

Introduced by Senator Price

February 17, 2011

An act to amend Sections 2701, 2708, 2841, 4501, and 4503 of, and to repeal and amend Section 2847 of, the Business and Professions Code, relating to nursing.

LEGISLATIVE COUNSEL'S DIGEST

SB 539, as introduced, Price. Nursing.

Existing law, until January 1, 2012, creates within the Department of Consumer Affairs, the Board of Registered Nursing and a Board of Vocational Nursing and Psychiatric Technicians of the State of California. Existing law, until January 1, 2012, requires those boards to select an executive officer to perform duties delegated by each board. Under existing law, boards scheduled for repeal are required to be evaluated by the Joint Sunset Review Committee.

This bill would extend the operation of those provisions until January 1, 2016, and would specify that these boards would be subject to review by the appropriate policy committees of the Legislature.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 2701 of the Business and Professions
- 2 Code is amended to read:
- 3 2701. (a) There is in the Department of Consumer Affairs the
- 4 Board of Registered Nursing consisting of nine members.
- 5 (b) Within the meaning of this chapter, board, or the board,
- 6 refers to the Board of Registered Nursing. Any reference in state

1 law to the Board of Nurse Examiners of the State of California or
2 California Board of Nursing Education and Nurse Registration
3 shall be construed to refer to the Board of Registered Nursing.

4 (c) This section shall remain in effect only until January 1, ~~2012~~
5 2016, and as of that date is repealed, unless a later enacted statute,
6 that is enacted before January 1, ~~2012~~ 2016, deletes or extends
7 that date. ~~The Notwithstanding any other provision of law, the~~
8 repeal of this section renders the board subject to ~~the review~~
9 ~~required by Division 1.2 (commencing with Section 473) review~~
10 ~~by the appropriate policy committees of the Legislature.~~

11 SEC. 2. Section 2708 of the Business and Professions Code is
12 amended to read:

13 2708. (a) The board shall appoint an executive officer who
14 shall perform the duties delegated by the board and who shall be
15 responsible to it for the accomplishment of those duties.

16 (b) The executive officer shall be a nurse currently licensed
17 under this chapter and shall possess other qualifications as
18 determined by the board.

19 (c) The executive officer shall not be a member of the board.

20 (d) This section shall remain in effect only until January 1, ~~2012~~
21 2016, and as of that date is repealed, unless a later enacted statute,
22 that is enacted before January 1, ~~2012~~ 2016, deletes or extends
23 that date.

24 SEC. 3. Section 2841 of the Business and Professions Code is
25 amended to read:

26 2841. (a) There is in the Department of Consumer Affairs a
27 Board of Vocational Nursing and Psychiatric Technicians of the
28 State of California, consisting of 11 members.

29 (b) Within the meaning of this chapter, “board,” or “the board,”
30 refers to the Board of Vocational Nursing and Psychiatric
31 Technicians of the State of California.

32 (c) This section shall remain in effect only until January 1, ~~2012~~
33 2016, and as of that date is repealed, unless a later enacted statute,
34 that is enacted before January 1, ~~2012~~ 2016, deletes or extends
35 that date. ~~The Notwithstanding any other provision of law, the~~
36 repeal of this section renders the board subject to ~~the review~~
37 ~~required by Division 1.2 (commencing with Section 473) review~~
38 ~~by the appropriate policy committees of the Legislature.~~

1 SEC. 4. Section 2847 of the Business and Professions Code,
2 as amended by Section 6 of Chapter 33 of the Statutes of 2008, is
3 repealed.

4 ~~2847. (a) The board may select an executive officer who shall~~
5 ~~perform duties as are delegated by the board and who shall be~~
6 ~~responsible to it for the accomplishment of those duties.~~

7 ~~(b) The person selected to be the executive officer of the board~~
8 ~~shall be a duly licensed vocational nurse under this chapter, a duly~~
9 ~~licensed professional nurse as defined in Section 2725, or a duly~~
10 ~~licensed psychiatric technician. The executive officer shall not be~~
11 ~~a member of the board.~~

12 ~~(c) With the approval of the Director of Finance, the board shall~~
13 ~~fix the salary of the executive officer.~~

14 ~~(d) The executive officer shall be entitled to traveling and other~~
15 ~~necessary expenses in the performance of his or her duties. He or~~
16 ~~she shall make a statement, certified before a duly authorized~~
17 ~~person, that the expenses have been actually incurred.~~

18 ~~(e) This section shall remain in effect only until January 1, 2012,~~
19 ~~and as of that date is repealed, unless a later enacted statute, that~~
20 ~~is enacted before January 1, 2012, deletes or extends that date.~~

21 SEC. 5. Section 2847 of the Business and Professions Code,
22 as added by Section 6 of Chapter 35 of the Statutes of 2008, is
23 amended to read:

24 2847. (a) The board shall select an executive officer who shall
25 perform duties as are delegated by the board and who shall be
26 responsible to it for the accomplishment of those duties.

27 (b) The person selected to be the executive officer of the board
28 shall be a duly licensed vocational nurse under this chapter, a duly
29 licensed professional nurse as defined in Section 2725, or a duly
30 licensed psychiatric technician. The executive officer shall not be
31 a member of the board.

32 (c) With the approval of the Director of Finance, the board shall
33 fix the salary of the executive officer.

34 (d) The executive officer shall be entitled to traveling and other
35 necessary expenses in the performance of his or her duties. He or
36 she shall make a statement, certified before a duly authorized
37 person, that the expenses have been actually incurred.

38 (e) This section shall remain in effect only until January 1, ~~2012~~
39 ~~2016~~, and as of that date is repealed, unless a later enacted statute,

1 that is enacted before January 1, ~~2012~~ 2016, deletes or extends
2 that date.

3 SEC. 6. Section 4501 of the Business and Professions Code is
4 amended to read:

5 4501. (a) “Board,” as used in this chapter, means the Board
6 of Vocational Nursing and Psychiatric Technicians *of the State of*
7 *California.* ~~(b) This~~

8 (b) *This* section shall remain in effect only until January 1, ~~2012~~
9 2016, and as of that date is repealed, unless a later enacted statute,
10 that is enacted before January 1, ~~2012~~ 2016, deletes or extends
11 that date.

12 SEC. 7. Section 4503 of the Business and Professions Code is
13 amended to read:

14 4503. (a) The board shall administer and enforce this chapter.
15 ~~(b) This~~

16 (b) *This* section shall remain in effect only until January 1, ~~2012~~
17 2016, and as of that date is repealed, unless a later enacted statute,
18 that is enacted before January 1, ~~2012~~ 2016, deletes or extends
19 that date.