



REGULATORY AGENCY ACTION

Proposals Developed for Mechanic Training. The Bureau has negotiated an interagency agreement with the California Employment Development Department's Employment Training Panel (ETP) to market a mechanic training program in response to concerns that mechanics must be better trained to keep up with technology. Such training is said to be essential in efforts to reduce air pollution. The ETP uses a small portion of California unemployment tax money to fund training courses so that the mechanics will remain employed.

Under the agreement, ETP will reimburse, on a per-student basis, a corporation or educational institution for the cost of operating a retraining program. The program must meet specified requirements: it must be designed to increase a mechanic's diagnostic and repair skills on computer-controlled vehicles. In addition, in order for the school to be reimbursed for training a particular mechanic, the mechanic must remain employed at the same place for ninety days after completion of the course. BAR is currently developing ETP mechanic training proposals through public and private organizations.

RECENT MEETINGS:

At its November 18 meeting, the Advisory Board discussed proposed increases in its licensing fees. SB 1997 (Presley), signed by the Governor on September 30, 1988 (see CRLR Vol. 8, No. 4 (Fall 1988) p. 44 for details), authorizes the Bureau to increase its licensing fees for Smog Check Program mechanics, inspectors, and stations. Bureau Chief Martin Dyer stated that due to the number of licensees and the amount of time BAR staff spends in processing paperwork, answering questions, and processing data, the fees currently charged do not meet the Bureau's costs in providing such licenses. Dyer suggested increasing the fees to \$59 per year for inspectors, \$72 per year for mechanics, and \$95 per year for stations, which would approximately cover these costs. The Board's industry members were concerned that the mechanic's shop would swallow the cost (which would ultimately be passed on to the consumer), and proposed that increasing the cost of a smog certificate to \$6 would raise much of the revenue needed. Members of the Training Advisory Board agreed with this proposal, but indicated that if more funds are needed to meet the Bureau's \$45 million budget, they would accept a gradual fee increase in steps. The matter was tabled until the

February meeting in order to receive input from the Automobile Club and the Automotive Service Council.

FUTURE MEETINGS:

To be announced.

BOARD OF BARBER EXAMINERS

Executive Officer: Lorna P. Hill (916) 445-7008

In 1927, the California legislature created the Board of Barber Examiners (BBE) to control the spread of disease in hair salons for men. The Board, which consists of three public and two industry representatives, regulates and licenses barber schools, instructors, barbers, and shops. It sets training requirements and examines applicants, inspects barber shops, and disciplines violators with licensing sanctions. The Board licenses approximately 22 schools, 6,500 shops, and 21,500 barbers.

MAJOR PROJECTS:

Proposed Nonsubstantive Changes to BBE Regulations. At its October 31 meeting, BBE approved Executive Officer Lorna Hill's proposal to recodify the articles and subheadings in Chapter 3, Title 16 of the California Code of Regulations (CCR). Presently, the structure and order of Chapter 3 is unclear. Similar subject matter is found in several different sections; subject headings do not accurately reflect the subjects covered in each section; too many subjects are addressed in each section; and subject matter does not appear in a logical and sequential order. The approved changes renumber and reorder almost all of the Board's existing regulations in an attempt to correct these problems. BBE's staff is in the process of compiling its rulemaking file on the changes for submission to the Office of Administrative Law.

Regulatory Changes Effective October 20, 1988. At its October meeting, the Board distributed brochures describing numerous substantive and nonsubstantive changes to its regulations which became effective on October 20. (See CRLR Vol. 8, No. 2 (Spring 1988) pp. 44-45 for background information on all changes.) The substantive changes adopted by BBE include the addition of sections 203.5 (abandonment of applications) and 204.2 (student enrollments); and amendments to sections 213 (uniforms during college hours), 213.1 (labels on bottles and containers), 214.1 (trans-

fers), 216.1 (records), 217.1(a) (required course instruction hours) 219.2 (barber students: 400-hour courses), 219.3 (instructor training program), 224 (display of shop license and certificates), 236.1 (charge for dishonored checks), 246.3 (attendance: changes in employment), 247 (approval of apprentice trainer; trainer requirements), and 300 (administrative fines).

Also effective on October 20 is an amendment to section 203.2, which allows an unsuccessful examinee to appeal within fifteen days following receipt of his/her examination results if there was significant procedural error in the examination process; evidence of adverse discrimination; or evidence of substantial disadvantage to the examinee. The appeal must be made in a written letter which specifies the grounds upon which the appeal is based. BBE must respond to the appeal in writing.

LEGISLATION:

Future Legislation. At its October meeting, BBE heard public testimony regarding its proposal to seek legislation to authorize fee increases beyond the currently allowed level. (See CRLR Vol. 8, No. 4 (Fall 1988) p. 45 for background information.) Executive Officer Hill believes the fee increases are necessary to guarantee BBE's stability until approximately 1995, and enable it to meet its budget demands.

RECENT MEETINGS:

At its October meeting in San Jose, BBE decided to withdraw certification of the Chino Youth Training Program's 1500-hour barber course. (See CRLR Vol. 8, No. 4 (Fall 1988) p. 45 and Vol. 8, No. 3 (Summer 1988) p. 48 for background information.) BBE withdrew its conditional certification of the program based on a report submitted by a special committee set up by BBE to review the program's curriculum. Chino Youth is expected to appear before the Board in four to six months with a revised curriculum.

Also at its October meeting, Executive Officer Hill discussed several conferences she has recently attended, including the Forum for Barber and Cosmetology Boards. This forum, previously called the Merged Board Symposium, was attended this year by BBE for the first time. The Board of Cosmetology has been a participant at previous conferences. The forum is held annually for executive officers and members of both types of boards. This year, the forum addressed various types of barber/cosmetology board structures, including



separate, combined, and merged boards. It also discussed health issues, including sanitation and AIDS.

