



RECENT MEETINGS:

At the November 13 meeting, Board member Jack Thomas reported on his recent attendance at the California Consumer Affairs Conference. Thomas felt that the conference was very beneficial and encouraged other Board members to attend the conference in the future.

A public information update was given by Joe Valencia which included presentation of a video entitled *Write it Right*, which has been prepared by the Bureau to provide information to mechanics and consumers on the requirements of the Auto Repair Act. The video is available from the Bureau for a nominal fee.

Valencia also updated the Board on the status of Smog Check Program implementation in San Joaquin County. (See CRLR Vol. 7, No. 4 (Fall 1987) p. 40.) The Bureau is in the process of accepting bids from public relations firms to make public awareness presentations; beginning in March, residents of San Joaquin will be notified of the new program.

FUTURE MEETINGS:

To be announced.

BOARD OF BARBER EXAMINERS

Executive Officer: Lorna P. Hill
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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:

Regulatory Changes. The Board was scheduled to conduct a hearing on January 25 in Sacramento on proposed changes to Chapter 3, Title 16 of the California Administrative Code. Some of the proposed changes are technical in nature and correct specific statutory citations in the text and/or accompanying authority and reference notes of various provisions. Other technical changes involve the renumbering of some regulations to facilitate the creation of a new Article 3.5, pertaining to examinations.

The substantive changes proposed by BBE include amendment of existing sections 203.2 (examination appeal), 213 (uniforms during college hours), 213.1 (labels on bottles and containers), 214 (attendance), 214.1 (transfers), 216.1 (records), 217.1 (new course of instruction), 219.2 (barber students: 400-hour courses), 219.3 (instructor training program), 224 (display of shop license and certificates), 224.1 (premises for practice of barbering), 224.3 (leasing and rental agreements), and 236.1 (charge for dishonored checks).

Also proposed are amendments to sections 242 (seminars), 246.3 (attendance: changes in employment), 247 (approval of apprentice training: training requirements), and 300 (administrative fines), as well as repeal of all regulations currently contained in Article 4.5 (educable mentally retarded program). The Board has noted that since the enactment of Article 4.5 in 1971, no mentally retarded person has made an application through the provisions of that article.

Finally, BBE proposes the addition of a number of new regulations, including section 203.3 (conditional credit on examination), 203.5 (abandonment of applications), 204.2 (student enrollments), 229 (model standards), and 242.1 (inactive instructor license).

LEGISLATION:

SB 1388 (Montoya) and *SB 1179 (Maddy)*, each offering a different approach to merger of the barber and cosmetology licensing programs, were discussed at an interim hearing before the Senate Business and Professions Committee in Palm Springs on December 8. BBE presented testimony at the hearing on SB 1179. (For background information on these measures and the issues they address, see CRLR Vol. 7, No. 3 (Summer 1987) p. 68; Vol. 7, No. 2 (Spring 1987) pp. 40-41; and Vol. 7, No. 1 (Winter 1987) p. 1.)

SB 1234 (Montoya) was incorrectly reported in the previous issue of the *Reporter* (CRLR Vol. 7, No. 4 (Fall 1987) at p. 41) as affecting BBE's Student Security Fund. In fact, all language in the measure which pertained to BBE or the Fund was amended out of the bill. As chaptered, SB 1234 related only to the Board of Cosmetology. We apologize for the error.

FUTURE MEETINGS:

To be announced.

BOARD OF BEHAVIORAL SCIENCE EXAMINERS

Executive Officer: Kathleen Callanan
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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:

Exam Appeal Regulations. The Board continues to discuss the need for exam appeal regulations. (See CRLR Vol. 7, No. 4 (Fall 1987) p. 42 for background information.) As of this writing, the Exam Committee has not yet drafted any specific language for the regulations, which were scheduled for further discussion at the Board's February 19 meeting.

Regulatory Determination Decision. On December 4, the Office of Administrative Law (OAL) issued a regulatory determination concerning a challenged BBSE rule. The subject of the determination was a letter mailed to all MFCCs and LCSWs on January 6, 1987, which contained "Proposed Regulations for Completed Coursework or Training in Child Abuse Assessment and Reporting." The letter stated that as a prerequisite to renewal of their licenses, MFCCs and LCSWs would have to comply with section 28 of the Business and Professions Code and section 1807.2, Title 16 of the California Administrative Code, both of which address required training in child abuse assessment and reporting.

The legislature added section 28 to the Business and Professions Code, effective January 1, 1986 (Chapter 844, Statutes of 1986). Specifically, the law requires training in the area of child abuse assessment and reporting for all persons applying after January 1, 1987 for an original license or renewal of a license as an MFCC or LCSW.

The basis of the challenge, as contained in a request for determination initiated in March 1987 by Ruth H. Gordon, MFCC, was that the language cited as "section 1807.2" in the BBSE letter had not been formally adopted by the Board or approved by OAL as of