

AMENDED IN ASSEMBLY APRIL 3, 2014
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 Sections ~~1715, 1935, 2423, 2456.1, 2535, 2570.10, 2644, 2982, 3523, 4900, 4965, and 5600~~ 1724, 1944, 2435, 2538.57, 2570.16, 2688, 2987, 4842.5, 4905, 4970, and 5604 of the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1758, as amended, Patterson. Healing arts: ~~license renewal fees.~~
initial license fees: proration.

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~~ *require* that the fee *for an initial temporary or permanent license, or an original license, as specified*, imposed ~~for the first renewal of a license issued pursuant to these provisions shall~~ be prorated on a monthly basis.

~~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 1724 of the Business and Professions
2 Code is amended to read:
- 3 1724. The amount of charges and fees for dentists licensed
4 pursuant to this chapter shall be established by the board as is
5 necessary for the purpose of carrying out the responsibilities
6 required by this chapter as it relates to dentists, subject to the
7 following limitations:
- 8 (a) The fee for application for examination shall not exceed five
9 hundred dollars (\$500).
- 10 (b) The fee for application for reexamination shall not exceed
11 one hundred dollars (\$100).
- 12 (c) The fee for examination and for reexamination shall not
13 exceed eight hundred dollars (\$800). Applicants who are found to
14 be ineligible to take the examination shall be entitled to a refund
15 in an amount fixed by the board.
- 16 (d) The fee for an initial license and for the renewal of a license
17 shall not exceed four hundred fifty dollars (\$450). *The fee for an*
18 *initial license shall be prorated on a monthly basis.*
- 19 (e) The fee for a special permit shall not exceed three hundred
20 dollars (\$300), and the renewal fee for a special permit shall not
21 exceed one hundred dollars (\$100).
- 22 (f) The delinquency fee shall be the amount prescribed by
23 Section 163.5.
- 24 (g) The penalty for late registration of change of place of
25 practice shall not exceed seventy-five dollars (\$75).
- 26 (h) The application fee for permission to conduct an additional
27 place of practice shall not exceed two hundred dollars (\$200).
- 28 (i) The renewal fee for an additional place of practice shall not
29 exceed one hundred dollars (\$100).
- 30 (j) The fee for issuance of a substitute certificate shall not exceed
31 one hundred twenty-five dollars (\$125).

1 (k) The fee for a provider of continuing education shall not
2 exceed two hundred fifty dollars (\$250) per year.

3 (l) The fee for application for a referral service permit and for
4 renewal of that permit shall not exceed twenty-five dollars (\$25).

5 (m) The fee for application for an extramural facility permit
6 and for the renewal of a permit shall not exceed twenty-five dollars
7 (\$25).

8 The board shall report to the appropriate fiscal committees of
9 each house of the Legislature whenever the board increases any
10 fee pursuant to this section and shall specify the rationale and
11 justification for that increase.

12 *SEC. 2. Section 1944 of the Business and Professions Code is*
13 *amended to read:*

14 1944. (a) The committee shall establish by resolution the
15 amount of the fees that relate to the licensing of a registered dental
16 hygienist, a registered dental hygienist in alternative practice, and
17 a registered dental hygienist in extended functions. The fees
18 established by board resolution in effect on June 30, 2009, as they
19 relate to the licensure of registered dental hygienists, registered
20 dental hygienists in alternative practice, and registered dental
21 hygienists in extended functions, shall remain in effect until
22 modified by the committee. The fees are subject to the following
23 limitations:

24 (1) The application fee for an original license and the fee for
25 the issuance of an original license shall not exceed two hundred
26 fifty dollars (\$250). *The fee for the issuance of an original license*
27 *shall be prorated on a monthly basis.*

28 (2) The fee for examination for licensure as a registered dental
29 hygienist shall not exceed the actual cost of the examination.

30 (3) For third- and fourth-year dental students, the fee for
31 examination for licensure as a registered dental hygienist shall not
32 exceed the actual cost of the examination.

