



bodies to the probable causative agent of AIDS) to health care providers without the patient's consent. This bill died on the Assembly floor.

AB 271 (Allen) would have required the Board to submit an annual report to the legislature containing a detailed description of any administrative or enforcement duties it did not complete during the previous year. The Board opposed this bill, which died in committee.

AB 3215 (Jones), as amended August 1, requires the Office of Statewide Health Planning and Development (OSHPD) to develop a comprehensive plan to improve the recruitment of men and women into the nursing profession. AB 3215 also authorizes the OSHPD to make grants and enter into contracts with public and nonprofit private entities to improve nursing recruitment programs. This bill was signed by the Governor (Chapter 887, Statutes of 1988).

AB 3703 (Tucker), as amended June 13, places the regulation of respiratory therapists under BMQA's Division of Allied Health Professions (DAHP). The bill also provides that respiratory care may be performed in settings under a medical doctor's supervision. The Governor signed this bill (Chapter 1396, Statutes of 1988).

AB 4401 (Filante), as amended August 1, provides that a law prohibiting the Department of Health Services from requiring the use of a registered nurse for the performance of any service which may be lawfully performed by a licensed vocational nurse will be repealed on January 1, 1994. This bill also requires a skilled nursing or intermediate care facility to provide an RN for consultational purposes during the hours in which a vocational nurse is used. This bill was signed by the Governor (Chapter 786, Statutes of 1988).

AB 4651 (Killea), as amended August 26, would have required the California Medical Assistance Commission to consider various factors when negotiating contracts under the Medi-Cal program, but was vetoed on September 27.

SB 645 (Royce), as amended August 14, authorizes the DAHP to adopt and administer standards for medical assistant services. This bill also prohibits the employment or use of medical assistants at general acute care hospitals. The Governor signed SB 645 (Chapter 66, Statutes of 1988).

SB 1267 (Maddy), which establishes the California Registered Nurse Education Program, was chaptered on July 5 (Chapter 252, Statutes of 1988).

SB 1552 (Kopp), which requires board regulating health care professionals to consider inclusion of training in the characteristics and treatment of AIDS in specified continuing education requirements, was chaptered on September 22 (Chapter 1213, Statutes of 1988).

SB 1819 (Greene) amends the Unemployment Insurance Code to add certified nurse midwives and nurse practitioners to those health care providers who may legally certify clients for disability benefits related to pregnancy and childbirth. This bill was signed by the Governor (Chapter 191, Statutes of 1988).

AB 1913 (Presley), as amended August 16, requires medical personnel in correctional institutions to tell law enforcement employees when those employees are coming into contact with an inmate with AIDS, AID-related conditions, or is HIV-positive. This bill was signed by the Governor (Chapter 1529, Statutes of 1988).

SB 2423 (Torres), as amended August 30, would have authorized the Department of Health Services to adopt regulations defining the minimum nursing hours per patient in long-term health care facilities, but it died in committee.

SB 2579 (Bergeson), as amended August 30, requires the Department of Health Services to create a statewide integrated perinatal health plan. Certified nurse midwives would be included in the list of perinatal care providers. This bill was signed on September 19 (Chapter 980, Statutes of 1988).

SB 2755 (Royce), as amended June 13, authorizes the Board to appoint a special advisory committee to study the nursing shortage. This committee will report to the Board and to the legislature, and \$280,000 will be appropriated from BRN to carry out the study. The Governor signed this bill (Chapter 1321, Statutes of 1988).

RECENT MEETINGS:

At its July 21-22 meeting in San Francisco, the Board discussed its authority to order a registered nurse to undergo a psychiatric examination if given significant cause under section 820 of the Business and Professions Code. Due to concern voiced about the type of professional who would administer the exam, the matter was referred to the Board's Diversion/Discipline Committee for further review.

FUTURE MEETINGS:

January 19-20 in Los Angeles.
 March 16-17 in Sacramento.
 May 18-19 in San Diego.
 July 20-21 in Oakland.

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:

Citation and Fine Program. Following a June informational hearing and discussion, staff legal counsel is in the process of drafting the proposed language of the Board's citation and fine regulations. (See CRLR Vol. 8, No. 3 (Summer 1988) p. 79 and Vol. 8, No. 1 (Winter 1988) p. 72 for background information.) The draft regulations were scheduled for presentation to the Board at its November meeting. The Board's goal is to adopt a final version and submit it to the Office of Administrative Law by early 1989.

Examination Appeals. At its August 26 meeting, the Board reviewed appeals from its May exam during a closed session. In a subsequent open session, the Board noted that explanations such as "I heard the words but made typos," or "I heard words not spoken" were unconvincing.

Education Committee. At its August meeting, the Board announced its plan to create an Education Committee, which is tentatively expected to include one freelance shorthand reporter, one court reporter, and educators from both public and private schools. The Committee will establish guidelines as to criteria which should be considered by the Board in determining whether a school should retain Board certification.

LEGISLATION:

AB 3216 (Frazee) amends section 2093 of the Code of Civil Procedure, by adding CSRs to the list of those authorized to administer oaths and affirmations. The bill also authorizes CSRs to perform the duties of a deposition officer and to receive fees for services rendered during a deposition. This bill was signed by the Governor (Chapter



REGULATORY AGENCY ACTION

1032, Statutes of 1988).

