



for issuance and renewal of licenses for furniture manufacturers, wholesale furniture dealers, bedding manufacturers, wholesale bedding dealers, and supply dealers from \$300 to \$360; the custom upholsterer's, bedding renovator's, and sanitizer's license fee from \$200 to \$240; the retail furniture dealer's and the retail bedding dealer's license fee from \$65 to \$80; and the retail furniture and bedding dealer's license fee from \$130 to \$160. The proposed changes would also provide for delinquency and penalty fees. The Bureau last increased its licensing fees in March 1985.

In a draft of its Initial Statement of Reasons, the Bureau stated that the purpose of the proposed license fee increase is to avoid an unacceptably low reserve projected for the end of fiscal year 1991-92 and eventual deficit projected for the Bureau's budget fund by fiscal year 1992-93. The Bureau's expenditures have exceeded its annual revenue in three of the past five fiscal years, and are expected to do so in each of the next four fiscal years including the current fiscal year, based on present license fees.

At the December 11 Advisory Board meeting, the Board members requested that the Bureau devise a plan to address the problem of unlicensed activity. According to the Board, if licensed members must pay an increase in license fees, the Bureau should develop a program to locate unlicensed industry members and enforce the licensing requirement. Currently, approximately 10-15% of the home furnishings and insulation industry members are unlicensed.

Proposed Changes in Waterbed Regulations Withdrawn. At the December 11 Advisory Board meeting, the Waterbed Manufacturers Association withdrew its petition to the Bureau for proposed regulatory amendments that would have required manufacturers to affix a warning label relating to child safety on each waterbed mattress, and to include a similar warning in the health and safety informational pamphlet currently required to accompany each waterbed mattress sold. The Waterbed Manufacturers Association withdrew its petition, stating that the mattress manufacturer members of the waterbed industry have adopted voluntary industry guidelines requiring such a warning label. The Bureau will not take any further action regarding the proposed regulations.

RECENT MEETINGS:

At its December 11 meeting in Los Angeles, the Advisory Board reelected retail furniture dealer Ray Curry as

Chair and public member Valerie Celestin as Vice Chair for another year.

FUTURE MEETINGS:

March 12 in Sacramento.

June 11 in San Diego.

BOARD OF LANDSCAPE ARCHITECTS

Executive Officer: Jeanne Brode
(916) 445-4954

The Board of Landscape Architects (BLA) licenses those who design landscapes and supervise implementation of design plans. To qualify for a license, an applicant must successfully pass the written exam of the national Council of Landscape Architectural Registration Boards (CLARB), an additional section covering landscape architecture in California, and an oral examination given by the Board. As of January 1, 1990, the oral exam requirement is deleted for all instate applicants. 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.

The Board investigates verified complaints against any landscape architect and prosecutes violations of the Practice Act. The Board also governs the examination of applicants for certificates to practice landscape architecture and establishes criteria for approving schools of landscape architecture.

Authorized in Business and Professions Code section 5615 *et seq.*, BLA consists of seven members. 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. Board members are appointed to four-year terms. BLA's regulations are codified in Division 26, Title 16 of the California Code of Regulations (CCR).

MAJOR PROJECTS:

Proposed Regulatory Changes. At BLA's October 26 meeting, the Board held a workshop to discuss draft amendments to section 2620, Division 26, Title 16 of the CCR, regarding education and work experience requirements for licensure applicants. To be eligible for examination, a candidate must meet the

requirements of Business and Professions Code section 5650, which provides that any person over the age of eighteen who has "six years of training and educational experience in actual practice of landscape architectural work" shall be entitled to take the examination. At previous meetings, BLA agreed on draft amendments to section 2620 regarding the amount of credit toward the six-year requirement to be given for various educational degrees and work experience. (See CRLR Vol. 10, No. 4 (Fall 1990) p. 78; Vol. 10, Nos. 2 & 3 (Spring/Summer 1990) pp. 95-96; and Vol. 10, No. 1 (Winter 1990) p. 73 for background information.)

Continuing the discussion at its October 26 workshop, BLA reaffirmed its position that the maximum credit for a degree or combination of degrees, such as a B.S./M.L.A., from an approved school of landscape architecture, shall be four years of educational credit. Despite concerns voiced by a representative of the University of California at Berkeley, applicants with primary and secondary degrees in landscape architecture will not be considered as having completed the total six-year licensure requirement.

Under the proposed revision to section 2620, candidates must possess at least two years of training experience, at least one of which must be under the direct supervision of a landscape architect licensed in a United States jurisdiction. Such work experience may be earned concurrently with educational requirements, but a minimum of one year of postgraduate training is required. In addition, employment is considered on a forty-hour work week (excluding overtime), and independent, non-licensed practice or experience, regardless of claimed coordination, liaison, or supervision by licensed professionals, will not be considered.

