



BUREAU OF HOME FURNISHINGS AND THERMAL INSULATION

Chief: Gordon Damant
(916) 920-6951

The Bureau of Home Furnishings and Thermal Insulation (BHF) regulates manufacturers, wholesalers, dealers, upholsterers, retailers, renovators, and sterilizers of furniture and bedding. In addition, the Bureau establishes rules regarding labeling requirements approved by the state Department of Public Health pertaining to furniture and bedding.

To enforce its regulations, the Bureau has access to premises, equipment, materials, and articles of furniture.

The chief or any inspector may open, inspect and analyze the contents of any furniture or bedding and may condemn, withhold from sale, seize or destroy any upholstered furniture or bedding or any filling material found to be in violation of Bureau rules and regulations. The Bureau may also revoke or suspend registration for violation of its rules.

The Bureau is assisted by a thirteen-member Advisory Board consisting of seven public members and six industry representatives.

MAJOR PROJECTS:

Overseas Training Laboratories. Bureau Chief Gordon Damant has continued his work with foreign officials to approve certified testing facilities. Certified facilities currently exist in five counties, and four additional facilities are being reviewed in Taiwan. The overseas facilities help the Bureau to eliminate the backlog created by over 700 foreign manufacturers sending products into the state each year.

LEGISLATION:

The following is a status update on bills discussed in CRLR Vol. 8, No. 3 (Summer 1988) at page 60-61:

AB 4007 (Lancaster) is a Department of Consumer Affairs omnibus bill which authorizes the Bureau to increase its late fees after ninety days of license renewal delinquency. The Bureau believes that higher delinquency fees will encourage timely renewal by licensees. This bill was signed by the Governor on September 27 (Chapter 1007, Statutes of 1988).

SB 2385 (Campbell) would have exempted the sale, installation, and furnishing of carpet from the Contractors License Law and made the licensing of carpet layers and retailers the responsibility of the Bureau. The bill died in the

Senate Business and Professions Committee.

RECENT MEETINGS:

At its September 14 meeting in San Francisco, Chief Damant announced the Governor's approval of the 1988-89 budget which gives the Bureau two additional laboratory positions for the thermal insulation program. (See CRLR Vol. 8, No. 3 (Summer 1988) p. 60 for background information.)

Chief Damant also announced that the Bureau would renew its request for six additional staff positions in the 1989-90 budget. Three laboratory positions for the home furnishings program will be requested to relieve the six-month testing backlog. A staff services analyst will be requested to share some of the administrative work which the Bureau Chief now performs. Two inspectors will be requested for the thermal insulation program to provide field inspection for compliance with insulation regulations.

FUTURE MEETINGS:

December 6 in Los Angeles.
March 14 (location undecided).

BOARD OF LANDSCAPE ARCHITECTS

Executive Officer: Jeanne Brode
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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. 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.

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 land-

scape 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.

At its July 1988 meeting, the Board selected Jeanne Brode as its new Executive Officer. She replaces Joe Heath, who resigned effective September 1 (see CRLR Vol. 8, No. 3 (Summer 1988) p. 62 for further information).

MAJOR PROJECTS:

Examinations. In June, candidates for California certification as landscape architects were required for the first time to complete a two-hour section consisting of an irrigation performance problem. (For background information, see CRLR Vol. 8, No. 3 (Summer 1988) p. 61.) Candidates generally scored higher than expected. The Board decided to combine the passing scores of this new section with those achieved in the multiple choice section and to require a total passing score of 151.

At its July 8 meeting, the Board denied a request to allow candidates to review their documents and to appeal the results of the Board's reevaluation of the 1987 Uniform National Examination (UNE) results. (See CRLR Vol. 8, No. 3 (Summer 1988) p. 61; Vol. 8, No. 2 (Spring 1988) pp. 59-60; and Vol. 8, No. 1 (Winter 1988) p. 57 for background information.) The Board reviewed the matter and found that its reevaluations were conducted within the guidelines developed by the Department of Consumer Affairs' Central Testing Unit (CTU). No further appeals from the 1987 exam will be allowed.

In a related matter, the BLA has published a request for proposals from consulting firms to conduct a landscape architecture occupational analysis and develop an appropriate examination plan. (See CRLR Vol. 8, No. 3 (Summer 1988) p. 61 for further information.) The goal is to ensure that examinations are relevant to the profession, that eligibility requirements are not unduly restrictive, and that all candidates are provided with an equal opportunity to enter the profession. At this time, the BLA does not intend to develop its own examination independent of the national CLARB. The Board planned to award the contract in late October.