33 (4) The fee for examination for licensure as a registered dental
34 hygienist in extended functions shall not exceed the actual cost of
35 the examination.

36 (5) The fee for examination for licensure as a registered dental
37 hygienist in alternative practice shall not exceed the actual cost of
38 administering the examination.

39 (6) The biennial renewal fee shall not exceed one hundred sixty
40 dollars (\$160).

1 (7) The delinquency fee shall not exceed one-half of the renewal
2 fee. Any delinquent license may be restored only upon payment
3 of all fees, including the delinquency fee, and compliance with all
4 other applicable requirements of this article.

5 (8) The fee for issuance of a duplicate license to replace one
6 that is lost or destroyed, or in the event of a name change, shall
7 not exceed twenty-five dollars (\$25) or one-half of the renewal
8 fee, whichever is greater.

9 (9) The fee for certification of licensure shall not exceed one-half
10 of the renewal fee.

11 (10) The fee for each curriculum review and site evaluation for
12 educational programs for dental hygienists who are not accredited
13 by a committee-approved agency shall not exceed two thousand
14 one hundred dollars (\$2,100).

15 (11) The fee for each review of courses required for licensure
16 that are not accredited by a committee-approved agency, the
17 Council for Private Postsecondary and Vocational Education, or
18 the Chancellor's Office of the California Community Colleges
19 shall not exceed three hundred dollars (\$300).

20 (12) The initial application and biennial fee for a provider of
21 continuing education shall not exceed five hundred dollars (\$500).

22 (13) The amount of fees payable in connection with permits
23 issued under Section 1962 is as follows:

24 (A) The initial permit fee is an amount equal to the renewal fee
25 for the applicant's license to practice dental hygiene in effect on
26 the last regular renewal date before the date on which the permit
27 is issued.

28 (B) If the permit will expire less than one year after its issuance,
29 then the initial permit fee is an amount equal to 50 percent of the
30 renewal fee in effect on the last regular renewal date before the
31 date on which the permit is issued.

32 (b) The renewal and delinquency fees shall be fixed by the
33 committee by resolution at not more than the current amount of
34 the renewal fee for a license to practice under this article nor less
35 than five dollars (\$5).

36 (c) Fees fixed by the committee by resolution pursuant to this
37 section shall not be subject to the approval of the Office of
38 Administrative Law.

39 (d) Fees collected pursuant to this section shall be collected by
40 the committee and deposited into the State Dental Hygiene Fund,

1 which is hereby created. All money in this fund shall, upon
2 appropriation by the Legislature in the annual Budget Act, be used
3 to implement the provisions of this article.

4 (e) No fees or charges other than those listed in this section shall
5 be levied by the committee in connection with the licensure of
6 registered dental hygienists, registered dental hygienists in
7 alternative practice, or registered dental hygienists in extended
8 functions.

9 (f) The fee for registration of an extramural dental facility shall
10 not exceed two hundred fifty dollars (\$250).

11 (g) The fee for registration of a mobile dental hygiene unit shall
12 not exceed one hundred fifty dollars (\$150).

13 (h) The biennial renewal fee for a mobile dental hygiene unit
14 shall not exceed two hundred fifty dollars (\$250).

15 (i) The fee for an additional office permit shall not exceed two
16 hundred fifty dollars (\$250).

17 (j) The biennial renewal fee for an additional office as described
18 in Section 1926.4 shall not exceed two hundred fifty dollars (\$250).

19 (k) The initial application and biennial special permit fee is an
20 amount equal to the biennial renewal fee specified in paragraph
21 (6) of subdivision (a).

22 (l) The fees in this section shall not exceed an amount sufficient
23 to cover the reasonable regulatory cost of carrying out the
24 provisions of this article.

25 *SEC. 3. Section 2435 of the Business and Professions Code is*
26 *amended to read:*

27 2435. The following fees apply to the licensure of physicians
28 and surgeons:

29 (a) Each applicant for a certificate based upon a national board
30 diplomate certificate, each applicant for a certificate based on
31 reciprocity, and each applicant for a certificate based upon written
32 examination, shall pay a nonrefundable application and processing
33 fee, as set forth in subdivision (b), at the time the application is
34 filed.

