

AMENDED IN ASSEMBLY MARCH 20, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1758

Introduced by Assembly Member Patterson

February 14, 2014

An act to amend ~~Section 1935~~ Sections 1715, 1935, 2423, 2456.1, 2535, 2570.10, 2644, 2982, 3523, 4900, 4965, and 5600 of the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1758, as amended, Patterson. Healing arts: ~~dental hygienists~~. license renewal fees.

Existing law provides for the regulation and licensure of various professions and vocations. Existing law requires that licenses issued to certain licensees, including, among others, architects, acupuncturists, dental auxiliaries, dental hygienists, dentists, occupational therapists, physical therapists, physicians and surgeons, psychologists, speech-language pathologists, and veterinarians, expire at 12 midnight on either the last day of the birth month of the licensee or at 12 midnight of the legal birth date of the licensee during the second year of a two-year term if not renewed.

This bill would provide that the fee imposed for the first renewal of a license issued pursuant to these provisions shall be prorated on a monthly basis.

Existing law, the Dental Practice Act, provides for the licensure and regulation of registered dental hygienists, registered dental hygienists in alternative practice, and registered dental hygienists in extended functions. Under existing law, a license issued to a dental hygienist expires, if not renewed or specifically excepted, at 12 midnight on the

~~last day of the month of the legal birth date of the licensee during the 2nd year of a 2-year term.~~

This bill would instead provide that a license issued to a dental hygienist expires, if not renewed or specifically excepted, 2 years after the date the license was issued or last renewed.

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 1715 of the Business and Professions
2 Code is amended to read:

3 1715. (a) Licenses issued ~~under the provisions of~~ pursuant to
4 this chapter, unless specifically excepted, expire at 12 midnight
5 on the legal birth date of a licentiate of the board during the second
6 year of a two-year term if not renewed.

7 (b) The board shall establish procedures for the administration
8 of the birth date renewal program, including, but not limited to,
9 the establishment of a pro rata formula for the payment of fees by
10 licentiates affected by the implementation of ~~such~~ the program
11 and the establishment of a system of staggered license expiration
12 dates ~~such~~ to ensure that a relatively equal number of licenses
13 expire annually.

14 (c) The fee imposed for the first renewal of a license issued
15 pursuant to this chapter shall be prorated on a monthly basis.

16 SEC. 2. Section 1935 of the Business and Professions Code is
17 amended to read:

18 1935. If not renewed, a license issued under the provisions of
19 this article, unless specifically excepted, expires at 12 midnight
20 on the last day of the month of the legal birth date of the licensee
21 during the second year of a two-year term. To renew an unexpired
22 license, the licensee shall, before the time at which the license
23 would otherwise expire, apply for renewal on a form prescribed
24 by the committee and pay the renewal fee prescribed by this article.
25 The fee imposed for the first renewal of the license shall be
26 prorated on a monthly basis.

27 SEC. 3. Section 2423 of the Business and Professions Code is
28 amended to read:

29 2423. (a) Notwithstanding Section 2422:

1 (1) All physician and surgeon's certificates, certificates to
2 practice podiatric medicine, registrations of spectacle lens
3 dispensers and contact lens dispensers, and certificates to practice
4 midwifery shall expire at 12 midnight on the last day of the birth
5 month of the licensee during the second year of a two-year term
6 if not renewed.

7 (2) Registrations of dispensing opticians will expire at midnight
8 on the last day of the month in which the license was issued during
9 the second year of a two-year term if not renewed.

10 (b) The Division of Licensing shall establish by regulation
11 procedures for the administration of a birth date renewal program,
12 including, but not limited to, the establishment of a system of
13 staggered license expiration dates such that a relatively equal
14 number of licenses expire monthly.

15 (c) To renew an unexpired license, the licensee shall, on or
16 before the dates on which it would otherwise expire, apply for
17 renewal on a form prescribed by the licensing authority and pay
18 the prescribed renewal fee. *The fee imposed for the first renewal*
19 *of the license shall be prorated on a monthly basis.*

20 *SEC. 4. Section 2456.1 of the Business and Professions Code*
21 *is amended to read:*

22 2456.1. (a) All osteopathic physician's and surgeon's
23 certificates shall expire at 12 midnight on the last day of the birth
24 month of the licensee during the second year of a two-year term
25 if not renewed on or before that day.