AB 4693 (Grisham), as amended on August 8, requires BCSR exam applicants to apply to take the exam at least 45 days in advance of the exam. With regard to renewal, reinstatement, or reissuance of a BCSR certificate after its expiration, the bill reduces the previous five-year period to three years after expiration, and requires the holder to return the expired certificate to the Board to obtain a new certificate.

The bill also provides that a certificate may be suspended or revoked for the violation of specified laws governing CSRs, or violation of the Board's regulations. Finally, the bill requires court reporting schools to file a current school catalog with the Board not later than June 30 of each year. This bill was signed by the Governor on September 24 (Chapter 1327, Statutes of 1988).

RECENT MEETINGS:

At its August 27 meeting, the Board considered improving its examination by providing a videotaped dictation section. This would help to regulate the speed of dictation, and ensure that all examinees work under equal conditions. A prototype will be made available within twelve months for school trial. The Board was also informed that additional funding will be required to update the English portion of the examination. These funds will be requested in the next session of the legislature.

Executive Officer Richard Black plans to produce a brochure which will notify potential students of opportunities in the shorthand reporting field. The Board believes this step may alleviate the apparent shortage of CSRs.

Board members decided to visit the California School of Court Reporting in Riverside in November to monitor quality. In February, Board members will inspect Vista Del Mar in Fresno, and Golden State College in Visalia.

FUTURE MEETINGS:

- December 17 in Burlingame.
- February 18 in Los Angeles.
- May 19-20 in San Francisco.
- June 24 in San Diego.

STRUCTURAL PEST CONTROL BOARD

Registrar: Mary Lynn Ferreira
(916) 924-2291

The Structural Pest Control Board (SPCB) licenses structural pest control operators and field representatives. The

latter can function only under a licensed operator and secure pest control work for the operator. Each structural pest control firm is required to have one licensed operator, regardless of the number of branches the firm operates. A licensed field representative can 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 can be licensed in all three branches, but more often will limit the variety of his or her expertise for purposes of efficiency and subcontract out to other firms.

SPCB also issues applicator certificates. These otherwise unlicensed individuals, employed by licensees, are required to take a written exam on pesticide equipment, formulation, application and label directions if they apply pesticides. Such certificates are not transferable from one company to another.

SPCB is comprised of four public and three industry representatives.

MAJOR PROJECTS:

Regulatory Changes. On August 16, the Office of Administrative Law (OAL) disapproved the Board's proposed changes to several of its continuing education regulations (sections 1950, 1950.5, and 1953, Title 16 of the California Code of Regulations). (See CRLR Vol. 8, No. 3 (Summer 1988) p. 80 and Vol. 7, No. 4 (Fall 1987) p. 68 for background information.) OAL rejected the proposed regulatory action because it failed to comply with the necessity and clarity standards in Government Code section 11349.1, and because the rulemaking file did not include a summary and response to each comment made in connection with the rulemaking. The Board plans to modify the proposed regulations and resubmit them to OAL.

On September 19, OAL approved the Board's proposed changes to sections 1948 and 1997 of its regulations. The amendment to section 1948 abolishes the Board's current fees for all of its licenses, renewals, report filings, and examinations, in response to the Board's fiscal surplus created over the past three years. The change to section 1997 abol-

ishes the \$2 stamp fee for stamps which must be included with inspection reports. (See CRLR Vol. 8, No. 3 (Summer 1988) p. 80 for background information.)

LEGISLATION:

The following is a status update on legislation discussed in detail in CRLR Vol. 8, No. 3 (Summer 1988) at page 80:

AB 4274 (Bane) was signed by the Governor on September 21 (Chapter 1184, Statutes of 1988). As amended June 9, this measure alters inspection requirements for structural pest control companies with respect to the contents of structural inspection reports. This bill requires that upon request, each recommendation for corrective action must independently state the conditions causing infestation. The bill also requires, under specified circumstances, that a bid or estimate must be given for each corrective action recommended.

SB 2610 (Montoya) died in the Business and Professions Committee. It would have required, on and after July 1, 1989, that registered companies provide a written notice, on a Board-approved form, to parties requesting pest inspections. This notice would provide the party with information regarding conditions likely to cause infestation.

AB 3059 (Areias), also pertaining to inspection report requirements, was withdrawn at the request of its author.

FUTURE MEETINGS:

- December 10 in Sacramento.
- February 25 in Universal City.

TAX PREPARER PROGRAM

Administrator: Don Procida
(916) 324-4977

Enacted in 1973, abolished in 1982, and reenacted by SB 1453 (Presley) effective January 31, 1983, the Tax Preparer Program registers commercial tax preparers and tax interviewers in California.

Registrants must be at least eighteen years old, have a high school diploma or pass an equivalency exam, have completed sixty hours of instruction in basic personal income tax law, theory and practice within the previous eighteen months or have at least two years' experience equivalent to that instruction. Twenty hours of continuing education are required each year.

Prior to registration, tax preparers must deposit a bond or cash in the amount of \$2,000 with the Department