35 (b) The application and processing fee shall be fixed by the
36 board by May 1 of each year, to become effective on July 1 of that
37 year. The fee shall be fixed at an amount necessary to recover the
38 actual costs of the licensing program as projected for the fiscal
39 year commencing on the date the fees become effective.

(c) Each applicant who qualifies for a certificate, as a condition precedent to its issuance, in addition to other fees required herein, shall pay an initial license fee, if any, in an amount fixed by the board consistent with this section. The initial license fee shall not exceed seven hundred ninety dollars (\$790). *The initial license fee shall be prorated on a monthly basis.* An applicant enrolled in an approved postgraduate training program shall be required to pay only 50 percent of the initial license fee.

(d) The biennial renewal fee shall be fixed by the board consistent with this section and shall not exceed seven hundred ninety dollars (\$790).

(e) Notwithstanding subdivisions (c) and (d), and to ensure that subdivision (k) of Section 125.3 is revenue neutral with regard to the board, the board may, by regulation, increase the amount of the initial license fee and the biennial renewal fee by an amount required to recover both of the following:

(1) The average amount received by the board during the three fiscal years immediately preceding July 1, 2006, as reimbursement for the reasonable costs of investigation and enforcement proceedings pursuant to Section 125.3.

(2) Any increase in the amount of investigation and enforcement costs incurred by the board after January 1, 2006, that exceeds the average costs expended for investigation and enforcement costs during the three fiscal years immediately preceding July 1, 2006. When calculating the amount of costs for services for which the board paid an hourly rate, the board shall use the average number of hours for which the board paid for those costs over these prior three fiscal years, multiplied by the hourly rate paid by the board for those costs as of July 1, 2005. Beginning January 1, 2009, the board shall instead use the average number of hours for which it paid for those costs over the three-year period of fiscal years 2005–06, 2006–07, and 2007–08, multiplied by the hourly rate paid by the board for those costs as of July 1, 2005. In calculating the increase in the amount of investigation and enforcement costs, the board shall include only those costs for which it was eligible to obtain reimbursement under Section 125.3 and shall not include probation monitoring costs and disciplinary costs, including those associated with the citation and fine process and those required to implement subdivision (b) of Section 12529 of the Government Code.

(f) Notwithstanding Section 163.5, the delinquency fee shall be 10 percent of the biennial renewal fee.

(g) The duplicate certificate and endorsement fees shall each be fifty dollars (\$50), and the certification and letter of good standing fees shall each be ten dollars (\$10).

(h) It is the intent of the Legislature that, in setting fees pursuant to this section, the board shall seek to maintain a reserve in the Contingent Fund of the Medical Board of California in an amount not less than two nor more than four months' operating expenditures.

(i) Not later than January 1, 2012, the Office of State Audits and Evaluations within the Department of Finance shall commence a preliminary review of the board's financial status, including, but not limited to, its projections related to expenses, revenues, and reserves, and the impact of the loan from the Contingent Fund of the Medical Board of California to the General Fund made pursuant to the Budget Act of 2008. The office shall make the results of this review available upon request by June 1, 2012. This review shall be funded from the existing resources of the office during the 2011–12 fiscal year.

SEC. 4. Section 2538.57 of the Business and Professions Code is amended to read:

2538.57. The amount of fees and penalties prescribed by this article shall be those set forth in this section unless a lower fee is fixed by the board:

(a) The fee for applicants applying for the first time for a license is seventy-five dollars (\$75), which shall not be refunded, except to applicants who are found to be ineligible to take an examination for a license. Those applicants are entitled to a refund of fifty dollars (\$50).

(b) The fees for taking or retaking the written and practical examinations shall be amounts fixed by the board, which shall be equal to the actual cost of preparing, grading, analyzing, and administering the examinations.

