ms. Liranzo said that it could also imply physical adjustments and recommended revising or removing the words "independently adjust" if it could restrict audiology aide from physically adjusting a hearing aid on a patient. Dr. White said that helping the patient practice putting on their hearing aid would be acceptable for an audiology aide to perform. Ms. Burns said that altering hearing aid programming or settings is already listed under Section 1399.154.11(c) and recommended removing the words "independently adjust." Ms. Liranzo noted the change.

Karen Chang asked if the word "fit" also implies physical adjustments. Dr. White said that the word "fit" has a unique meaning in hearing aid dispensing that covers the initial fitting of the hearing aid on the patient to meet their hearing needs as well as any adjustments to hearing aid domes or earmolds. Dr. White asked if the word “fit” has to be defined. Ms. Liranzo said that her explanation is very clear and it will be used when preparing regulatory documents.

Dr. White asked what further clarifications are needed. Ms. Liranzo said that we will have to determine the language regarding hearing screenings and where in the text it should be added.

Dr. White asked if it could say that an audiology aide can perform hearing screenings as defined in the Practice Act. Ms. Liranzo said it could be written that way and it could cite the definition in the Practice Act. Ms. Burns recommended that it should be added to a section that would say hearing screening is permitted such as a section on supervision requirements, responsibility of a supervisor, or training requirements. Ms. Burns said that it would normally be added to the section on duties and function of an audiology aide, but the regulations are written to specify prohibited activities and not activities permitted. Dr. White said that it might have to be added as prohibition in Section 1399.154.11. Ms. Burns said that it could be written both ways and recommended adding it to Section 1399.154.10 as item (e) regarding training. Ms. Liranzo said that she would need to consult with their Regulatory Counsel to determine if a prohibition should be added.

Dr. Sander asked why the meeting materials included material regarding audiology assistant. Ms. Liranzo said they are included as a means of comparison. Ms. Liranzo also said that American Speech–Language–Hearing Association identifies screening as an audiology assistant’s role and responsibility and wanted to give the Committee an opportunity to discuss if it would also be within the role and responsibility of an audiology aide.

Dr. White asked for public comments. There were no comments from the public, outside agencies, or associations.

4. Adjournment

The meeting adjourned at 3:43 p.m.

BOARD MEETING MINUTES - DRAFT
Norwalk, CA
Friday, December 5, 2025

1. Call to Order / Roll Call / Establishment of Quorum

Gilda Dominguez, Board Chair, called the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board (Board) meeting to order on December 5, 2025, at 9:05 a.m. Ms. Dominguez called roll; seven members of the Board were present and thus a quorum was established.

Board Members Present
Gilda Dominguez, Speech-Language Pathologist, Board Chair
Amy White, Dispensing Audiologist, Board Vice Chair
Tod Borges, Hearing Aid Dispenser
Tamara Chambers, Otolaryngologist, Public Member
Karen Chang, Public Member
Francis David, Speech-Language Pathologist
Charles Sanders, Dispensing Audiologist

Staff Present
Cherise Burns, Executive Officer
Maria Liranzo, Legislation/Regulation/Budget Analyst
Yuping Lin, DCA Legal Counsel

2. Public Comment for Items Not on the Agenda

Ms. Dominguez asked for public comment for items not on the agenda. There were no comments from the public, outside agencies, or associations.

3. Review and Possible Approval of the August 21 - 22, 2025, Board Meeting Minutes

Ms. Dominguez opened the discussion on the review and possible approval of the minutes. Ms. Liranzo provided a summary of the minutes.

Tod Borges said there were some typos. Ms. Borges asked to replace the title “Ms.” with the title “Mr.” to his last name toward the end of the third paragraph after item 3 on page 11 of 28 and in the middle of the second to last paragraph on page 23 of 28; and replace the word “curios” with word “curious” and remove “not” in the middle of the second to last paragraph on of page 23 of 28. Ms. Liranzo noted the changes.

Dr. Charles Sanders asked to replace the title “Mr.” with the title “Ms.” to Burns in the third to last paragraph on of page 23 of 28. Ms. Liranzo noted the changes.

Francis David asked to replace the letter “s” with the letter “d” to his last name in the motion on page 10 of 28. Ms. Liranzo noted the changes.

Ms. Dominguez said that her intent in the third paragraph after item 3 on page 4 of 28 is that speech language pathology assistants (SLPAs) are not able to care for Medicare population due to the Medicare regulations not considering them as providers and asked if it could be reworded to clarify that.

Ms. Dominguez said that it would be feasible or practical for SLPAs to provide feeding and swallowing therapy with bolus material to adult population once the parameters are in place, but the limitation is the payer. Cherise Burns recommended replacing the word “adult” with “Medicare.” Ms. Dominguez expressed agreement with the recommendation and recommended adding “at this time” at the end of the sentence. Ms. Liranzo noted the changes.

Mr. David asked to replace the word “it is” with “both stages are” in the last paragraph of page 7 of 28. Ms. Liranzo noted the changes.

Ms. Dominguez asked for public comments. There were no comments from the public, outside agencies, or associations.

Tod Borges moved to approve the August 21 - 22, 2025 Meeting minutes as amended.

Karen Chang seconded the motion.