Ms. Hill also attended the convention of the National Boards of Barber Examiners in Atlanta, Georgia. The participants discussed national standards, national examinations, the image of barber boards, and reciprocity among boards.

Also at its October meeting, BBE voted down a reciprocity agreement between California and Texas for reciprocal licensing of barbers.

FUTURE MEETINGS:

To be announced.

BOARD OF BEHAVIORAL SCIENCE EXAMINERS

Executive Officer: Kathleen Callanan (916) 445-4933

The eleven-member Board of Behavioral Science Examiners (BBSE) licenses marriage, family and child counselors (MFCCs), licensed clinical social workers (LCSWs) and educational psychologists (LEPs). The Board administers tests to license applicants, adopts regulations regarding education and experience requirements for each group of licensees, and appropriately channels complaints against its licensees. The Board also has the power to suspend or revoke licenses. The Board consists of six public members, two LCSWs, one LEP, and two MFCCs.

MAJOR PROJECTS:

Implementation of SB 2657. The Board recently announced its schedule of fee increases, as specified in SB 2657 (Watson). (See CRLR Vol. 8, No. 4 (Fall 1988) p. 46 and Vol. 8, No. 3 (Summer 1988) p. 49 for details on this bill.) These increases affect fees for applications, re-examinations, renewals, and delinquencies for LCSWs, MFCCs, and LEPs. They took effect on January 1, 1989.

Implementation of SB 2658. At its November meeting, the Board continued its discussion of draft regulations to amend section 1833 and adopt sections 1833.1 and 1833.2, Chapter 18, Title 16 of the California Code of Regulations. These draft regulations would implement SB 2658 (Watson), to define the type and length of post-master's degree experience required for LCSWs, and specify the requirements for supervision. (See CRLR Vol. 8, No. 4 (Fall 1988) p. 46 for background information on SB 2658.) When the Board finalizes its draft, it will hold a public hearing on the pro-

posed regulations.

Budget. At BBSE's September 22-23 meeting, Executive Officer Dr. Kathleen Callanan announced several budget change proposals (BCP) for the 1988-89 fiscal year. BBSE will request a budget increase of \$268,000: \$75,000 would increase funding levels for examination site rentals and proctor pay; the other \$193,000 would pay for additional staff, increased services from the Attorney General's Office and the Office of Administrative Hearings, and additional expert consultants and witnesses. Another BCP would redirect existing temporary help funds and create additional permanent, full-time staff positions. Final drafts of all proposals have been submitted and reviewed by the Department of Finance, but no formal decision has been made at this writing.

RECENT MEETINGS:

At BBSE's November 17 meeting in Sacramento, a representative from the Sacramento County Advisory Board on Alcohol Problems made a presentation concerning substance abuse. A discussion followed regarding the credentials of alcohol and drug counselors in substance abuse programs. Currently, counselors in these treatment programs are not required to be licensed professionals.

The Board announced that it is recruiting new commissioners for the 1989 LCSW oral examinations. The minimum qualifications include a master's degree in social work; at least three years of LCSW post-licensure experience; a current LCSW license with no disciplinary problems; twenty to forty hours of training, supervision, education, or clinical practice with a minimum of ten face-to-face counseling hours per week; a willingness to serve as an oral commissioner for two consecutive years; and an agreement not to participate in any examination coaching or preparation activities for five years subsequent to serving as a commissioner.

FUTURE MEETINGS:

May 4-5 in Monterey.
July 20-21 in San Diego.

CEMETERY BOARD

Executive Officer: John Gill (916) 920-6078

In addition to cemeteries, the Cemetery Board licenses cemetery brokers, salespersons and crematories. Religious cemeteries, public cemeteries and private cemeteries established before 1939 which

are less than ten acres in size are all exempt from Board regulation.

Because of these broad exemptions, the Cemetery Board licenses only about 185 cemeteries. It also licenses approximately 25 crematories and 1,400 brokers and salespersons. A license as a broker or salesperson is issued if the candidate passes an examination testing knowledge of the English language and elementary arithmetic, and demonstrates a fair understanding of the cemetery business.

MAJOR PROJECTS:

Regulatory Change. On November 28, the Office of Administrative Law approved the Board's amendment to section 2310, Chapter 23, Title 16 of the California Code of Regulations. The Board adopted the amendment after a public hearing at its September 29 meeting in Eureka. (See CRLR Vol. 8, No. 4 (Fall 1988) p. 47 for background information.) The amendment reduces licensing fees to keep the Board's reserve fund at the minimum level required to provide continuity of operations. The Cemetery Board's estimated reserve on June 30, 1988 was \$383,365, which exceeds its expenditures for a one-year period. Business and Professions Code section 163.6 mandates a reduction in renewal fees to offset increases in revenue. The amended regulation reduces the regulatory charge for cemeteries and the interment and cremation fees paid by cemeteries and crematories.

LEGISLATION:

Anticipated Legislation. At its September 29 meeting, the Board directed a subcommittee to draft legislation to amend the Board's current statutes regarding annual reports of endowment care funds by cemetery authority licensees (Business and Professions Code section 9650 *et seq.*). The Board may seek amendments to provide licensees with an extension of time on the annual filing date, and for authority to impose fines and/or penalties for late filings.

RECENT MEETINGS:

At its September 29 meeting in Eureka, the Board discussed the requirements of the U.S. Environmental Protection Agency's regulations concerning the scattering of cremated remains at sea. The Board decided to notify all cemetery authorities, crematory licensees, cemetery brokers, and cremated remains disposers of the requirement that all scattering at sea must take place at least three miles from shore.

FUTURE MEETINGS:

To be announced.