



inspection of potentially dangerous structures. SBX 46 is pending in the Assembly Judiciary Committee.

The following is a status update of two-year bills described in CRLR Vol. 9, No. 4 (Fall 1989) at pages 77-78:

SB 162 (Greene). Existing law provides for the issuance of a professional engineer's license, without examination, to any person licensed in another state if his/her qualifications meet requirements for licensure in California. SB 162 would have prohibited the issuance of a civil engineer's license to any person who is licensed in another state, if that state requires a California engineer applying for a license in that state to take an examination. This bill was dropped by its author.

AB 439 (Lewis). Existing law requires that a lot line adjustment between adjacent parcels be reflected in a deed or record of survey, and be recorded. AB 439, which would have required that a record of survey of the lot line adjustment be filed if required by provisions of the Professional Land Surveyors' Act, died in committee.

AB 459 (Frizzelle) would have provided that a previously licensed individual may renew his/her license at any time after license expiration upon payment of the applicable fees, and upon satisfaction of continuing education requirements. This bill was dropped by its author.

AB 1537 (Bradley). Existing law requires that in any civil action concerning a claim of professional negligence, the plaintiff's attorney must attempt to obtain consultation with at least one appropriate professional who is not a party to the action. The attorney is then required to file a certificate declaring that, on the basis of the consultation, there is a reasonable cause for filing the action, or if the consultation was not obtained, why it was not. The attorney is not required to reveal the name, address, or telephone number of the person consulted. This bill, which died in committee, would have changed the nondisclosure rule and would have required the certificate to be signed by the professional and contain his/her name, address, and telephone number.

AB 1789 (Cortese) would add Chapter 8 (commencing with section 3081.1) to the Civil Code. This bill would give architects, engineers, and land surveyors a specified design professional's lien on real property for which a work of improvement is

planned, and for which a specified governmental approval is obtained. The amount of the lien would be limited to the lesser of the contract fee earned, pursuant to a written contract with the landowner for design, engineering, or planning services for a prospective improvement to the real property, prior to the commencement of the work of improvement, or the reasonable value of those services. This bill is pending in the Senate Committee on Insurance, Claims, and Corporations.

AB 709 (Bradley). The Professional Land Surveyors' Act provides that all maps, plats, reports, descriptions, or other documents issued by a licensed land surveyor or engineer must bear the seal or stamp of the licensee or registrant, including the expiration date of the license or registration. This bill, which died in committee, would have amended sections 8761, 8764.5, and 8801 of the Business and Professions Code to change every reference of "expiration date" to "renewal date."

AB 1748 (Chandler). Under current law, persons applying to become land surveyors who are registered as professional engineers, or have passed an engineer-in-training program, are exempted from taking the first part of the two-part examination. This bill would delete these exemptions and require a civil engineer to pass the first part of the exam and have one year of responsible field training and one year of responsible office training in land surveying as a condition of taking the second part of the examination. AB 1748 is pending in the Senate Business and Professions Committee.

AB 1162 (Ferguson). Pursuant to section 66448 of the Government Code, whenever a parcel map is required, the map must be based on a field survey performed in conformity with the Professional Land Surveyors' Act, or compiled from filed or recorded data under certain conditions. Violation of these provisions is a misdemeanor. This bill would amend Section 66448 to require that parcel maps be based upon a field survey in conformity with the Professional Land Surveyors' Act, but would permit a parcel map, when authorized by local ordinance, to be compiled from filed or recorded data based on a field survey made within the preceding five years. This bill is pending in the Senate Housing and Urban Affairs Committee.

SB 581 (Green), regarding surveys

performed for certain lot line adjustments between adjacent parcels, and which would have required such surveys to be conducted in conformance with provisions of the Professional Land Surveyors' Act, died in committee.

FUTURE MEETINGS:

April 27 in San Diego.

June 15 in Monterey.

July 27 in Sacramento.

September 14 in San Diego.

BOARD OF REGISTERED NURSING

Executive Officer: Catherine Puri
(916) 322-3350

Pursuant to the Nursing Practice Act, Business and Professions Code section 2700 *et seq.*, the Board of Registered Nursing (BRN) licenses qualified RNs, certifies qualified nurse midwifery applicants, establishes accreditation requirements for California nursing schools, and reviews nursing school curricula. A major Board responsibility involves taking disciplinary action against licensed RNs. BRN's regulations implementing the Nursing Practice Act are codified in Chapter 14, Title 16 of the California Code of Regulations (CCR).

The nine-member Board consists of three public members, three registered nurses actively engaged in patient care, one licensed RN administrator of a nursing service, one nurse educator and one licensed physician. All serve four-year terms.

The Board is financed by licensing fees, and receives no allocation from the general fund. The Board is currently staffed by 56 people.

MAJOR PROJECTS:

Board Approves California Participation in National Program. At its November 16 meeting, BRN approved a proposal from the National Council of State Boards of Nursing (NCSBN) to participate in a new program for nursing licensure testing. The new national program involves a computer adaptive testing model; California will be a field test site for the computer model.