The motion carried 7-0. (Ayes: Dominguez, White, Borges, Chambers, Chang, David, Sanders)

4. DCA Update – DCA Board and Bureau Relations

Ms. Dominguez invited Ms. Burns to provide an update from DCA Board and Bureau Relations.

Ms. Burns provided an update on new Board and Bureau Relations staff, the retirement of DCA's Director Kimberly Kirchmeyer, and Board member training.

Karen Chang asked if the Unconscious Bias Training is required and when it will be due. Ms. Burns said that she would have to ask Board and Bureau Relations about it.

Ms. Dominguez asked for public comments. There were no comments from the public, outside agencies, or associations.

5. Board Chair's Report

Ms. Dominguez reported on the Board meeting calendar and said that dates for the upcoming year will be discussed at this meeting later today.

Ms. Dominguez reported on the committee membership and asked for updates on Committee discussion.

Ms. Dominguez reported on discussions from the Speech-Language Pathology Practice Committee.

Mr. Borges reported on discussions from the Hearing Aid Dispensing Committee.

Dr. Amy White reported on discussions from the Audiology Practice Committee.

Mr. Borges asked why audiometry was not listed as a diagnostic evaluation. Dr. White said that it is not an exclusive list. Mr. Borges asked if it could be added. Ms. Liranzo asked if audiogram is part of an impedance test battery. Dr. White said that it is not and recommended that it be added. Ms. Liranzo noted the change.

Ms. Dominguez asked for public comments. There were no comments from the public, outside agencies, or associations.

6. Executive Officer's Report

Ms. Dominguez invited Ms. Burns to provide the Executive Officer's report.

Ms. Burns provided an administration update and said that there are no vacant positions except for a position that is unfunded.

Ms. Burns reported on outreach efforts including meetings with the California Speech Language Hearing Association (CSHA), California Academy of Audiology (CCA), and Council of Academic Programs in Communication Sciences; and a presentation by board members at CAA Conference in September 2025.

Ms. Burns reported on the budget including enforcement cost, an augmentation for Attorney General (AG) and Office of Administrative Hearing (OAH) costs, setting aside some procurements and overtime for additional savings, and savings as a result of the budget reduction such as transitioning renewal notices to postcard reminders.

Mr. Borges asked how the budget is determined for AG and OAH. Ms. Burns said that it is a three-year average but it has been high in the last two years and the budget may need to be increased if it continues to remain high. Ms. Burns also said that the enforcement cost has been high due to some of the cases with longer hearings, which are rare for this board.

Mr. Borges asked if the Board had to do an augmentation last year. Ms. Burns said that it did for a smaller amount.

Ms. Burns reported on the fund condition, including the increase in delinquent fees collected and said that issue would be something to look into in the future. Ms. Burns also said that other boards have much higher delinquent fees to deter late renewals. Ms. Burns commented on the revenue and when a fee increase would be required. Ms. Burns said the Board does not need a fee increase during this Sunset because of its increasing licensee population, especially in speech-language pathologist and speech language pathology assistant licenses.

Dr. White asked if the increase in delinquent fees related to full renewal form being mailed out and not the postcard reminders. Ms. Burns said that it has been increasing in the past few years.

Dr. Sanders asked if the Board would have to go to the legislature to increases its delinquency fee. Ms. Burns said that the Board would have to go to the legislature to increase its delinquency fees.

Dr. Tamara Chambers asked if the Board recovers costs from cases that go to hearing. Ms. Burns said that not in all cases, such as citation and fine appeals or when a license is revoked. Ms. Burns also said that cost recovery becomes part of probation and includes recovery of cost up to the point of the administrative hearing.

Dr. Chambers asked if there are fees associated with citations and fines for continuing education (CE) audits. Ms. Burns said that there are fees associated with citations and fines for CE audits and they can range from $100 to $2,500. Ms. Burns also said that there will be an increase in revenues in citation and fine as a result of CE audits. Ms. Burns commented on the CE audit process and said that Board staff will work with licensees who are being audited to ensure they don't qualify for any exemption.

Ms. Dominguez asked what the number of months means for the funds in reserve. Ms. Burns said that the Board has 5 months of funds available to cover operating expenses if it were to stop generating revenue and the goal is to keep it at 3 to 6 months. Ms. Burns also said that, if the amount of funds in reserve is high, the board would have to consider lowering fees or increasing services it provides.

Ms. Burns provided a brief report on the Board's regulations and deferred to the regulatory report.

Ms. Burns reported on licensing including processing times.

Ms. Burns reported on hearing aid dispensing practical examination results.

Ms. Burns reported on enforcement including complaints and subsequent arrest notifications, citations and fines, formal discipline cases pending at the Office of the Attorney General, probation monitoring, and Attorney General outcomes adopted by the Board, and CE and continuing professional development (CPD) audits.

Ms. Burns said that while the passage rate of the CE and CPD audits is not high but there has been a large increase in licensees contacting the Board to verify the CE and CPD requirements.
Ms. Burns also said that the passage rate of the CE and CPD audits should increase in the next couple of years. Dr. White said that these audit numbers justify having the CE auditor position and its importance. Ms. Burns said that there have been benefits for both licensees and providers and commented on licensees understanding the Board's requirements for renewal and Board staff seeing where licensees are obtaining their hours. Ms. Dominguez said that the Board's outreach effort to inform licensees of their CE/CPD requirements at conventions and organizations has been helpful and beneficial. Dr. White expressed agreement and said that this is an area where repeating the information multiple times is helpful.