Finally, on September 16, the Board discussed possible legislation to eliminate the oral section of the licensing exam. The CTU supports the decision



to discontinue oral exams; however, section 5651 of the Business and Professions Code must be amended to delete the oral exam requirement.

Irrigation Consultants Licensure. The Board continues to discuss the possibility of creating an Irrigation Consultants Examining Committee (see CRLR Vol. 8, No. 3 (Summer 1988) pp. 61-62 for background information). At its September 16 meeting, the Board considered a lengthy draft legislative proposal prepared by Department of Consumer Affairs legal counsel Don Chang, which would authorize the establishment of a new five-member examining committee to assist the BLA in examining irrigation consultant applicants, including investigation and evaluation of applicants and recommendation to the Board concerning the final determination of licensure. The draft legislation also defines the term "irrigation consultant" and the practice of irrigation consulting; describes exemptions to the Irrigation Consultant License Law; and makes it a misdemeanor to practice irrigation consulting or to use the title without a license.

At that time, the Board voted to support the proposal in concept, but was unwilling to approve the language of the proposed legislation. The BLA was scheduled to take up the matter again at its November 17 meeting.

LEGISLATION:

SB 2810 (Marks) was signed by the Governor (Chapter 600, Statutes of 1988). This bill adds certain fee provisions affecting architects licensed by the state Board of Architectural Examiners. As it applies to landscape architects, the bill increases the fees for examinations and renewals of certificates to practice landscape architecture to an amount to be fixed by the Board, not to exceed \$325 and \$300, respectively. It also raises the delinquency fee to a maximum of \$150. Finally, SB 2810 provides that certificates to practice landscape architecture shall expire no more than 24 months after the date of issuance.

SCR 68 (Campbell) was also chaptered in August. This measure urges the Department of General Services to utilize drought-resistant plants for landscaping new state buildings. Such plants promote the interests of beauty, style, and water conservation.

RECENT MEETINGS:

At the Board's July 8 and September 16 meetings, the Enforcement Committee reported on its progress in revising

BLA's consumer guide. Although still in draft stage, the guide outlines for the consumer the requisite qualifications, skills, and educational background of BLA licensees. It describes the range of activities and types of designs performed by licensees, and includes tips on hiring a landscape architect. The guide also lists the names of the current members of the Board and provides the address and phone number where consumers may direct questions and complaints. The Board will continue to review revised versions of the consumer guide at future meetings.

FUTURE MEETINGS:

To be announced.

BOARD OF MEDICAL QUALITY ASSURANCE

*Executive Director: Ken Wagstaff
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BMQA 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: Allied Health, Licensing and Medical Quality.

The purpose of BMQA 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 sections 2000 *et seq.*); and to educate healing arts licensees and the public on health quality issues.

The functions of the individual divisions are as follows:

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

The Division of Medical Quality (DMQ) reviews the quality of medical

practice carried out by physicians and surgeons. This responsibility includes enforcing 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, allied health professionals and lay persons appointed to investigate matters assigned by the Division of Medical Quality, hear disciplinary charges against physicians and receive input from consumers and health care providers in the community.

Responsibilities of the Division of Licensing (DOL) include 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.

BMQA'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:

License and Renewal Fee Increases. After a September 16 public hearing, the DOL unanimously approved previously proposed amendments to sections 1351.5 and 1352 of BMQA's regulations in Title 16 of the California Code of Regulations (CCR), which will increase both the biennial renewal fee and the initial license fee to \$290. The fees were increased to maintain an adequate reserve balance in the Board's fund, as mandated by section 2435(e)(3) of the Business and Professions Code. (See CRLR Vol. 8, No. 3 (Summer 1988) p. 62 for background information.) The amendments will now be reviewed by the Office of Administrative Law (OAL).

Proposed Regulatory Changes. Also at its September 16 meeting, the DOL held a continuation of a public hearing on two other proposed regulatory changes. Proposed amendments to sections 1321 and 1315 require that a licensee's clinical training must be completed in contiguous blocks and that the required one year of postgraduate training be a continuous year. (See CRLR Vol. 8, No. 3 (Summer 1988) pp. 62-63