(c) The initial temporary license fee is one hundred dollars (\$100). *The fee for an initial temporary license shall be prorated on a monthly basis.* The fee for renewal of a temporary license is one hundred dollars (\$100) for each renewal.

(d) The initial permanent license fee is two hundred eighty dollars (\$280). *The fee for an initial permanent license shall be*

1 *prorated on a monthly basis*. The fee for renewal of a permanent
2 license is not more than two hundred eighty dollars (\$280) for each
3 renewal.

4 (e) The initial branch office license fee is twenty-five dollars
5 (\$25). The fee for renewal of a branch office license is twenty-five
6 dollars (\$25) for each renewal.

7 (f) The delinquency fee is twenty-five dollars (\$25).

8 (g) The fee for issuance of a replacement license is twenty-five
9 dollars (\$25).

10 (h) The continuing education course approval application fee
11 is fifty dollars (\$50).

12 (i) The fee for official certification of licensure is fifteen dollars
13 (\$15).

14 *SEC. 5. Section 2570.16 of the Business and Professions Code*
15 *is amended to read:*

16 2570.16. Initial license and renewal fees shall be established
17 by the board in an amount that does not exceed a ceiling of one
18 hundred fifty dollars (\$150) per year. *The initial license fee shall*
19 *be prorated on a monthly basis*. The board shall establish the
20 following additional fees:

21 (a) An application fee not to exceed fifty dollars (\$50).

22 (b) A late renewal fee as provided for in Section 2570.10.

23 (c) A limited permit fee.

24 (d) A fee to collect fingerprints for criminal history record
25 checks.

26 *SEC. 6. Section 2688 of the Business and Professions Code is*
27 *amended to read:*

28 2688. The amount of fees assessed in connection with licenses
29 issued under this chapter is as follows:

30 (a) (1) The fee for an application for licensure as a physical
31 therapist submitted to the board prior to March 1, 2009, shall be
32 seventy-five dollars (\$75). The fee for an application submitted
33 under Section 2653 to the board prior to March 1, 2009, shall be
34 one hundred twenty-five dollars (\$125).

35 (2) The fee for an application for licensure as a physical therapist
36 submitted to the board on or after March 1, 2009, shall be one
37 hundred twenty-five dollars (\$125). The fee for an application
38 submitted under Section 2653 to the board on or after March 1,
39 2009, shall be two hundred dollars (\$200).

1 (3) Notwithstanding paragraphs (1) and (2), the board may
2 decrease or increase the amount of an application fee under this
3 subdivision to an amount that does not exceed the cost of
4 administering the application process, but in no event shall the
5 application fee amount exceed three hundred dollars (\$300).

6 (b) The examination and reexamination fees for the physical
7 therapist examination, physical therapist assistant examination,
8 and the examination to demonstrate knowledge of the California
9 rules and regulations related to the practice of physical therapy
10 shall be the actual cost to the board of the development and writing
11 of, or purchase of the examination, and grading of each written
12 examination, plus the actual cost of administering each
13 examination. The board, at its discretion, may require the licensure
14 applicant to pay the fee for the examinations required by Section
15 2636 directly to the organization conducting the examination.

16 (c) (1) The fee for a physical therapist license issued prior to
17 March 1, 2009, shall be seventy-five dollars (\$75).

18 (2) The fee for a physical therapist license issued on or after
19 March 1, 2009, shall be one hundred dollars (\$100).

20 (3) Notwithstanding paragraphs (1) and (2), the board may
21 decrease or increase the amount of the fee under this subdivision
22 to an amount that does not exceed the cost of administering the
23 process to issue the license, but in no event shall the fee to issue
24 the license exceed one hundred fifty dollars (\$150).

25 (4) *The fee assessed pursuant to this subdivision for an initial*
26 *physical therapist license issued on or after January 1, 2015, shall*
27 *be prorated on a monthly basis.*

28 (d) (1) The fee to renew a physical therapist license that expires
29 prior to April 1, 2009, shall be one hundred fifty dollars (\$150).