Ms. Burns commented on the licenses issued and licensee population statistics and said there has been a steady increase overall with most of the increase in the practice of speech-language pathology.

Ms. Burns commented on enforcement statistics and said that complaints and convictions returned to pre-pandemic levels last year and citation and fines issued due to failing CE/CPD audits have increased the number of complaints opened.

Ms. Dominguez asked for public comments. There were no comments from the public, outside agencies, or associations.

7. Regulatory Report: Update, Review, and Possible Action on Board Regulation Packages

Ms. Dominguez invited Ms. Liranzo to present on Board regulation packages. Ms. Liranzo provided an update on Board regulation packages.

Ms. Dominguez asked for public comments. There were no comments from the public, outside agencies, or associations.

8. Discussion and Possible Action on the Board's 2026 Sunset Review Report

Ms. Dominguez invited Ms. Burns to present the Board's 2026 Sunset Review Report. Ms. Burns provided a background on the Sunset review process. Dr. White and Ms. Dominguez reported on discussions from the Sunset Review Ad Hoc Committee (Ad Hoc Committee).

Ms. Burns provided a background on discussions and possible action to amend BPC section 2538.33 regarding branch office license. Ms. Burns said that the Hearding Aid Dispensing Committee (Committee) met in May 2025 and determined that allowing a hearing aid trainee to maintain a branch office license pursuant to BPC section 2538.34 would be inconsistent with BPC section 2538.30, which prohibits them from managing or independently operating a business that engages in the fitting or sale of hearing aids. Ms. Burns also said that the Committee approved language to address the issue and replace outdated language. Ms. Burns directed the Board to turn to page 118 of the report for the language. Ms. Burns said that the Board should discuss the item to determine if it should be included as part of the Board's Sunset Review.

Ms. Dominguez asked for public comments. There were no comments from the public, outside agencies, or associations

Tamara Chambers moved to adopt the legislative proposal as part of the Board's Sunset Review as noticed.

Amy White seconded the motion.

The motion carried 7-0. (Ayes: Dominguez, White, Borges, Chambers, Chang, David, Sanders)

Ms. Burns directed the Board through the report section by section. Ms. Burns asked for Board discussion and revisions to the report.

Ms. Burns said that the fund condition on page 30 could be updated to reflect the current months in reserve for fiscal year 25/26 and 26/27. Ms. Chang recommended that it should be updated because the current months in reserve are much lower than what is in the report. Mr. Borges expressed agreement to the recommendation. Ms. Burns noted the changes.

Ms. Chang recommended breaking up the large paragraph on page 35 to smaller paragraphs starting at "Since the last Sunset Review,". Ms. Burns noted the change.

Ms. Burns commented on the processing timeframes on page 38 for aides, audiologists, audiologists-temporary, hearing aid trainee, and speech-language pathology assistant, and noted the changes to each are 12, 11, 18, 13, and 16 days respectively.

Ms. Burns commented on the pass and fail rate from Educational Testing Service (ETS) on page 49 and said that she will make changes using the data provided by ETS. Ms. Burns also said the data is nationwide and not just California applicants because the Boad only receives passing rate data.

Ms. Chang recommended that the eight SLPA programs be listed on page 51 along with what city they are in. Ms. Burns noted the changes. Ms. Dominguez recommended that the SLPA programs should also be listed geographically by Northern and Southern California. Ms. Burns noted the changes.

Ms. Domingez recommended that the rephrased "in alignment with the drop in complaints" so that it say, "decrease in volume in complaints" on page 33. Ms. Burns noted the changes.

Ms. Chang recommended highlighting the questions of the report in bold. Ms. Burns noted the changes.

Dr. Sanders asked if the Board still believes there isn't enough doctoral audiology programs in California as stated in question 60 on page 77 and said that some programs may not be at their enrollment capacity. Ms. Burns said that she was not aware that doctoral programs are not at their enrollment capacity and recommended removing audiology from the response to question 60.
Dr. White said that there are still access issues to see audiologists, but programs are not filling their enrollment capacity. Dr. Sanders said that one of the issues is that there are not enough qualified applicants to participate in audiology programs. Dr. White said there are also other reasons such as the need for different pathways to enter into the program. Ms. Burns asked if that should be added to the report. Dr. White recommended that it should not be added to the report until the Board can

get data on all the programs. Ms. Burns noted the change to remove audiology from the response to question 60.

Dr. Chambers asked what the timeframe is for the table on page 78. Ms. Burns said that it would be the most recent data. Dr. Chamber recommended that the year be added. Ms. Burns noted the change.

Mr. Borges said that the words “to be” in the questions of Issue #4 on page 87 is missing a space in between the words. Ms. Burns said that there may be a space in between the words, but Microsoft Word can’t make it appear bigger and recommended adding extra space. Ms. Dominguez said the Ad Hoc Committee found this issue throughout the document. Ms. Burns noted the changes to add extra space when necessary.

Dr. Sanders recommended replacing the words “as well as” with the word “or” in the first sentence of the Board’s 2025 response on page 95. Ms. Burns noted the change.