National Licensing Exam Results. Also at its November meeting, BRN reviewed the results from the NCSBN licensing exam taken by California students in February 1989. California



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examinees achieved an 85% passage rate.

The national licensing exam is given twice per year and the most recent results are similar to past California averages. The Board monitors the passage rate for each California nursing school to detect areas that may require assistance in improving exam results. If a school experiences a failure rate of 30% or higher on three consecutive exams, the Board will conduct a site visit at the school.

The site visit involves a review of the curriculum and classes at the school and recommendations for improvement. Currently, four California schools are under review for improvement in their national exam passage rates. These schools are East Los Angeles College, Glendale Community College, California State University at Los Angeles, and Loma Linda University.

DCA's New Cashiering System Presents Problems for Nurses. The Department of Consumer Affairs' (DCA) implementation of a new central cashiering system is causing problems for nurses attempting to renew their licenses. As units within DCA, BRN and other California licensing boards are involved in the initial phase of a system-wide centralized cashiering project. The Department is attempting to arrange a system which brings all licensing records of all DCA boards into one central cashier. The demise of the previous fragmented cashier system and implementation of the new program was intended to ultimately expedite cashier transactions and improve cash management for the DCA.

However, the implementation process for the new centralized system has resulted in a considerable backlog. Approximately 11,000 nurses throughout the state have experienced delays due to a one-month backlog in processing the license renewals. Many of these nurses have telephoned BRN to complain and express concern that although their renewal payments have been accepted, their licenses have not been received. These calls have deluged BRN's telephone system. BRN requests that concerned nurses telephone a hotline for information concerning the license renewal backlog. The hotline number is (916) 445-3783. In addition, BRN states that a nurse's cancelled check, money order, or receipt for licensing fees may be used as evidence of licensure, under section 121 of the

Business and Professions Code. Such evidence is sufficient under the Code for continued employment as an RN, pending receipt of a delayed license.

Interim Permits for Immigrating Nurses. Many California health care employers recruit internationally for nurses due to the severe nursing shortage in the United States. Normally, BRN issues interim nursing permits to qualified immigrating nurses to enable them to work legally as a nurse when they initially arrive in California, but before they have had an opportunity to take the licensing exam. However, the interim nursing permits are effective for a maximum of thirty days. The permits, which are often secured by the employer before the nurse has left for the United States, tend to expire before the immigrating nursing applicant arrives in California and can arrange to take the licensing exam. This problem is further compounded because the interim permits may not be reissued or renewed under California law.

To avoid this dilemma, BRN is now issuing "Authorizations for Interim Permits" to out-of-state applicants, rather than the permit itself. Once the nursing applicant arrives in California and provides the necessary evidence of qualifications, the thirty-day interim permit is issued, thereby enabling the nursing applicant to arrange for licensure testing.

LEGISLATION:

The following is a status update of bills described in detail in CRLR Vol. 9, No. 4 (Fall 1989) at pages 78-79:

SB 368 (Torres). Existing law defines nursing hours as the number of hours of work performed per patient day by aides, nursing assistants, or orderlies, plus two times the number of hours worked per patient day by RNs and licensed vocational nurses. This bill would instead define nursing hours as the number of hours of work performed per patient day by aides, nursing assistants, orderlies, RNs or licensed vocational nurses, and would require the state Department of Health Services to adopt regulations to take effect January 1, 1991, to reflect that change. This bill is pending in the Assembly Health Committee.

AB 1055 (Roos) would state legislative intent concerning the need to promote recruitment of persons into registered nursing education programs. This bill would also specifically require the

Office of Statewide Health Planning to create a Model Projects Information Network to disseminate information to health facilities and educational institutions about successful efforts by health facilities and educational institutions to recruit persons into registered nursing. This bill is pending in the Senate Education Committee.

AB 395 (Felando) would have required all hemodialysis technicians, vocational nurses, and RNs who provide health care services to dialysis patients in the patient's home to be held to the same requirements as are applied to those categories of personnel when they provide health care services to dialysis patients in a chronic dialysis clinic. This bill died in committee.

AB 1581 (Murray), which would create the California Commission on AIDS, one member of which would be a representative of the nursing profession, is pending in the Senate Appropriations Committee suspense file.

AB 856 (Felando), which would have required health care facilities to utilize only persons employed by the facility, thus eliminating the use of nurses from registries in the in-hospital setting, died in committee.

AB 2183 (Murray), which would have required the state Department of Health Services to license geriatric technicians, died in committee.

AB 2422 (Polanco) would have required a 10% surcharge on licensing fees for specified health-related professional group, including registered nursing. This bill died in committee.

AB 459 (Frizzelle) would have provided that a previously licensed individual may renew his/her license at any time after license expiration upon payment of the applicable fees, and upon satisfaction of continuing education requirements. This bill was dropped by its author.

FUTURE MEETINGS:

To be announced.

**BOARD OF CERTIFIED
SHORTHAND REPORTERS**
*Executive Officer: Richard Black
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The Board of Certified Shorthand Reporters (BCSR) is authorized pursuant to Business and Professions Code section 8000 *et seq.* The Board's regula-