30 (2) The fee to renew a physical therapist license that expires on
31 or after April 1, 2009, shall be two hundred dollars (\$200).

32 (3) Notwithstanding paragraphs (1) and (2), the board may
33 decrease or increase the amount of the renewal fee under this
34 subdivision to an amount that does not exceed the cost of the
35 renewal process, but in no event shall the renewal fee amount
36 exceed three hundred dollars (\$300).

37 (e) (1) The fee for application and for issuance of a physical
38 therapist assistant license shall be seventy-five dollars (\$75) for
39 an application submitted to the board prior to March 1, 2009.

(2) The fee for application and for issuance of a physical therapist assistant license shall be one hundred twenty-five dollars (\$125) for an application submitted to the board on or after March 1, 2009. The fee for an application submitted under Section 2653 to the board on or after March 1, 2009, shall be two hundred dollars (\$200).

(3) Notwithstanding paragraphs (1) and (2), the board may decrease or increase the amount of the fee under this subdivision to an amount that does not exceed the cost of administering the application process, but in no event shall the application fee amount exceed three hundred dollars (\$300).

(f) (1) The fee to renew a physical therapist assistant license that expires prior to April 1, 2009, shall be one hundred fifty dollars (\$150).

(2) The fee to renew a physical therapist assistant license that expires on or after April 1, 2009, shall be two hundred dollars (\$200).

(3) Notwithstanding paragraphs (1) and (2), the board may decrease or increase the amount of the renewal fee under this subdivision to an amount that does not exceed the cost of the renewal process, but in no event shall the renewal fee amount exceed three hundred dollars (\$300).

(g) Notwithstanding Section 163.5, the delinquency fee shall be 50 percent of the renewal fee in effect.

(h) (1) The duplicate wall certificate fee shall be fifty dollars (\$50). The duplicate renewal receipt fee amount shall be fifty dollars (\$50).

(2) Notwithstanding paragraph (1), the board may decrease or increase the amount of the fee under this subdivision to an amount that does not exceed the cost of issuing duplicates, but in no event shall that fee exceed one hundred dollars (\$100).

(i) (1) The endorsement or letter of good standing fee shall be sixty dollars (\$60).

(2) Notwithstanding paragraph (1), the board may decrease or increase the amount of the fee under this subdivision to an amount that does not exceed the cost of issuing an endorsement or letter, but in no event shall the fee amount exceed one hundred dollars (\$100).

SEC. 7. Section 2987 of the Business and Professions Code is amended to read:

1 2987. The amount of the fees prescribed by this chapter shall
2 be determined by the board, and shall be as follows:

3 (a) The application fee for a psychologist shall not be more than
4 fifty dollars (\$50).

5 (b) The examination and reexamination fees for the
6 examinations shall be the actual cost to the board of developing,
7 purchasing, and grading of each examination, plus the actual cost
8 to the board of administering each examination.

9 (c) The initial license fee is an amount equal to the renewal fee
10 in effect on the last regular renewal date before the date on which
11 the license is issued. *The initial license fee shall be prorated on a*
12 *monthly basis.*

13 (d) The biennial renewal fee for a psychologist shall be four
14 hundred dollars (\$400). The board may increase the renewal fee
15 to an amount not to exceed five hundred dollars (\$500).

16 (e) The application fee for registration and supervision of a
17 psychological assistant by a supervisor under Section 2913, which
18 is payable by that supervisor, shall not be more than seventy-five
19 dollars (\$75).

20 (f) The annual renewal fee for registration of a psychological
21 assistant shall not be more than seventy-five dollars (\$75).

22 (g) The duplicate license or registration fee is five dollars (\$5).

23 (h) The delinquency fee is twenty-five dollars (\$25).

24 (i) The endorsement fee is five dollars (\$5).

25 Notwithstanding any other ~~provision of~~ law, the board may
26 reduce any fee prescribed by this section, when, in its discretion,
27 the board deems it administratively appropriate.