Mr. David asked if there was a way to quantify the statement regarding the “significant growth in the number of Audiologists applying” through the new certification pathways on page 95 or if the percentage stated in the report represents this growth. Ms. Burns said that 51 percent or 86 annually refers to the number of applicants through RPE and the Board issues, on average, 36 licenses per year through the new certification pathways. Ms. Burns recommended that a percentage could be added to the number of licenses issued through the new certification pathways. Mr. David expressed agreement with the recommended changes

Ms. Dominguez asked if the last paragraph on page 104 could be broken down into three smaller paragraphs with the second paragraph starting with the words “another factor” and the third paragraph starting with the word “ lastly.” Ms. Dominguez said that this would align with the writing style in another part of the report. Ms. Burns noted the changes.

Ms. Burns noted the changes to page 119 regarding hearing aid dispensing branch office requirements as it was discussed and approved to be included in the Sunset Report. Ms. Burns said that she will remove the highlights and include the Board’s approval date.

Ms. Dominguez asked for public comments. There were no comments from the public, outside agencies, or associations.

Tamara Chambers moved to approve the Sunset Review Report, as amended, and delegated to the Executive Officer to make technical or editorial changes necessary for submission by the January 5, 2026 deadline.

Tod Borges seconded the motion.

The motion carried 7-0. (Ayes: Dominguez, White, Borges, Chambers, Chang, David, Sanders)

9. Legislative Report: Update, Review, and Possible Action on Proposed Legislation

Ms. Dominguez invited Ms. Liranzo to provide the legislative report. Ms. Liranzo reported on the legislative calendar and deadlines and changes to bills being monitored by the Board, including bills that were chaptered and bills that were vetoed by the Governor. Ms. Liranzo said that an advisory will be sent to licensees regarding chaptered bills and their impact at the end of the year or the beginning the next year. Ms. Liranzo also said that the Governor's vetoed message can be found in the meeting material.

Ms. Dominguez asked for public comments. There were no comments from the public, outside agencies, or associations.

10. Legislative Items for Future Meeting

Ms. Dominguez asked for legislative items for future meeting.

Ms. Liranzo said AB 82 regarding gender-affirming health care provider, employee, or volunteer and AB 144 regarding 2028 Olympic and Paralympic Games in LA were chaptered with impact to the Board and/or its licensees. Ms. Liranzo also said that, in addition to including them in the next legislative report for Bord discussion, they will be added to the advisory that will be sent to licensees

Ms. Dominguez asked for public comments. There were no comments from the public, outside agencies, or associations**.**

11. Election of Board Officers for 2026

Ms. Dominguez invited nominations for Board Chair and Vice Chair for 2026.

Dr. White nominated Ms. Dominguez for Board Chair. Ms. Dominguez accepted the nomination.

Mr. Borges nominated Dr. White for Board Vice Chair. Dr. White accepted the nomination.

Ms. Dominguez asked for public comments. There were no comments from the public, outside agencies, or associations.

Tod Borges moved to approve Gilda Dominguez as Board Chair and Amy White as Board Vice Chair for 2026.

Karen Chang seconded the motion.

The motion carried 7-0. (Ayes: Dominguez, White, Borges, Chambers, Chang, David, Sanders)

12. Discussion of Potential Dates for Board Meetings in 2026

Ms. Dominguez invited Ms. Burns to provide potential dates for Board Meetings in 2026.

Ms. Burns said that, because of the Board's Sunset Review, its first meeting should be after its hearing, which is usually in March, and proposed the first meeting be on March 26 and 27. Ms. Burns also said that this meeting could be remote with publicly disclosed locations. Ms. Burns proposed April 2 and 3 and April 16 and 17 as other dates to consider. The Board expressed agreement with a remote meeting on April 2 and 3.

Ms. Burns proposed June 4 and 5 or July 16 and 17 for the second meeting date. Ms. Domingez asked if this would be in-person. Ms. Burns said that it will be in-person most likely in Northern

California but it could be remote. Ms. Burns said that if one person can’t make it, that person may be able to use the newer provisions of the Bagley Keene Act to attend the meeting provided that they are not needed to establish a quorum. The Board expressed agreement with a remote meeting on July 16 and 17.

Ms. Burns proposed September 10 and 11, October 1 and 2, or October 8 and 9, for the third meeting date. The Board expressed agreement with a meeting on October 1 and 2. Ms. Burns said that this will be an in-person meeting and recommended the location to be in Northern California.

Ms. Burns proposed December 3 and 4 or December 10 or 11 for the fourth meeting date and recommended that this meeting is in-person in Southern California. Ms. Burns said that Board staff can see if another SLPA program could offer to host the Board at their college.

Ms. Domingez asked if the location could be switched. Ms. Burns noted the changes to location of the third and fourth meetings.

Ms. Dominguez asked for public comments.

Susan McDonald, Cerritos College Speech-Language Pathology Assistant (SLPA) Program Director, said that the Board is always welcome to return to Cerritos College as a location for their meeting.

Marta Delgado, SLPA student from Cerritos College, expressed gratitude for the Board having their meeting at Cerritos College and said that the information was very informative as a student and a future SLPA.

Ms. Dominguez expressed gratitude for Cerritos Colleges and its SLPA program for hosting the Board and allowing it to conduct its meeting at its college.

Charles Sanders moved to approve the dates for Board Meetings in 2026.

