



REGULATORY AGENCY ACTION

dates. The Nursing Practice Committee seeks the authority to issue an interim credential which would allow RNs who have applied for certification as nurse midwives through equivalency to render midwifery services under the supervision of a certified nurse midwife (CNM) for a period of one year.

Currently, an RN may be certified as a nurse midwife by demonstrating proof of completion of subject content of advanced experience in maternal and child care, clinical competency evaluations by a CNM and physician, and the successful completion of a nurse midwife examination. The Board believes this poses a threat to consumers because unsupervised RNs have practiced midwifery under standardized procedures without the required initial or ongoing evaluation of their competence to perform these functions. According to the Board, the interim credential would provide increased consumer protection by requiring both CNM supervised and monitored practice during the interim credential period.

Fee Increase. June 26 was the deadline for public comments on the Board's proposal to amend section 1417(b) and (c), Chapter 14, Title 16 of the California Code of Regulations. To implement SB 1267 (Maddy) (Chapter 252, Statutes of 1988), the Board must increase its license renewal fee to \$45, and the penalty fee for failure to renew a license within the prescribed time to \$23. The entire amount of the increase will be credited to the California Registered Nurse Education Fund.

Nursing Shortage Advisory Committee. The Registered Nursing Special Advisory Committee, created pursuant to SB 2755 (Royce) (Chapter 1321, Statutes of 1988), scheduled a public hearing on May 10 in Sacramento. (See CRLR Vol. 9, No. 2 (Spring 1989) p. 74 and Vol. 9, No. 1 (Winter 1989) p. 63 for background information.) The Committee invited consumers, nurses, representatives of health care facilities, and other interested parties to give testimony on the nature, causes, and impact of the nursing shortage and on solutions that have been tried.

Review of the Board Policy Manual. The BRN is conducting a comprehensive review of its policy manual, which is expected to be completed in several months.

LEGISLATION:

AB 459 (Frizzelle), as amended, would enable a BRN licensee whose license is delinquent to renew that license at any time, regardless of length of de-

linquency, without a reexamination requirement. The Board opposes AB 459, which has become a two-year bill.

SB 723 (McCorquodale) would amend the Health and Safety Code to change the title "Health Manpower Pilot Projects" to "Health Occupations Pilot Projects." It would require that guidelines be established to ensure that consumers will not be endangered by unqualified participants performing tasks in these pilot projects. The BRN supports this bill, which is pending in the Assembly Health Committee.

SB 1067 (Boatwright) would require RNs working with a local Emergency Medical Service agency to complete a course on sudden infant death syndrome (SIDS). This bill is pending in the Senate Appropriations Committee.

AB 856 (Felando) would require health care facilities to use only persons employed by the facility to provide patient care. This would eliminate the use of nurses from registries in the in-hospital setting. The BRN opposes this bill, which has been referred for interim study.

AB 1055 (Roos) would require the Office of Statewide Health Planning and Development to implement a program for recruitment of RNs by educating high school students about nursing, making grants for nursing education, and disseminating nursing information. The BRN supports this bill which is pending in the Assembly Ways and Means Committee.

AB 1327 (Jones) would require the Office of Statewide Health Planning and Development to develop a comprehensive plan regarding the need for health professionals in the state. This bill is pending in the Senate Health and Human Services Committee.

AB 1558 (Allen) would give the Emergency Medical Service Authority the right to establish continuing education standards for all pre-hospital personnel. This bill is pending in the Assembly Committee on Ways and Means.

AB 1581 (Murray) would create the California Commission on AIDS. One member of the Commission would be a representative of the nursing profession. The BRN supports this bill, which is pending in the Assembly Committee on Ways and Means.

AB 1729 (Chandler) would authorize the imposition of a fine up to \$10,000 upon any person who subverts a licensing examination. The BRN supports this bill, which is pending in the Assembly Ways and Means Committee.

AB 2183 (Murray) would require the state Department of Health Services to license geriatric technicians. The BRN

opposes this bill, which is pending in the Assembly Health Committee.

The following is a status update on bills reported in detail in CRLR Vol. 9, No. 2 (Spring 1989) at page 74:

SB 368 (Torres), which would redefine nursing hours, is pending in the Senate Appropriations Committee.

SB 576 (Maddy), which would allow nursing students who agree to work in a county health facility to participate in the Registered Nurse Education Program, is pending in the Assembly Health Committee.

AB 638 (Quackenbush), which would increase the Board's membership from nine to eleven members, is pending in the Senate Business and Professions Committee.

AB 395 (Felando), which would require all health care providers who provide services to dialysis patients at home to be held to the same standards as when they provide health care services within a dialysis clinic, is still pending in the Assembly Health Committee.

RECENT MEETINGS:

On March 22, the Board adopted the decision of Administrative Law Judge Ronald M. Gruen, and revoked the license of Abigail H. Odum of Del Mar for repeated acts of gross negligence and incompetence involving home births. (See CRLR Vol. 9, No. 2 (Spring 1989) p. 74 for further information.)

FUTURE MEETINGS:

To be announced.

BOARD OF CERTIFIED SHORTHAND REPORTERS

Executive Officer: Richard Black (916) 445-5101

The Board of Certified Shorthand Reporters (BCSR) licenses and disciplines shorthand reporters, recognizes court reporting schools and administers the Transcript Reimbursement Fund, which provides shorthand reporting services to low-income litigants otherwise unable to afford such services.

The Board consists of five members, three public and two from the industry, who serve four-year terms. The two industry members must have been actively engaged as shorthand reporters in California for at least five years immediately preceding their appointment.

