



they do not constitute a complete listing of all the reporting methods for such studies, the guidelines attempt to include all major topics for the particular field.

Also on August 20, BRGG selected public member Art Letter to serve as Board President and petroleum geologist Robert Lindblom to serve as Vice-President.

■ FUTURE MEETINGS

To be announced.

BOARD OF LANDSCAPE ARCHITECTS

*Executive Officer: Jeanne Brode
(916) 445-4954*

Authorized in Business and Professions Code section 5615 *et seq.*, the Board of Landscape Architects (BLA) licenses those who design landscapes and supervise implementation of design plans. Prior to 1993, applicants were required to pass the written examination of the national Council of Landscape Architectural Registration Boards (CLARB) in order to qualify for licensure. However, following years of dissatisfaction, BLA decided in May 1992 to discontinue its use of CLARB's exam; commencing in 1993, applicants must instead pass the Board's own Professional Examination for Landscape Architects (PELA) in order to qualify for licensure. [12:4 CRLR 86] In addition, an applicant must have the equivalent of six years of landscape architectural experience. This may be a combination of education from a school with a Board-approved program in landscape architecture and field experience.

In addition to licensing landscape architects, the Board investigates verified complaints against landscape architects, prosecutes violations of the Practice Act, and establishes criteria for approving schools of landscape architecture. BLA's regulations are codified in Division 26, Title 16 of the California Code of Regulations (CCR).

BLA consists of seven members who serve four-year terms. One of the members must be a resident of and practice landscape architecture in southern California, and one member must be a resident of and practice landscape architecture in northern California. Three members of the Board must be licensed to practice landscape architecture in the state of California. The other four members are public members and must not be licentiates of the Board.

On June 21, Governor Wilson appointed Michal Moore as a new public

member of the Board; Moore is a self-employed consulting economist.

■ MAJOR PROJECTS

PELA Administered for First Time.

At its July 23 meeting in Sacramento, BLA reviewed test results from the June 1993 PELA, the first administration of the Board's own exam. [13:1 CRLR 42; 12:4 CRLR 86] The PELA has three sections—one objective and two graphic performance problem sections. Section I has 200 multiple choice questions which test a wide range of knowledge; candidates are given four hours to complete this section. Section II tests the candidate's ability to complete a site analysis and site design on two separate base sheets in a five-hour time period. The last section of the exam requires the candidate to complete five base sheets; candidates are given nine hours to complete this section, which requires completion of a grading plan, a layout/dimension plan, an irrigation plan, a planting plan, and a base sheet on construction details.

BLA announced that 360 candidates took the exam, 100 of whom were taking a landscape architect's licensing exam for the first time. The pass rate for candidates taking Section I only was 57%; 100% for Section II only; and 29.7% for Section III only. The pass rate for candidates taking all three sections was 42%. BLA also offered Section IV for reciprocity and retake candidates who had not passed the California section of previous exams; the pass rate for candidates taking Section IV only was 80%. The next administration of the PELA is scheduled for December 13-14 in southern California.

Rulemaking Update. On June 23, the Office of Administrative Law approved BLA's adoption of sections 2614 and 2615, amendments to sections 2606, 2623, 2671, and repeal of sections 2624, 2625, and 2626, Title 16 of the CCR. [13:2&3 CRLR 76]

BLA is still reviewing proposed changes to section 2620, which defines how candidates seeking to sit for the PELA can meet BLA's education and training credits requirements. Section 2620 sets forth various combinations of education and experience a candidate can meet in order to sit for the licensing exam. Currently, the requirements allow a licensed landscape contractor seeking to become licensed as a landscape architect only one year of credit towards this requirement, no matter how many years of actual experience he/she may have in landscape design; the California Landscape Contractors Association (CLCA) has expressed concern that this requirement is unrealistic and unfair,

since very few extension schools which offer certificates in landscape architecture exist throughout the state. CLCA also contends that requiring a landscape contractor to leave his/her full-time job and move to an area where a certificate program is offered or serve in a six-year program with a licensed landscape architect constitutes a severe hardship on the landscape contractor.

In response to CLCA's concerns, BLA President Larry Chimbole set up a Special Committee on Eligibility Requirements which met on June 25 to review whether the Board unnecessarily establishes an artificial entry barrier through its eligibility requirements, especially to landscape contractors. Among other things, the Committee attempted to define how BLA can determine whether a landscape contractor has had sufficient experience in landscape design to justify admission to its licensing exam. CLCA suggested that the Board grant landscape contractors 50% credit for the years of experience they have, up to a maximum of five years, and require them to obtain their sixth year by some means as described in section 2620. Further, landscape contractors would need to submit affidavits from clients for whom they have done landscape design work. CLCA also suggested that a BLA committee or subcommittee review design work submitted by such applicants. CLCA conceded that the committee or subcommittee review would be subjective, but suggested that the Board establish an appeals process for applicants who feel that they were unfairly denied the opportunity to sit for the exam; CLCA argued that the exam itself should primarily determine whether an applicant is competent to practice landscape architecture.

At its July 23 meeting, the Board discussed the proposals generated at the Committee meeting. Richard Ratcliff of the California Council of the American Society of Landscape Architects (CCASLA) commented that the Board should continue to require applicants to qualify for the exam by having both education and experience, except for candidates who have six years of experience working under the supervision of a licensed landscape architect. BLA Executive Office Jeanne Brode noted that if the Board agreed with CCASLA's suggestion about requiring an educational component, then it must define the minimum educational component that will be required. Following discussion, BLA referred the item back to the Committee for further review and revision; the Board is expected to review the Committee's suggestions at its November meeting.