Francis David seconded the motion.

The motion carried 7-0. (Ayes: Dominguez, White, Borges, Chambers, Chang, David, Sanders)

13. Solicitation of Future Agenda Items

Ms. Dominguez asked for future agenda items.

Ms. Liranzo said that an item for future agenda would be possible statutory changes similar to Senate Bill 160 regarding background checks for the Medical Board, Osteopathic Medical Board, Board of Psychology, and Board of Behavioral Sciences.

Ms. Liranzo also said that another item for future agenda would be a discussion on the Board’s 2026 rulemaking calendar.

Ms. Dominguez asked for public comments. There were no comments from the public, outside agencies, or associations.

14. Adjournment

The meeting adjourned at 2:44 p.m.

Hand Carry Item

Agenda Item 12:
Board Chair’s Report

Hand Carry Item

Agenda Item 13:
Executive Officer’s Report

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MEMORANDUM

DATE	April 3, 2026
TO	Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Michael Magat, Assistant Executive Officer
SUBJECT	Agenda Item #14: Update and Discussion of Board Progress in Meeting 2025 – 2028 Strategic Plan Goals

Background

The Board's 2025-2028 Strategic Plan was created in 2024 and approved in the same year with a total of 23 Strategic Goals in the following areas:

1. Licensing (six);
2. Enforcement (three);
3. Outreach and Communications (seven);
4. Laws and Regulations (five); and
5. Board Administration (two).

The Board has made varying levels of progress on 39% of its 2025-2028 goals in its first year since the approval of the Strategic Plan. Below are those goals with updates on their progress.

1.1 Improve responsiveness and communication to applicants and licensees.

Board management continues to review phone and email data regularly to ensure proper responsiveness and communication with applicants and licensees. The Board receives 750 email inquiries on average per week, which are responded to within 5 business days on average. Board management reviews phone data to identify trends and opportunities in order to improve Board responsiveness to stakeholders and improve their access to the information they need. This goal is complete but with ongoing monitoring.

1.2 Increase accessibility to hearing aid dispensing practical exam.

The Board administered five hearing aid dispensing practical exams in 2025, over the mandated minimum of two per year. The Board has 5 hearing aid dispensing practical exams scheduled for 2026 and continues to review the feasibility of administering a sixth exam in future years. This goal is partially complete, as increasing the number of examinations available to candidates is one component of this goal but the other component is researching the feasibility of conducting the examinations in additional locations throughout the state.

1.6 Research and evaluate creating a mid-level license type for entry into the profession of audiology to promote workforce development

A request from the California Academy of Audiology (CAA) for the Board to discuss the creation of an audiology assistant license was received by the Board. After discussion during the May 21 – 22, 2025 Board meeting, the Board moved to respond to the associations to work on creating an audiology assistant type and directed Board staff to assist with technical support. At CAA's request to the Joint Sunset Review Oversight Committees, the creation of the audiology assistant license was added to the Board's Sunset Review process, and the Board has worked to develop licensing and estimated cost data of the Speech Language Pathology Assistant license during its creation, to model similarity in expected growth and document the necessary resources for creating an audiology assistant license. This goal is in-progress.

2.1 Review and update the Board's disciplinary guidelines to ensure more consistent disciplinary actions for similar violations.

The Board's Legislation and Regulation analyst has been working on proposed changes to the Board's disciplinary guidelines since 2022 after the Board's approval of proposed changes in 2018. From 2022 to 2024, the analyst worked with the Board's Regulatory Counsel and Enforcement Ad Hoc Committee to prepare the best version of the text for Board review and approval. Since 2024, the analyst continues to draft the Initial Statement of Reason to prepare the proposed text for Board review and approval. This allows the analyst to draft the purpose and rationale for each proposed amendment, which often illuminates any unintended consequences of the text or areas needing additional clarification, thus leading to further edits. During this process, the analyst continues to work with the Board's Regulatory Counsel and Enforcement Ad Hoc Committee to prepare the proposed text for Board review and approval. Board management have regular weekly meetings to discuss the analyst's progress, and the analyst has initiated coordination with other boards and bureaus working on disciplinary guidelines for better alignment with other healing arts boards. This goal is in-progress.

3.5 Improve the Board's website to increase accessibility and user friendliness

Starting in October 2025, Board staff systematically reviewed and updated content and forms on the Board's website for clarity, understanding, accessibility, and user-friendliness and to ensure outdated materials are not migrated to the Board's new website platform. Department of Consumer Affairs' Office of Information Services (OIS) began work on updating the Board's website in February 2026 to transition the website into a current platform for better support and bring a modern and accessible visual design. The Board's website update is expected to be completed by the end of April 2026.

4.4 Prioritize regulatory packages to improve the Board's responsiveness to high priority issues.

The Board Chair determined that the addition of review of regulatory package priorities and progress should be added to the purview of the Board's Legislative Ad Hoc Committee and discussed this with the Ad Hoc Committee Chair at its March 30, 2026 meeting. Board staff and management continue to review regulatory priorities on a regularly basis and have begun proposing regulatory priorities for future years to the Board's Legislative and Regulatory Ad Hoc Committee. Board staff have also begun to present to the Board the Rulemaking Calendar which is statutorily required to be submitted to the Office of Administrative Law annually. Board staff will continue to present the Rulemaking Calendar each year to keep the Board informed of changes to its regulatory priorities. This goal is in-progress.