28 SEC. 8. *Section 4842.5 of the Business and Professions Code*
29 *is amended to read:*

30 4842.5. The amount of fees prescribed by this article is that
31 fixed by the following schedule:

32 (a) The fee for filing an application for examination shall be set
33 by the board in an amount it determines is reasonably necessary
34 to provide sufficient funds to carry out the purposes of this chapter,
35 not to exceed three hundred fifty dollars (\$350).

36 (b) The fee for the California registered veterinary technician
37 examination shall be set by the board in an amount it determines
38 is reasonably necessary to provide sufficient funds to carry out the
39 purposes of this chapter, not to exceed three hundred dollars (\$300).

(c) The initial registration fee shall be set by the board at not more than three hundred fifty dollars (\$350); ~~except that, if the license is issued less than one year before the date on which it will expire, then the fee shall be set by the board at not more than one hundred seventy-five dollars (\$175) and shall be prorated on a monthly basis.~~ The board may adopt regulations to provide for the waiver or refund of the initial registration fee ~~where~~ when the registration is issued less than 45 days before the date on which it will expire.

(d) The biennial renewal fee shall be set by the board at not more than three hundred fifty dollars (\$350).

(e) The delinquency fee shall be set by the board at not more than fifty dollars (\$50).

(f) Any charge made for duplication or other services shall be set at the cost of rendering the services.

(g) The fee for filing an application for approval of a school or institution offering a curriculum for training registered veterinary technicians pursuant to Section 4843 shall be set by the board at an amount not to exceed three hundred dollars (\$300). The school or institution shall also pay for the actual costs of an onsite inspection conducted by the board pursuant to Section 2065.6 of Title 16 of the California Code of Regulations, including, but not limited to, the travel, food, and lodging expenses incurred by an inspection team sent by the board.

(h) The fee for failure to report a change in the mailing address is twenty-five dollars (\$25).

SEC. 9. Section 4905 of the Business and Professions Code is amended to read:

4905. The following fees shall be collected by the board and shall be credited to the Veterinary Medical Board Contingent Fund:

(a) The fee for filing an application for examination shall be set by the board in an amount it determines is reasonably necessary to provide sufficient funds to carry out the purpose of this chapter, not to exceed three hundred fifty dollars (\$350).

(b) The fee for the California state board examination shall be set by the board in an amount it determines is reasonably necessary to provide sufficient funds to carry out the purpose of this chapter, not to exceed three hundred fifty dollars (\$350).

(c) The fee for the Veterinary Medicine Practice Act examination shall be set by the board in an amount it determines

1 reasonably necessary to provide sufficient funds to carry out the
2 purpose of this chapter, not to exceed one hundred dollars (\$100).

3 (d) The initial license fee shall be set by the board not to exceed
4 five hundred dollars (\$500) ~~except that, if the license is issued less~~
5 ~~than one year before the date on which it will expire, then the fee~~
6 ~~shall be set by the board at not to exceed two hundred fifty dollars~~
7 ~~(\$250) and shall be prorated on a monthly basis.~~ The board may,
8 by appropriate regulation, provide for the waiver or refund of the
9 initial license fee ~~where~~ when the license is issued less than 45
10 days before the date on which it will expire.

11 (e) The renewal fee shall be set by the board for each biennial
12 renewal period in an amount it determines is reasonably necessary
13 to provide sufficient funds to carry out the purpose of this chapter,
14 not to exceed five hundred dollars (\$500).

15 (f) The temporary license fee shall be set by the board in an
16 amount it determines is reasonably necessary to provide sufficient
17 funds to carry out the purpose of this chapter, not to exceed two
18 hundred fifty dollars (\$250).

19 (g) The delinquency fee shall be set by the board, not to exceed
20 fifty dollars (\$50).

21 (h) The fee for issuance of a duplicate license is twenty-five
22 dollars (\$25).

23 (i) Any charge made for duplication or other services shall be
24 set at the cost of rendering the service, except as specified in
25 subdivision (h).