MAJOR PROJECTS:

Regulatory Changes Modified and Approved. On March 22, BCSR released



modified versions of several proposed regulatory changes which were the subject of a public hearing in February 1988. The Office of Administrative Law (OAL) disapproved the proposed changes in December 1988. (See CRLR Vol. 9, No. 1 (Winter 1989) p. 64 and Vol. 8, No. 2 (Spring 1988) p. 77 for background information on these changes.) Following a comment period ending on April 7, the Board approved the modified versions of the regulatory changes; OAL subsequently approved the changes.

Education Committee. The Board's Education Committee, which was formed to study the Board's school curriculum requirements as set forth in section 2411, Chapter 24, Title 16 of the California Code of Regulations (CCR), met on several occasions during late spring to discuss proposed changes to the requirements. The Committee hoped to formulate formal recommendations for presentation to the Board at its June 24 meeting. (See CRLR Vol. 9, No. 2 (Spring 1989) p. 75 and Vol. 9, No. 1 (Winter 1989) p. 64 for background information.)

Professional Practice Exam. In accordance with the Board's decision to adopt a new Professional Practice Exam test plan, the May exam consisted of 119 questions, 60 of which will be used to determine the applicant's eligibility for licensure, and 59 of which are being pretested for possible use on future exams. (See CRLR Vol. 9, No. 1 (Winter 1989) pp. 63-64 for background information.)

LEGISLATION:

AB 1854 (Speier) would expand an existing provision authorizing the use of electronic recording of civil actions and misdemeanor criminal proceedings in municipal or justice courts, and authorize electronic recording in all actions in those courts whenever a court reporter is unavailable, including unavailability due to the necessity of assuring prompt delivery of transcripts, subject to the availability of approved equipment and equipment monitors. This bill is pending in the Assembly Judiciary Committee.

AB 1437 (Burton), as amended May 2, would require the official reporter of the court, upon the conviction of a defendant of a felony following a trial in superior court, to immediately commence preparation of an original transcript and to complete the transcript, unless ordered by the court not to commence preparation or to cease preparation. This bill would specify that, in the event a transcript on appeal is not re-

quired, the reporter shall be paid only for that portion of the transcript which is completed. AB 1437 is pending in the Assembly Ways and Means Committee at this writing.

AB 1438 (Burton), as amended May 2, would require the official reporter of felony cases, unless otherwise directed by the court, to certify a daily transcript of the proceedings if the court estimates that the case will involve twenty court days or more. This bill is pending in the Assembly Ways and Means Committee.

AB 1439 (Burton), as amended May 2, would require all criminal proceedings in superior, municipal, and justice courts involving a defendant charged with a felony to be conducted on the record with a stenographic reporter in attendance. This bill is pending in the Assembly Ways and Means Committee.

The following is a status update on bills reported in detail in CRLR Vol. 9, No. 2 (Spring 1989) at page 75:

AB 459 (Frizzelle), as amended, would allow a BCSR licensee whose license has expired to renew that license at any time, without regard to length of delinquency and without requirement of reexamination, so long as continuing education requirements have been fulfilled and the appropriate fees have been paid. The Board opposes this bill, which is a two-year bill pending in the Assembly Committee on Governmental Efficiency and Consumer Protection.

SB 1186 (Stirling), as amended May 26, would provide that, notwithstanding any other provisions of law, an appellate court may grant an extension of time for the preparation of a reporter's transcript in civil appeals to that court. This bill passed the Senate on June 8 and is pending in the Assembly Judiciary Committee.

SB 1411 (Mello), which would add Santa Cruz County to a demonstration project in designated counties to assess the costs, benefits, and acceptability of using audio and video recording instead of the record prepared by a court reporter in specified proceedings, is pending in the Senate Judiciary Committee at this writing.

RECENT MEETINGS:

At its May 19 meeting, the Board discussed its position on possible legislation which would require out-of-state licensees to have one year of work experience to qualify for the California CSR examination. No specific legislation yet exists for the purpose, but the Board had previously directed staff to contact various industry-related associations re-

garding their interest in sponsoring such legislation. Since there is a current shortage of available shorthand reporters, and since it would be politically unwise to appear to be restricting the number of CSR applicants, the Board decided to remain neutral on any such legislation.

The Board also considered whether examinees might use electronic dictionaries instead of paper dictionaries during the transcription portion of the CSR examination. Although electronic dictionaries serve the function of a spelling check, the Board decided to allow their use during the transcription portion of the exam, starting with the November 1989 exam. Examinees have traditionally been allowed to use only bound dictionaries during the examination, while they are allowed to use electronic dictionaries in their actual working conditions. This issue was expected to arise again at the Board's June meeting.

FUTURE MEETINGS:

August 26 in San Francisco.
November 10-11 in Los Angeles.
December 16 in Berkeley.

STRUCTURAL PEST CONTROL BOARD

Registrar: Mary Lynn Ferreira
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The Structural Pest Control Board (SPCB) is a seven-member board functioning within the Department of Consumer Affairs. The SPCB is comprised of four public and three industry representatives.

The SPCB licenses structural pest control operators and their field representatives. Field representatives are allowed to work only for licensed operators and are limited to soliciting business for that operator. Each structural pest control firm is required to have at least one licensed operator, regardless of the number of branches the firm operates. A licensed field representative may also hold an operator's license.

Licensees are classified as: (1) Branch 1, Fumigation, the control of household and wood-destroying pests by fumigants (tenting); (2) Branch 2, General Pest, the control of general pests without fumigants; or (3) Branch 3, Termite, the control of wood-destroying organisms with insecticides, but not with the use of fumigants, and including authority to perform structural repairs and corrections. An operator may be licensed in all three branches, but will usually special-