26 ~~The~~

27 (b) ~~The~~ board shall establish by regulation procedures for the
28 administration of a birth date renewal program, including, but not
29 limited to, the establishment of a system of staggered license
30 expiration dates such that a relatively equal number of licenses
31 expire monthly.

32 ~~To~~

33 (c) ~~To~~ renew an unexpired license, the licensee shall, on or
34 before the dates on which it would otherwise expire, apply for
35 renewal on a form prescribed by the board and pay the prescribed
36 renewal fee. *The fee imposed for the first renewal of the license*
37 *shall be prorated on a monthly basis.*

38 *SEC. 5. Section 2535 of the Business and Professions Code is*
39 *amended to read:*

1 2535. (a) All licenses issued as of January 1, 1992, shall expire
2 at 12 a.m. of the last ~~date~~ *day* of the birth month of the licensee
3 during the second year of a two-year term if not renewed.

4 (b) All licenses issued under this chapter, except those licenses
5 issued pursuant to subdivision (a), shall expire at 12 a.m. of the
6 last ~~date~~ *day* of the birth month of the licensee during the second
7 year of a two-year term, if not renewed.

8 (c) To renew an unexpired license, the licensee shall, on or
9 before the date of expiration of the license, apply for renewal on
10 a form provided by the board, accompanied by the prescribed
11 renewal fee. *The fee imposed for the first renewal of the license*
12 *shall be prorated on a monthly basis.*

13 *SEC. 6. Section 2570.10 of the Business and Professions Code*
14 *is amended to read:*

15 2570.10. (a) Any license issued under this chapter shall be
16 subject to renewal as prescribed by the board and shall expire
17 unless renewed in that manner. The board may provide for the late
18 renewal of a license as provided for in Section 163.5. *The fee*
19 *imposed for the first renewal of the license shall be prorated on a*
20 *monthly basis.*

21 (b) In addition to any other qualifications and requirements for
22 licensure renewal, the board may by rule establish and require the
23 satisfactory completion of continuing competency requirements
24 as a condition of renewal of a license.

25 *SEC. 7. Section 2644 of the Business and Professions Code is*
26 *amended to read:*

27 2644. (a) Every license issued under this chapter shall expire
28 at 12 a.m. on the last day of the birth month of the licensee during
29 the second year of a two-year term, if not renewed.

30 (b) To renew an unexpired license, the licensee shall, on or
31 before the date on which it would otherwise expire, apply for
32 renewal on a form prescribed by the board, pay the prescribed
33 renewal fee, and submit proof of the completion of continuing
34 competency required by the board pursuant to Section 2649. The
35 licensee shall disclose on his or her license renewal application
36 any misdemeanor or other criminal offense for which he or she
37 has been found guilty or to which he or she has pleaded guilty or
38 no contest. *The fee imposed for the first renewal of the license*
39 *shall be prorated on a monthly basis.*

1 *SEC. 8. Section 2982 of the Business and Professions Code is*
2 *amended to read:*

3 2982. (a) All licenses expire and become invalid at 12 midnight
4 on the last day of February, 1980, and thereafter shall expire at 12
5 midnight of the legal birth date of the licensee during the second
6 year of a two-year term, if not renewed.

7 ~~The~~

8 (b) *The* board shall establish by regulation procedures for the
9 administration of the birth date renewal program, including but
10 not limited to, the establishment of a pro rata formula for the
11 payments of fees by licentiates affected by the implementation of
12 that program and the establishment of a system of staggered license
13 application dates such that a relatively equal number of licenses
14 expire annually.

15 ~~To~~

16 (c) *To* renew an unexpired license, the licensee shall, on or
17 before the date on which it would otherwise expire, apply for
18 renewal on a form provided by the board, accompanied by the
19 prescribed renewal fee. *The fee imposed for the first renewal of*
20 *the license shall be prorated on a monthly basis.*

21 *SEC. 9. Section 3523 of the Business and Professions Code is*
22 *amended to read:*

23 3523. (a) All physician assistant licenses shall expire at 12
24 midnight of the last day of the birth month of the licensee during
25 the second year of a two-year term if not renewed.