The Board will continue to make progress on the following goals in 2026 – 2028 and provide updates at a future Board meeting:

1.4 Create educational materials to clearly explain the application and licensing process.

1.5 Research the impact of joining the interstate compact.

2.2 Improve communication with complainants and respondents to clarify the enforcement process and promote consumer protection.

2.3 Collaborate with DCA's Office of Information Services (OIS) to research the feasibility of creating a Board specific online complaint system that provides status updates to complainants and respondents.

3.1 Improve outreach and communication about the Board's purpose and role to promote stakeholder understanding.

3.2 Improve all communications to ensure transparency and enhance clarity and understanding by consumers.

3.3. Increase visibility and awareness of Board activities to promote stakeholder engagement and awareness.

3.4 Continue to develop informational materials about the regulatory process and the importance of public comment to increase timely and meaningful engagement.

3.6 Clarify and educate stakeholders on the Board's jurisdiction to address school speech therapist caseload and other concerns.

3.7 Communicate the risks and limitations of over-the-counter hearing aids to increase consumer awareness.

4.1 Communicate and educate licensees about the recently changed continuing education regulations to keep licensees informed.

4.2 Continue periodic reviews of Board regulations, and update, if necessary, to ensure clarity and understanding, and to reflect current professional practices, and their use of technologies.

4.3 Update regulations about supervision to increase clarity and address ethical issues.

4.5 Advocate for a balance of specialty areas during the appointment process for members of the Board to achieve more balance input into Board decisions and their impact on different work settings.

5.1 Define necessary staffing levels and, if needed, obtain additional staffing through the budget process to achieve the Board's goals and mission.

5.2 Review the organizational structure to ensure appropriate oversight of Board's operations and supervision of staff.

Action Requested

This item is for informational purposes only, no action is required

MEMORANDUM

DATE	March 13, 2026
TO	Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board
FROM	Maria Liranzo, Legislation/Regulation/Budget Analyst
SUBJECT	Agenda Item 15 Regulatory Report: Update, Review, and Possible Action on Board Regulation Packages

The following is a list of the Board's regulatory packages and their status in the rulemaking process:

a) Processing Times as Stated in Title 16, CCR Sections 1399.113, 1399.141, 1399.151.1, 1399.153.2, 1399.160.6, 1399.170.4, and 1399.170.13

Regulation Development	Preparing Regulatory Package	Legal and Budget Initial Review	Director and Agency Initial Review	OAL Public Comment Period	Finalizing Regulatory Package	Legal and Budget Final Review	Director and Agency Final Review	Submission to OAL for Review	OAL Decision

The Office of Administrative Law (OAL) approved and filed the rulemaking with the Secretary of State on September 23, 2025. The regulatory changes became effective on January 1, 2026.

This regulatory change will remove processing times and references to processing times in multiple regulation sections.

b) Audiology Licensing Requirements Related to Supervised Clinical Experience as stated in Title 16, CCR section 1399.152.2

Regulation Development	Preparing Regulatory Package	Legal and Budget Initial Review	Director and Agency Initial Review	OAL Public Comment Period	Finalizing Regulatory Package	Legal and Budget Final Review	Director and Agency Final Review	Submission to OAL for Review	OAL Decision

OAL approved and filed the rulemaking with the Secretary of State on September 22, 2025. The regulatory changes became effective on January 1, 2026.

This regulatory change will codify the number of clock hours of supervised clinical practice required for audiology licensure applicants who have completed an audiology doctoral program.

c) Hearing Aid Dispensers Trainee and Temporary Licensee Supervision as stated in Title 16, CCR sections 1399.102 and 1399.115 through 1399.119

Regulation Development	Preparing Regulatory Package	Legal and Budget Initial Review	Director and Agency Initial Review	OAL Public Comment Period	Finalizing Regulatory Package	Legal and Budget Final Review	Director and Agency Final Review	Submission to OAL for Review	OAL Decision

The Board approved revisions to the proposed regulatory text on August 25, 2023. As of May 1, 2024, Board staff is preparing the regulatory package for Departmental Review. The proposed rulemaking is on hold for the preparation and submission of other pressing regulations.

This proposed regulatory change will clarify that supervision is required for the entire duration of the trainee or temporary license, specify different levels of supervision, require a higher level of supervision during the first ninety (90) days of supervision, specify tasks and knowledge supervisors must provide to trainees, require supervisors to complete a training in supervision, specify criteria to request a waiver to supervise more than one trainee or temporary license holder, make requirements applicable to all temporary license types who require supervision, and make requirements applicable to all license types who can supervise.

d) General Application Requirements and Hearing Aid Dispensers and Dispensing Audiologists Examination Requirements as Stated in Title 16, California Code of Regulations (CCR) Sections 1399.112, 1399.120, 1399.121, 1399.122, and 1399.152.4

Regulation Development	Preparing Regulatory Package	Legal and Budget Initial Review	Director and Agency Initial Review	OAL Public Comment Period	Finalizing Regulatory Package	Legal and Budget Final Review	Director and Agency Final Review	Submission to OAL for Review	OAL Decision

The Board approved revisions to the proposed regulatory text on December 1, 2023. As of April 19, 2024, Board staff is preparing the regulatory package for Departmental Review. The proposed rulemaking is on hold for the preparation and submission of other pressing regulations.