BLA Meets With CLARB. On June 22, BLA officials met with CLARB representatives in an attempt to improve communication and restore a working relationship between the two entities; problems between BLA and CLARB resulted in BLA's decision to discontinue using CLARB's licensing exam. [12:4 CRLR 86] Among other things, the meeting resulted in the clarification of the following:

—California intends to continue the administration of the PELA twice per year but is supportive of working with CLARB on other issues of equal importance.

—CLARB is promoting its Landscape Architect-in-Training (LAIT) program which should assist candidates in having better success on its licensing exam.

—CLARB's exam vendor will be proposing a study to determine how CLARB's exam could be administered in a two-step process.

—Both CLARB and BLA agree that greater monitoring of candidates is beneficial to candidates, review course providers, schools, and the exam vendor.

—CLARB's proposed exam fee increases are prohibitive for California's participation.

—California will evaluate the subject matter of CLARB's exam and compare it to the PELA to assist in reciprocity for out-of-state applicants.

—California will share the results of the PELA with other states and request their evaluation for reciprocity to California's landscape architects.

Proposed Legislation for 1994. At its July 23 meeting, BLA approved plans to introduce various pieces of legislation during 1994. For example, one proposal would require landscape architects to use 20% recyclable materials for their design plans; CCASLA opposes this proposed requirement on the basis that landscape architects would have to use more expensive materials and thus charge more for their services. A second proposal would amend Business and Professions Code section 5650, which currently requires candidates to have six years of training and educational experience in actual landscape architecture in order to sit for the exam; BLA's amendments would require six years of education and/or experience (see above). Another proposal would amend Business and Professions Code section 5680.05 to require licensees to report to the Board any judgment by a California court that the licensee has committed a crime or is liable for any death, personal or property injury, or loss caused by his/her fraud, deceit, negligence, incompetency, or recklessness in practice. A final proposal would amend Business and Professions Code section 5681 to increase the fee for filing an application for approval of an extension school from \$600 to not more than \$5,000;

part of the increase will cover the Board's site visits to extension schools.

LEGISLATION

SB 842 (Presley), as amended July 14, permits BLA to issue interim orders of suspension and other license restrictions, as specified, against its licensees. This bill was signed by the Governor on October 5 (Chapter 840, Statutes of 1993).

AB 1392 (Speier), as amended July 1, would—among other things—provide that BLA's executive officer is to be appointed by the Governor, subject to Senate confirmation, and that the Board's executive officer and employees are under the control of the Director of the Department of Consumer Affairs. [S. B&P]

AB 1807 (Bronshvag), as amended September 8, would reduce the time within which a landscape architect may renew his/her expired license from five to three years. [A. Inactive File]

AB 1848 (Cortese). Under existing law, a design professional is entitled to a specified design professional's lien on real property for which a work of improvement is planned and for which governmental approval is obtained, as specified; existing law defines the term "design professional" to include architects, engineers, and land surveyors. As introduced March 5, this bill would have expanded that definition to include licensed landscape architects. AB 1848 died in committee.

RECENT MEETINGS

At its July 23 meeting in Sacramento, BLA presented former Board member George Gribkoff with a plaque commemorating Gribkoff's tenure on the Board as President and Chair of the Enforcement Committee.

Also at the July meeting, the Board directed Executive Officer Jeanne Brode to review BLA's existing regulations which specify the time period within which candidates may appeal their exam scores; the Board may pursue regulatory revisions to revise those time periods.

FUTURE MEETINGS

To be announced.

MEDICAL BOARD OF CALIFORNIA

Executive Director: Dixon Arnett
(916) 263-2389

Toll-Free Complaint Number:
1-800-MED-BD-CA

The Medical Board of California (MBC) is an administrative agency

within the state Department of Consumer Affairs (DCA). The Board, which consists of twelve physicians and seven non-physicians appointed to four-year terms, is divided into three autonomous divisions: Licensing, Medical Quality, and Allied Health Professions.

The purpose of MBC and its three divisions is to protect the consumer from incompetent, grossly negligent, unlicensed, or unethical practitioners; to enforce provisions of the Medical Practice Act (California Business and Professions Code section 2000 *et seq.*); and to educate healing arts licensees and the public on health quality issues. The Board's regulations are codified in Division 13, Title 16 of the California Code of Regulations (CCR).

The functions of the individual divisions are as follows:

MBC's Division of Licensing (DOL) is responsible for issuing regular and probationary licenses and certificates under the Board's jurisdiction; administering the Board's continuing medical education program; and administering physician and surgeon examinations for some license applicants.

In response to complaints from the public and reports from health care facilities, the Division of Medical Quality (DMQ) reviews the quality of medical practice carried out by physicians and surgeons. This responsibility includes enforcement of the disciplinary and criminal provisions of the Medical Practice Act. It also includes the suspension, revocation, or limitation of licenses after the conclusion of disciplinary actions. The division operates in conjunction with fourteen Medical Quality Review Committees (MQRC) established on a geographic basis throughout the state. Committee members are physicians, other health professionals, and lay persons assigned by DMQ to review matters, hear disciplinary charges against physicians, and receive input from consumers and health care providers in the community.

The Division of Allied Health Professions (DAHP) directly regulates five non-physician health occupations and oversees the activities of eight other examining committees and boards which license podiatrists and non-physician certificate holders under the jurisdiction of the Board. The following allied health professions are subject to the oversight of DAHP: acupuncturists, audiologists, hearing aid dispensers, medical assistants, physical therapists, physical therapist assistants, physician assistants, podiatrists, psychologists, psychological assistants, registered dispensing opticians, research psychoanalysts, speech pathologists, and respiratory care practitioners.