



"the county issues about 65,000 burial permits annually and does not attempt to determine whether the physician's signature is legitimate...." (See agency report on CEMETERY BOARD, CRLR Vol. 7, No. 2 (Spring 1987) p. 43 for an example of a funeral establishment employee's forgery of a physician's signature on a death certificate.)

The report also revealed that in 15% of cases sampled, death certificates were not signed by the attending physicians within fifteen hours after the death, as is required by section 10204 of the Health and Safety Code. In addition, physicians are required to deposit the certificate at the place of death, or deliver it to the attending funeral director at his place of business. Failure to comply with these statutes is a misdemeanor, under section 10677 of the Health and Safety Code. However, physicians are rarely prosecuted for violating section 10677 because infractions carry only a \$10 fine; each subsequent offense carries a fine of not less than \$50, or imprisonment in the county jail for not more than sixty days, or both.

Upon review of Eng's report in early January, the County Coroner's Office and DHS expressed general agreement with the recommendations. On February 9, the Los Angeles County Board of Supervisors adopted the report's recommendations.

The county audit was requested in response to a story in the *Los Angeles Times* last September, which quoted a night supervisor at a Los Angeles funeral home as saying that death certificates were routinely altered there, and that some certificates were thrown away and physicians' signatures forged on new ones to avoid delays in funeral services or avert the expense of legally mandated coroner's reviews. The *Times* stated that in some cases "[p]hysicians reported that their signatures had been forged by [the funeral home's] employees before the certificates were filed with county health authorities." At the request of the county coroner's office, DHS investigated the charges. The findings of that investigation are currently in the hands of the Los Angeles County District Attorney's Office.

#### LEGISLATION:

*SB 89 (Boatwright)*, which would have repealed the statutes creating the Cemetery Board, transferred that Board's powers and duties to the Board of Funeral Directors and Embalmers, and increased the membership of the Funeral Board by adding a cemetery industry

representative, has been dropped by its author. (See CRLR Vol. 7, No. 3 (Summer 1987) pp. 62 and 70 for further information.)

*SB 2359 (Roberti)*, as introduced on February 18, would authorize health officials to issue burial permits to funeral directors, even if there are "non-material errors" on death certificates, such as incorrect birth dates and marital status, allowing mistakes or omissions to be corrected later. The bill would also allow doctors to authorize employees, such as office nurses, to sign death certificates.

State Registrar David Mitchell, whose office is responsible for death certificates, opposes a major part of the proposed legislation, saying that it would be "a serious step backward." At this writing, SB 2359 is pending in the Senate Judiciary Committee.

#### FUTURE MEETINGS:

June 23 in Monterey.

#### BOARD OF REGISTRATION FOR GEOLOGISTS AND GEOPHYSICISTS

*Executive Officer: John W. Wolfe (916) 445-1920*

The Board of Registration for Geologists and Geophysicists (BRGG) was created by statute in 1969. This eight-member Board licenses geologists and geophysicists and certifies engineering geologists. These designations are determined by examinations administered twice each year. The Board also has the power to discipline licensees who act in violation of the Board's licensing statutes. The Board may issue a citation to licensees or unlicensed persons for violations of Board rules. These citations may be accompanied by an administrative fine of up to \$2,500.

The Board is composed of five public members and three professional members. BRGG's staff consists of two full-time employees (Executive Officer John Wolfe and his secretary) and two part-time personnel. The Board's committees include the Professional Practices, Legislative, and Examination Committees. BRGG is funded by the fees it generates. The 1987 budget bill increased the Board's budget by \$1,000, bringing its current total to \$219,000.

#### MAJOR PROJECTS:

*Regulatory Changes.* On April 4, BRGG was scheduled to hold a public hearing on proposed regulatory changes to section 3031, Title 16 of the Cali-

fornia Code of Regulations, which specifies the requirements an applicant must meet in order to qualify to take the geological licensing examination. Generally, applicants must have completed at least seven years of education and work experience in professional geological work. The proposed changes would delete the current four-year limitation on credit which may be given for undergraduate study, graduate study or research, or teaching in meeting the seven-year requirement. The proposed changes also provide that an applicant would not be eligible to earn credit for supervised professional geological and/or geophysical work until completion of all basic educational requirements set forth in section 7841(b) of the Business and Professions Code.

#### LEGISLATION:

*SB 87 (Boatwright)*, as amended January 12, would have abolished the BRGG and transferred the licensing of persons engaging in geology and geophysics to the Board of Landscape Architects. However, SB 87 died in committee.

#### RECENT MEETINGS:

At BRGG's January 12 meeting in Los Angeles, drafts of the revised Guidelines for Groundwater Investigation Reports and Geologic Guidelines for Earthquake and/or Fault Hazard Reports were distributed to Board members for their review. The Professional Practices Committee is in the process of updating these reports, which are intended to be used as guidelines, and removing those items which would be considered standards.

At Board member James Weddle's request, the Board discussed the possibility of requiring licensees to complete certain continuing education requirements. Board member Joseph Crosby suggested that letters be sent to the affected professional associations requesting their reactions to the proposed addition of such a requirement.