This proposed regulatory change will codify general application requirements such as the expedited licensure process, make current the written and practical examinations process, codify the written and practical examination application forms and their examination fees, change the practical examination appeal deadline, specify a deadline for the Board to notify an applicant of its decision on their practical examination appeal, and change the hearing aid dispenser examination requirement for applicants of a dispensing audiology license.

e) Approved Institutions as stated in Title 16, CCR section 1399.152

Regulation Development	Preparing Regulatory Package	Legal and Budget Initial Review	Director and Agency Initial Review	OAL Public Comment Period	Finalizing Regulatory Package	Legal and Budget Final Review	Director and Agency Final Review	Submission to OAL for Review	OAL Decision

The Board approved revisions to the proposed regulatory text on August 25, 2023. As of August 13, 2024, Board staff is preparing the regulatory package for Departmental Review. The proposed rulemaking is on hold for further analysis.

This proposed regulatory change will permit the Board to review and approve accrediting bodies that wish to provide accreditation to programs where individuals can complete their academic and clinical requirements for licensure in the practices of speech-language pathology or audiology.

f) Fingerprinting Requirements as stated in Title 16, CCR sections 1399.112, 1399.151.2, and 1399.170.14

Regulation Development	Preparing Regulatory Package	Legal and Budget Initial Review	Director and Agency Initial Review	OAL Public Comment Period	Finalizing Regulatory Package	Legal and Budget Final Review	Director and Agency Final Review	Submission to OAL for Review	OAL Decision

The Board approved revisions to the proposed regulatory text on May 13, 2022. As of September 9, 2022, Board staff is preparing the regulatory package for Departmental Review. The proposed rulemaking is on hold due to fiscal impact.

This proposed regulatory change will require licensees who were initially licensed prior to January 1, 1999, or for whom an electronic fingerprints record does not exist, to be fingerprinted as a condition of renewal.

Attachment: Stages of the Regulatory Process

Regulatory Report Attachment - Stages of the Regulatory Process

The Department of Consumer Affairs (DCA) has a four-phase process to approve regular regulatory packages.

(1) CONCEPT PHASE: The Concept Phase of the regulatory process covers the development of the regulatory text through the time the text is approved by the Board.

Regulation Development	Preparing Regulatory Package	Legal and Budget Initial Review	Director and Agency Initial Review	OAL Public Comment Period	Finalizing Regulatory Package	Legal and Budget Final Review	Director and Agency Final Review	Submission to OAL for Review	OAL Decision

Regulation Development: The first stage of the regulatory process is to develop the regulatory text. Regulations may be required to implement, interpret, or make specific a law; or to address an issue raised by Board members, staff, the Legislature, licensees, or other stakeholders. The Board and/or Board Committee(s) works with Board staff and the Board's Regulatory Counsel to draft the regulatory text. Board staff begin drafting the Initial Statement of Reason (ISOR) before bringing the proposed text to the Board because the ISOR process requires staff to draft the purpose and rationale for each proposed amendment. This often illuminates any unintended consequences of the text and leads to further edits. Board staff work with Regulatory Counsel to present the best version of the text to the Board. The public and stakeholders can provide public comment on the draft text during the Board meeting(s). The Board's Regulatory Counsel may seek second-level review of the proposed regulatory text to ensure that the text is clear, concise, and non-repetitive.

(2) PRODUCTION PHASE: The Production Phase of the regulatory process begins once the regulatory text is approved by the Board and involves the drafting of the regulatory package documents and securing DCA and Agency approvals.

Regulation Development	Preparing Regulatory Package	Legal and Budget Initial Review	Director and Agency Initial Review	OAL Public Comment Period	Finalizing Regulatory Package	Legal and Budget Final Review	Director and Agency Final Review	Submission to OAL for Review	OAL Decision

Preparing Regulatory Package: In this stage, Board staff work on preparing the required regulatory documents required for public notice including the Notice of Proposed Regulatory Action, Initial Statement of Reasons, and the Economic and Fiscal Impact Statement or Form 399. Board staff review Board meeting materials, webcasts, and meeting minutes to assist in the development of these documents which must justify why the regulatory changes are necessary. Board staff may work closely with DCA Budget Office to develop the Form 399.

Regulation Development	Preparing Regulatory Package	Legal and Budget Initial Review	Director and Agency Initial Review	OAL Public Comment Period	Finalizing Regulatory Package	Legal and Budget Final Review	Director and Agency Final Review	Submission to OAL for Review	OAL Decision

Legal and Budget Initial Review: In this stage, the Board's Regulatory Counsel and DCA's Budget Office reviews the regulatory documents. Board staff may meet with the Board's Regulatory Counsel and/or DCA Budget Office to provide additional information in relation to the proposed regulation. Changes to the regulatory documents may be requested by the Board's Regulatory Counsel and/or DCA Budget Office which Board staff incorporates into the documents. At this stage, the Board's Regulatory Counsel approves the regulatory package and DCA's Budget Office signs off on the Form 399.