26 (j) The fee for failure to report a change in the mailing address
27 is twenty-five dollars (\$25).

28 (k) The initial and annual renewal fees for registration of
29 veterinary premises shall be set by the board in an amount not to
30 exceed four hundred dollars (\$400) annually.

31 (l) If the money transferred from the Veterinary Medical Board
32 Contingent Fund to the General Fund pursuant to the Budget Act
33 of 1991 is redeposited into the Veterinary Medical Board
34 Contingent Fund, the fees assessed by the board shall be reduced
35 correspondingly. However, the reduction shall not be so great as
36 to cause the Veterinary Medical Board Contingent Fund to have
37 a reserve of less than three months of annual authorized board
38 expenditures. The fees set by the board shall not result in a
39 Veterinary Medical Board Contingent Fund reserve of more than
40 10 months of annual authorized board expenditures.

1 *SEC. 10. Section 4970 of the Business and Professions Code*
2 *is amended to read:*

3 4970. The amount of fees prescribed for licensed acupuncturists
4 shall be those set forth in this section unless a lower fee is fixed
5 by the board in accordance with Section 4972:

6 (a) The application fee shall be seventy-five dollars (\$75).

7 (b) The examination and reexamination fees shall be the actual
8 cost to the Acupuncture Board for the development and writing
9 of, grading, and administering of each examination.

10 (c) The initial license fee shall be three hundred twenty-five
11 dollars (\$325), ~~except that if the license will expire less than one~~
12 ~~year after its issuance, then the initial license fee shall be an amount~~
13 ~~equal to 50 percent of the initial license fee and shall be prorated~~
14 ~~on a monthly basis.~~

15 (d) The renewal fee shall be three hundred twenty-five dollars
16 (\$325) and in the event a lower fee is fixed by the board, shall be
17 an amount sufficient to support the functions of the board in the
18 administration of this chapter. The renewal fee shall be assessed
19 on an annual basis until January 1, 1996, and on and after that date
20 the board shall assess the renewal fee biennially.

21 (e) The delinquency fee shall be set in accordance with Section
22 163.5.

23 (f) The application fee for the approval of a school or college
24 under Section 4939 shall be three thousand dollars (\$3,000).

25 (g) The duplicate wall license fee is an amount equal to the cost
26 to the board for the issuance of the duplicate license.

27 (h) The duplicate renewal receipt fee is ten dollars (\$10).

28 (i) The endorsement fee is ten dollars (\$10).

29 (j) The fee for a duplicate license for an additional office
30 location as required under Section 4961 shall be fifteen dollars
31 (\$15).

32 *SEC. 11. Section 5604 of the Business and Professions Code*
33 *is amended to read:*

34 5604. The fees prescribed by this chapter for architect
35 applicants or architect licenseholders shall be fixed by the board
36 as follows:

37 (a) The application fee for reviewing a candidate's eligibility
38 to take any section of the examination may not exceed one hundred
39 dollars (\$100).

(b) The fee for any section of the examination administered by the board may not exceed one hundred dollars (\$100).

(c) The fee for an original license at an amount equal to the renewal fee in effect at the time the license is issued, ~~except that, if the license is issued less than one year before the date on which it will expire, then the fee shall be fixed at an amount equal to 50 percent of the renewal fee in effect at the time the license is issued.~~

The fee for an original license shall be prorated on a monthly basis. The board may, by appropriate regulation, provide for the waiver or refund of the fee for an original license if the license is issued less than 45 days before the date on which it will expire.

(d) The fee for an application for reciprocity may not exceed one hundred dollars (\$100).

(e) The fee for a duplicate license may not exceed twenty-five dollars (\$25).

(f) The renewal fee may not exceed four hundred dollars (\$400).

(g) The delinquency fee may not exceed 50 percent of the renewal fee.

(h) The fee for a retired license may not exceed the fee prescribed in subdivision (c).