26 ~~The~~

27 (b) The board shall establish by regulation procedures for the
28 administration of a birthdate renewal program, including, but not
29 limited to, the establishment of a system of staggered license
30 expiration dates and a pro rata formula for the payment of renewal
31 fees by physician assistants affected by the implementation of the
32 program.

33 ~~To~~

34 (c) *To* renew an unexpired license, the licensee shall, on or
35 before the date of expiration of the license, apply for renewal on
36 a form provided by the board, accompanied by the prescribed
37 renewal fee. *The fee imposed for the first renewal of the license*
38 *shall be prorated on a monthly basis.*

39 *SEC. 10. Section 4900 of the Business and Professions Code*
40 *is amended to read:*

1 4900. (a) All veterinary licenses and veterinary technician
 2 registrations shall expire at 12 midnight of the last day of the birth
 3 month of the licensee or registrant during the second year of a
 4 two-year term if not renewed.

5 (b) The board shall establish by regulation procedures for the
 6 administration of a birth date renewal program, including, but not
 7 limited to, the establishment of a system of staggered license and
 8 registration expiration dates and a pro rata formula for the payment
 9 of renewal fees by veterinarians and registered veterinary
 10 technicians affected by the implementation of the program.

11 (c) To renew an unexpired license or registration, the licensee
 12 or registrant shall, on or before the date of expiration of the license
 13 or registration, apply for renewal on a form provided by the board,
 14 accompanied by the prescribed renewal fee. *The fee imposed for*
 15 *the first renewal of the license shall be prorated on a monthly*
 16 *basis.*

17 (d) Renewal under this section shall be effective on the date on
 18 which the application is filed, on the date on which the renewal
 19 fee is paid, or on the date on which the delinquency fee, if any, is
 20 paid, whichever occurs last. If so renewed, the license or
 21 registration shall continue in effect through the expiration date
 22 provided in this section which next occurs after the effective date
 23 of the renewal, when it shall expire, if it is not again renewed.

24 *SEC. 11. Section 4965 of the Business and Professions Code*
 25 *is amended to read:*

26 4965. (a) Licenses issued pursuant to this chapter shall expire
 27 on the last day of the birth month of the licensee during the second
 28 year of a two-year term, if not renewed.

29 (b) The board shall establish and administer a birth date renewal
 30 program.

31 (c) To renew an unexpired license, the holder shall apply for
 32 renewal on a form provided by the board and pay the renewal fee
 33 fixed by the board. *The fee imposed for the first renewal of the*
 34 *license shall be prorated on a monthly basis.*

35 *SEC. 12. Section 5600 of the Business and Professions Code*
 36 *is amended to read:*

37 5600. (a) All licenses issued or renewed under this chapter
 38 shall expire at 12 midnight on the last day of the birth month of
 39 the licenseholder in each odd-numbered year following the issuance
 40 or renewal of the license.

1 (b) To renew an unexpired license, the licenseholder shall,
2 before the time at which the license would otherwise expire, apply
3 for renewal on a form prescribed by the board and pay the renewal
4 fee prescribed by this chapter. *The fee imposed for the first renewal*
5 *of the license shall be prorated on a monthly basis.*

6 (c) The renewal form shall include a statement specifying
7 whether the licensee was convicted of a crime or disciplined by
8 another public agency during the preceding renewal period and
9 that the licensee's representations on the renewal form are true,
10 correct, and contain no material omissions of fact, to the best
11 knowledge and belief of the licensee.

12 ~~SECTION 1. Section 1935 of the Business and Professions~~
13 ~~Code is amended to read:~~

14 ~~1935. If not renewed, a license issued under the provisions of~~
15 ~~this article, unless specifically excepted, expires two years after~~
16 ~~the date the license was issued or last renewed. To renew an~~
17 ~~unexpired license, the licensee shall, before the time at which the~~
18 ~~license would otherwise expire, apply for renewal on a form~~
19 ~~prescribed by the committee and pay the renewal fee prescribed~~
20 ~~by this article.~~