

AMENDED IN SENATE MAY 29, 2014

AMENDED IN SENATE JUNE 24, 2013

AMENDED IN ASSEMBLY MAY 24, 2013

AMENDED IN ASSEMBLY APRIL 22, 2013

AMENDED IN ASSEMBLY APRIL 1, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 186

Introduced by Assembly Member Maienschein

(Principal coauthor: Assembly Member Hagman)

**(Coauthors: Assembly Members Chávez, Dahle, Donnelly,
Beth Gaines, Garcia, Grove, Harkey, Olsen, Patterson, and
V. Manuel Pérez)**

(Coauthors: Senators Fuller and Huff)

January 28, 2013

An act to add Section 115.6 to the Business and Professions Code, relating to professions and vocations, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 186, as amended, Maienschein. Professions and vocations: military spouses: temporary licenses.

Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs. Existing law provides for the issuance of reciprocal licenses in certain fields where the applicant, among other requirements, has a license to practice within that field in another jurisdiction, as specified.

Existing law requires that the licensing fees imposed by certain boards within the department be deposited in funds that are continuously appropriated. Existing law requires a board within the department to expedite the licensure process for an applicant who holds a current license in another jurisdiction in the same profession or vocation and who supplies satisfactory evidence of being 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.

This bill would, in addition to the expedited licensure provisions described above, establish a temporary licensure process for an applicant who holds a current license in another jurisdiction, as specified, and who supplies satisfactory evidence of being 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. The bill would require ~~the~~ a temporary license to expire 12 months after issuance, upon issuance of ~~the~~ an expedited license, or upon denial of the application for expedited licensure by the board, whichever occurs first.

~~This bill would require an applicant seeking a temporary license to submit an application to the board that includes a signed affidavit attesting to the fact that he or she meets all of the requirements for the temporary license and that the information submitted in the application is accurate, as specified. The bill would also require the application to include written verification from the applicant's original licensing jurisdiction stating that the applicant's license is in good standing. The bill would authorize a board to conduct an investigation of an applicant for purposes of denying or revoking a temporary license and would authorize a criminal background check as part of that investigation. The bill would require an applicant, upon request by a board, to furnish a full set of fingerprints for purposes of conducting the criminal background check.~~

~~This bill would prohibit a temporary license from being provided to any applicant who has committed an act in any jurisdiction that would have constituted grounds for denial, suspension, or revocation of the license at the time the act was committed. The bill would provide that a violation of the above-described provision may be grounds for the denial or revocation of a temporary license. The bill would further prohibit a temporary license from being provided to any applicant who has been disciplined by a licensing entity in another jurisdiction, or is~~

the subject of an unresolved complaint, review procedure, or disciplinary proceeding conducted by a licensing entity in another jurisdiction.

~~This bill would authorize the immediate termination of any temporary license to practice medicine upon a finding that the temporary licenseholder failed to meet any of the requirements described above or provided substantively inaccurate information that would affect his or her eligibility for temporary licensure. The bill would, upon termination of the license, require the board to issue a notice of termination requiring the temporary licenseholder to immediately cease the practice of medicine upon receipt.~~

This bill would require an applicant seeking a temporary license as a civil engineer, geotechnical engineer, structural engineer, land surveyor, professional geologist, professional geophysicist, certified engineering geologist, or certified hydrogeologist to successfully pass the appropriate California specific examination or examinations required for licensure in those respective professions by the Board for Professional Engineers, Land Surveyors, and Geologists. The bill would also authorize a board to require an applicant to successfully pass an examination in jurisprudence or California law and ethics for the issuance of a temporary license if successfully passing the examination is a requirement for all applicants for full licensure.

~~This bill would exclude from these provisions the California Architects Board, the State Board of Chiropractic Examiners, or a board that has established a temporary licensing process before January 1, 2014 2014, from these provisions.~~

Because the bill would authorize the expenditure of continuously appropriated funds for a new purpose, the bill would make an appropriation.

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

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

- 1 SECTION 1. Section 115.6 is added to the Business and
- 2 Professions Code, to read:
- 3 115.6. (a) A board within the department shall, after
- 4 appropriate investigation, issue a temporary license to an applicant
- 5 if he or she meets the requirements set forth in subdivision (c).
- 6 The temporary license shall expire 12 months after issuance, upon
- 7 issuance of an expedited license pursuant to Section 115.5, or upon

1 denial of the application for expedited licensure by the board,
2 whichever occurs first.

3 (b) The board may conduct an investigation of an applicant for
4 purposes of denying or revoking a temporary license issued
5 pursuant to this section. This investigation may include a criminal
6 background check.

7 (c) An applicant seeking a temporary license pursuant to this
8 section shall meet the following requirements:

9 (1) The applicant shall supply evidence satisfactory to the board
10 that the applicant is married to, or in a domestic partnership or
11 other legal union with, an active duty member of the Armed Forces
12 of the United States who is assigned to a duty station in this state
13 under official active duty military orders.

14 (2) The applicant shall hold a current license in another state,
15 district, or territory of the United States in the profession or
16 vocation for which he or she seeks a temporary license from the
17 board.

18 (3) The applicant shall submit an application to the board that
19 shall include a signed affidavit attesting to the fact that he or she
20 meets all of the requirements for the temporary license and that
21 the information submitted in the application is accurate, to the best
22 of his or her knowledge. The application shall also include written
23 verification from the applicant's original licensing jurisdiction
24 stating that the applicant's license is in good standing in that
25 jurisdiction.

26 (4) The applicant shall not have committed an act in any
27 jurisdiction that would have constituted grounds for denial,
28 suspension, or revocation of the license under this code at the time
29 the act was committed. A violation of this paragraph may be
30 grounds for the denial or revocation of a temporary license issued
31 by the board.

32 (5) The applicant shall not have been disciplined by a licensing
33 entity in another jurisdiction and shall not be the subject of an
34 unresolved complaint, review procedure, or disciplinary proceeding
35 conducted by a licensing entity in another jurisdiction.

36 (6) The applicant shall, upon request by a board, furnish a full
37 set of fingerprints for purposes of conducting a criminal
38 background check.

39 (d) A board may adopt regulations necessary to administer this
40 section.

1 (e) A temporary license issued pursuant to this section for the
2 practice of medicine may be immediately terminated upon a finding
3 that the temporary licenseholder failed to meet any of the
4 requirements described in subdivision (c) or provided substantively
5 inaccurate information that would affect his or her eligibility for
6 temporary licensure. Upon termination of the temporary license,
7 the board shall issue a notice of termination that shall require the
8 temporary licenseholder to immediately cease the practice of
9 medicine upon receipt.

10 (f) *An applicant seeking a temporary license as a civil engineer,*
11 *geotechnical engineer, structural engineer, land surveyor,*
12 *professional geologist, professional geophysicist, certified*
13 *engineering geologist, or certified hydrogeologist pursuant to this*
14 *section shall successfully pass the appropriate California specific*
15 *examination or examinations required for licensure in those*
16 *respective professions by the Board for Professional Engineers,*
17 *Land Surveyors, and Geologists.*

18 (g) *A board within the department may require an applicant to*
19 *successfully pass an examination in jurisprudence or California*
20 *law and ethics for the issuance of a temporary license pursuant*
21 *to this section if successfully passing the examination is a*
22 *requirement for all applicants for full licensure.*

23 (h) *This section shall not apply to the California Architects*
24 *Board or the State Board of Chiropractic Examiners.*

25 (f)

26 (i) This section shall not apply to a board that ~~has~~ established
27 a temporary licensing process before January 1, 2014.

O