Department of Consumer Affairs attorney Barbara King replaced Don Chang as legal counsel for BRGG.

Also at its January meeting, the Board discussed the status of SB 87 (previously SB 86). Board President Howard Spellman and Executive Officer John Wolfe attended the interim hearing of the Senate Business and Professions Committee in Palm Springs on December 7. Howard Spellman and James Weddle sent letters expressing opposition to the bill to Senator Montoya.



**FUTURE MEETINGS:**  
To be announced.

## **BOARD OF GUIDE DOGS FOR THE BLIND**

*Executive Officer: Manuel Urena  
(916) 445-9040*

The Board of Guide Dogs for the Blind has three primary functions. The Board protects the blind guide dog user by licensing instructors and schools to ensure that they possess certain minimum qualifications. The Board also enforces standards of performance and conduct of these licensees as established by law. Finally, the Board polices unlicensed practice.

There are three guide dog schools in California. These schools train the blind in the use of guide dogs. Each school also trains its own dogs. Each blind person is then matched with a dog using factors such as size and temperament. To provide this specialized service, the schools must have special facilities, which are inspected by the Board members as needed.

The Board consists of seven members, two of whom must be dog users (Business and Professions Code section 7200).

### **LEGISLATION:**

*SB 2229 (Marks)* would require the Board to conduct a study on the issue of expansion of the jurisdiction of the Board to include signal dogs for the deaf and hearing impaired, and service dogs for the physically disabled. The Board would be required to complete this study and report to the legislature on or before December 1, 1989. *SB 2229* would also rename the Board as the "Board of Assistance Dogs for the Disabled." The bill is pending in the Senate Business and Professions Committee; at this writing, no hearing date has been scheduled.

*SB 90 (Boatwright)*, a two-year bill which would have transferred the Board's powers and duties to the Department of Rehabilitation, died in committee.

### **RECENT MEETINGS:**

At its February 26-27 meeting in Palm Springs, the Board tabled discussion of *SB 2229*. The Board's discussion focused on the problem of defining the terms "signal dogs," "service dogs," and "physically handicapped." The Board plans to look to other jurisdictions to determine whether these terms have been defined. The Board also voiced opinion

that mentally handicapped persons should not be covered by this legislation. The Board took no action and will discuss the issue at a future meeting.

**FUTURE MEETINGS:**  
To be announced.

## **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.

Governor Deukmejian recently appointed Raymond G. Curry to serve on the Bureau's Advisory Board as an industry member. Curry is president and general manager of Curry's Home Furnishings in Sacramento. He replaces William D. Campbell of Laguna Beach, who resigned.

### **MAJOR PROJECTS:**

*Waterbed Regulations.* In its ongoing effort to review waterbed regulations, Bureau staff met in late March with representatives of the waterbed industry to discuss industry recommendations. According to Bureau Chief Gordon Damant, the review is now focused on changes in technology and on the structural integrity of waterbed units, neither of which are addressed by existing regulations.

Of special concern to the Bureau and industry alike are the various chemicals sold by waterbed retailers, such as

cleaning solutions and algae retardants. At present, the Bureau does not regulate these chemicals. The Bureau is concerned that many manufacturers do not use child-proof caps on these toxic products. The Bureau has also been alerted to possible misrepresentations in the sale of the chemicals. For example, the Bureau has heard allegations that some products are simply colored water. On this issue, the Bureau is trying to determine whether it has jurisdiction to regulate these chemical products. The applicable statute authorizes the Bureau to regulate any waterbed "component." However, the Bureau is unsure whether the chemicals qualify as components, and may have to seek clarification from the legislature.

As for structural integrity regulations, the Bureau is reviewing industry recommendations on framing and other materials standards. According to Chief Damant, there has always been concern about the great weight of waterbeds, and the Bureau's regulations should reflect this concern, especially with recent allegations of poor plywood construction.

The Bureau is also working on revised regulations for waterbed heaters, and estimates August 1988 hearing dates for all proposed waterbed regulations. (For additional information, see *CRLR Vol. 8, No. 1 (Winter 1988) p. 56* and *Vol. 7, No. 2 (Spring 1987) p. 52*.)

*Other Regulatory Activities.* The Bureau projects May 1988 hearing dates for regulations to establish flammability standards for seating in high-risk occupancy and public buildings. (See *CRLR Vol. 8, No. 1 (Winter 1988) p. 56*.) Hearings for revised regulations pertaining to insulation material standards are proposed for July 1988. (See *CRLR Vol. 7, No. 3 (Summer 1987) p. 73*.) The Bureau is also preparing to propose new license fees for home furnishing licensees, and hopes to schedule a hearing on the proposal during May 1988.

At this writing, the Bureau has not yet published any of its proposed regulations in the *Notice Register*.

*Disciplinary Actions.* Business and Professions Code section 19208 provides for "formal office hearings," whereby the Bureau chief may call in a licensee to discuss what appears to be a serious violation of law, to give the licensee an opportunity to show why the violation occurred and how the problem should be resolved. If the hearing does not result in a concurrent agreement for the resolution of the problem, more formal disciplinary action will be taken.