In November, the Board published notice of its intent to repeal existing section 2620 and adopt new section 2620 to conform with its decisionmaking over the past few months. The section will also be amended to specify that the Board will retain inactive applications for only five years, after which they will be purged.

The Board also announced its intent to adopt new section 2620.5. Existing regulations provide that a candidate who obtains an extension certificate from a Board-approved school will be granted two years of qualifying experience toward licensure. New section 2620.5 would set forth criteria for Board approval of schools offering extension certificates in landscape architecture.



REGULATORY AGENCY ACTION

Finally, the Board seeks to amend section 2649, to increase its fee for a temporary certificate from \$50 to \$100; increase its fee for a duplicate certificate from \$25 to \$50; increase its fee for late notification of a change of address from \$25 to \$50; and increase its fee for a branch office from \$25 to \$50.

The Board was scheduled to hold a public hearing on these proposed regulatory changes on January 25 in Sacramento.

BLA/CLARB Exam Task Analysis. CLARB has begun conducting a nationwide task analysis to identify the range of services rendered by landscape architects in all areas of practice. (See CRLR Vol. 10, No. 4 (Fall 1990) p. 78 and Vol. 10, Nos. 2 & 3 (Spring/Summer 1990) p. 96 for background information.) From this list of services, CLARB will identify the knowledge, skills, and abilities required to provide proper service and will test future licensure candidates accordingly. To achieve an accurate analysis leading to an appropriate exam, CLARB has requested that each state board furnish a list of all licensees including their name, address, and information available on the nature of their practice.

According to BLA, CLARB plans to create a new exam by 1992, and is planning on having the National Grading Session in La Jolla, California this year.

LEGISLATION:

Anticipated Legislation. BLA will actively seek legislation similar to Business and Professions Code section 5550.3, which applies to the Board of Architectural Examiners (BAE). Section 5550.3 allows BAE to adopt guidelines for the delegation of its authority to grade the examinations of licensure applicants to any vendor under contract to the Board for provision of an architect's registration examination. The guidelines are to include goals for the appropriate content, development, grading, and administration of an examination, against which the vendor's rules and procedures may be judged; and procedures through which BAE can reasonably assure itself that the vendor adequately meets the Board's goals. BLA's legal counsel is expected to draft similar legislation and request that it be put in the Department of Consumer Affairs' omnibus bill.

Additionally, at its October 26 meeting, the Board approved a motion to direct staff to seek revisions to Business and Professions Code section 5651, to allow the Board to accept CLARB-certified individuals to become licensed in California.

FUTURE MEETINGS:

To be announced.

MEDICAL BOARD OF CALIFORNIA

Executive Director: Ken Wagstaff

(916) 920-6393

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. The Board, which consists of twelve physicians and seven lay persons 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 licenses and certificates under the Board's jurisdiction; administering the Board's continuing medical education program; suspending, revoking, or limiting licenses upon order of the Division of Medical Quality; approving undergraduate and graduate medical education programs for physicians; and developing and administering physician and surgeon examinations.

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. 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 investigate 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 non-physician certificate holders under the jurisdiction of the Board. The following allied health professions are subject to the jurisdiction 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.

DAHP members are assigned as liaisons to one or two of these boards or committees, and may also be assigned as liaisons to a board regulating a related area such as pharmacy, optometry, or nursing. As liaisons, DAHP members are expected to attend two or three meetings of their assigned board or committee each year, and to keep the Division informed of activities or issues which may affect the professions under the Medical Board's jurisdiction.

MBC's three divisions meet together approximately four times per year, in Los Angeles, San Diego, San Francisco, and Sacramento. Individual divisions and subcommittees also hold additional separate meetings as the need arises.

MAJOR PROJECTS:

Physician Discipline Reform. SB 2375 (Presley)—also known as the Medical Judicial Procedure Improvement Act—is a 39-section bill signed by the Governor on September 30 (Chapter 1597, Statutes of 1990) which infuses DMQ's discipline system with information on physician misconduct and negligence from a wide variety of sources; authorizes DMQ to suspend a physician's license on an interim basis pending conclusion of the disciplinary process; injects a much-needed prosecutorial influence into the process; and creates a special panel of administrative law judges to hear medical discipline cases. (See CRLR Vol. 10, No. 4 (Fall 1990) pp. 79-80 and 84; Vol. 10, Nos. 2 & 3 (Spring/Summer 1990) pp. 21 and 74-75; and Vol. 9, No. 2 (Spring 1989) pp. 1 and 60 for extensive background information concerning SB 2375 and physician discipline.)

At its November meeting, DMQ took no direct action to implement SB 2375; however, concern was raised about the funding necessary to finance the overhauled discipline system. Presently, the Medical Board's licensing fee is \$360 every two years; this revenue funds the Board's activities. Under existing statute, the Board may charge each physician up to \$400 every two years. If the