Regulation Development	Preparing Regulatory Package	Legal and Budget Initial Review	Director and Agency Initial Review	OAL Public Comment Period	Finalizing Regulatory Package	Legal and Budget Final Review	Director and Agency Final Review	Submission to OAL for Review	OAL Decision

Director and Agency Initial Review: Upon approval by the Board's Regulatory Counsel and DCA Budget Office, the entire regulatory package is submitted to DCA's Regulations Coordinator, who then prepares the package for the DCA Director (Director) and the Business, Consumer Services and Housing Agency's (Agency) review and approval. Changes to the proposed regulatory text and/or regulatory documents may be requested by the Director or Agency. Board staff work with the Board's Regulatory Counsel to incorporate those changes. Board approval of the proposed regulatory text may be required if substantive changes are made to the text.

(3) INITIAL PHASE: The Initial Phase covers starts with submission of the package to the Office of Administrative Law (OAL) and covers the public comment period.

Regulation Development	Preparing Regulatory Package	Legal and Budget Initial Review	Director and Agency Initial Review	OAL Public Comment Period	Finalizing Regulatory Package	Legal and Budget Final Review	Director and Agency Final Review	Submission to OAL for Review	OAL Decision

OAL Public Comment Period: Upon approval by Agency, the regulatory proposal is submitted to the OAL to be published in the California Regulatory Notice Register. This commences the initial phase of the formal rulemaking process. OAL publishes the Notice Register every Friday, and the publication date starts the formal 45-day public comment period as well as the one-year deadline to submit the completed rulemaking file to OAL.

Review and Respond to Comments: If comments are received during the comment period, Board staff reviews the comments and prepares written responses to Board review and approval. The Board must respond in writing to every comment with objection or recommendation received on time during the public comment period(s). Board staff work with the Board's Regulatory Counsel to propose responses to public comments to the Board, which the Board reviews and approves at a Board meeting. If the Board makes substantive changes to the regulatory text in response to the comments, or adds new underlying documents, the updated regulatory text and/or new underlying documents must be made available to the public for an additional 15-day public comment period. Any public comment with objection or recommendation received during a 15-day public comment period requires a response from the Board, which the Board reviews and approves at a Board meeting.

(4) FINAL PHASE: The Final Phase covers approval of the final rulemaking package and final submission to OAL.

Regulation Development	Preparing Regulatory Package	Legal and Budget Initial Review	Director and Agency Initial Review	OAL Public Comment Period	Finalizing Regulatory Package	Legal and Budget Final Review	Director and Agency Final Review	Submission to OAL for Review	OAL Decision

Finalizing Regulatory Package: In this stage, the Board approves an Order of Adoption for the rulemaking. Board staff then prepares the required regulatory documents for OAL review, including the Final Statement of Reasons which outlines any changes made to the regulatory text and required regulatory documents.

Regulation Development	Preparing Regulatory Package	Legal and Budget Initial Review	Director and Agency Initial Review	OAL Public Comment Period	Finalizing Regulatory Package	Legal and Budget Final Review	Director and Agency Final Review	Submission to OAL for Review	OAL Decision

Legal and Budget Final Review: In this stage, Board staff submits the entire regulatory package to the Board's Regulatory Counsel and, if necessary, DCA Budget Office for final review. Changes to the regulatory documents may be requested by the Board's Regulatory Counsel and/or DCA Budget Office which Board staff incorporates into the documents. At this stage, the Board's Regulatory Counsel approves the package. If there is a fiscal impact, DCA Budget Office works with the Department of Finance to obtain approval of the Form 399.

Regulation Development	Preparing Regulatory Package	Legal and Budget Initial Review	Director and Agency Initial Review	OAL Public Comment Period	Finalizing Regulatory Package	Legal and Budget Final Review	Director and Agency Final Review	Submission to OAL for Review	OAL Decision

Director and Agency Final Review: Upon approval by the Board's Regulatory Counsel and, if necessary, DCA Budget Office, the entire regulatory package is submitted to DCA's Regulations Coordinator, who then prepares the package for the Director and Agency review and approval (if no comments were received during comment period, no Agency review required at this stage). Changes to the regulatory documents may be requested by the Director or Agency. Board staff work with the Board's Regulatory Counsel to incorporate those changes. Agency review may not be required if there are no comments with objections or recommendations, or there are no substantial modifications to either the text or the Form 399.

Regulation Development	Preparing Regulatory Package	Legal and Budget Initial Review	Director and Agency Initial Review	OAL Public Comment Period	Finalizing Regulatory Package	Legal and Budget Final Review	Director and Agency Final Review	Submission to OAL for Review	OAL Decision

Submission to OAL for Review: Upon approval by Agency, the completed rulemaking package is submitted to OAL. OAL has 30 working days to approve or deny the regulatory proposal. During this stage, Board staff and Regulation Counsel work with the OAL Attorney to address any concerns with the regulatory documents or the regulatory text. Board staff work with the Board's Regulatory Counsel to incorporate those changes.

Regulation Development	Preparing Regulatory Package	Legal and Budget Initial Review	Director and Agency Initial Review	OAL Public Comment Period	Finalizing Regulatory Package	Legal and Budget Final Review	Director and Agency Final Review	Submission to OAL for Review	OAL Decision

OAL Decision: Unless the Board requested an early effective date, upon approval by OAL, regulations become effective on one of four quarterly dates (January 1, April 1, July 1, or October 1) based on when OAL files the final regulations with the Secretary of State (SOS).