~~SECTION 1. Section 1715 of the Business and Professions Code is amended to read:~~

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

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

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

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

~~1935. If not renewed, a license issued under the provisions of this article, unless specifically excepted, expires at 12 midnight on the last day of the month of the legal birth date of the licensee during the second year of a two-year term. To renew an unexpired~~

1 license, the licensee shall, before the time at which the license
2 would otherwise expire, apply for renewal on a form prescribed
3 by the committee and pay the renewal fee prescribed by this article.
4 The fee imposed for the first renewal of the license shall be
5 prorated on a monthly basis.

6 SEC. 3.— Section 2423 of the Business and Professions Code is
7 amended to read:

8 2423. (a) Notwithstanding Section 2422:

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

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

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

23 (c) To renew an unexpired license, the licensee shall, on or
24 before the dates on which it would otherwise expire, apply for
25 renewal on a form prescribed by the licensing authority and pay
26 the prescribed renewal fee. The fee imposed for the first renewal
27 of the license shall be prorated on a monthly basis.

28 SEC. 4.— Section 2456.1 of the Business and Professions Code
29 is amended to read:

30 2456.1. (a) All osteopathic physician's and surgeon's
31 certificates shall expire at 12 midnight on the last day of the birth
32 month of the licensee during the second year of a two-year term
33 if not renewed on or before that day.

34 (b) The board shall establish by regulation procedures for the
35 administration of a birth date renewal program, including, but not
36 limited to, the establishment of a system of staggered license
37 expiration dates such that a relatively equal number of licenses
38 expire monthly.

39 (c) To renew an unexpired license, the licensee shall, on or
40 before the dates on which it would otherwise expire, apply for

1 renewal on a form prescribed by the board and pay the prescribed
2 renewal fee. The fee imposed for the first renewal of the license
3 shall be prorated on a monthly basis.

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

6 2535. (a) All licenses issued as of January 1, 1992, shall expire
7 at 12 a.m. of the last day of the birth month of the licensee during
8 the second year of a two-year term if not renewed.

9 (b) All licenses issued under this chapter, except those licenses
10 issued pursuant to subdivision (a), shall expire at 12 a.m. of the
11 last day of the birth month of the licensee during the second year
12 of a two-year term, if not renewed.

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

18 SEC. 6. Section 2570.10 of the Business and Professions Code
19 is amended to read:

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

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

30 SEC. 7. Section 2644 of the Business and Professions Code is
31 amended to read:

32 2644. (a) Every license issued under this chapter shall expire
33 at 12 a.m. on the last day of the birth month of the licensee during
34 the second year of a two-year term, if not renewed.

35 (b) To renew an unexpired license, the licensee shall, on or
36 before the date on which it would otherwise expire, apply for
37 renewal on a form prescribed by the board, pay the prescribed
38 renewal fee, and submit proof of the completion of continuing
39 competency required by the board pursuant to Section 2649. The
40 licensee shall disclose on his or her license renewal application

1 any misdemeanor or other criminal offense for which he or she
2 has been found guilty or to which he or she has pleaded guilty or
3 no contest. The fee imposed for the first renewal of the license
4 shall be prorated on a monthly basis.

5 SEC. 8. Section 2982 of the Business and Professions Code is
6 amended to read:

7 2982. (a) All licenses expire and become invalid at 12 midnight
8 on the last day of February, 1980, and thereafter shall expire at 12
9 midnight of the legal birth date of the licensee during the second
10 year of a two-year term, if not renewed.

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

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

23 SEC. 9. Section 3523 of the Business and Professions Code is
24 amended to read:

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

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

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 basis.~~

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

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

25 ~~4965. (a) Licenses issued pursuant to this chapter shall expire~~
26 ~~on the last day of the birth month of the licensee during the second~~
27 ~~year of a two-year term, if not renewed.~~

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

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

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

36 ~~5600. (a) All licenses issued or renewed under this chapter~~
37 ~~shall expire at 12 midnight on the last day of the birth month of~~
38 ~~the licenseholder in each odd-numbered year following the issuance~~
39 ~~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.~~