



same disciplinary procedures and stricter procedures overall. A central data control system would also help in circulating disciplinary information. The Task Force is also considering the creation of a single disciplinary group to deal with this problem.

RECENT MEETINGS:

At its November 14 meeting in Sacramento, the Board voted to use the American Association of Social Workers' national exam for licensing. However, an increase in examination fees is necessary. Therefore, the Board directed its Legislative Committee to seek legislative authority to raise exam fees.

The Ethics Committee created a subcommittee to review the Board's disciplinary guidelines with the assistance of legal counsel. The subcommittee will compare BBSE's guidelines to those of the Board of Medical Quality Assurance, the Psychology Examining Committee, and the Board of Registered Nursing, and is open to suggestions for improvement.

The Executive Officer reported on past LCSW and MFCC exam statistics. The upcoming calendar of MFCC exams was also reviewed. Administrative problems regarding security, proctoring, and securing a site for the exams were discussed.

The Credentials Qualifications Committee continues to be concerned about tutorial programs which take the place of regular graduate work. The Board is concerned about a strong reliance on bibliographies, some of which may be obsolete; the tutor selection process; and inadequate information about the educational background of transfer students. A liaison subcommittee is being created to work with the Department of Education to resolve these concerns.

FUTURE MEETINGS:

March 27 in San Francisco.

CEMETERY BOARD

Executive Officer: John Gill
(916) 920-6078

In addition to cemeteries, the Cemetery Board licenses cemetery brokers, salespersons and crematories. Religious cemeteries, public cemeteries and private cemeteries established before 1939 which are less than ten acres in size are all exempt from Board regulation.

Because of these broad exemptions, the Cemetery Board licenses only about 185 cemeteries. It also licenses approxi-

mately 25 crematories and 1,400 brokers and salespersons. A license as a broker or salesperson is issued if the candidate passes an examination testing knowledge of the English language and elementary arithmetic, and demonstrates a fair understanding of the cemetery business.

MAJOR PROJECTS:

Investigation. The Board's ongoing investigation of practices of Union Cemetery Association in Bakersfield continues. (See CRLR Vol. 6, No. 4 (Fall 1986) p. 31.) At its most recent meeting on December 3, the Board requested that its field investigator conduct an onsite inspection of Union Cemetery to assure its compliance with the Board's remedial directives. (See also CRLR Vol. 6, No. 2 (Spring 1986) p. 37.)

Fee Reduction. The Board, pursuant to legal counsel Anita Scuri's suggestion, passed a motion to adopt fee reduction by regulation. The reduction in fees is scheduled to become effective April 1, 1987. (See CRLR Vol. 6, No. 3 (Summer 1986) p. 24 and CRLR Vol. 6, No. 4 (Fall 1986) p. 31 for further information.)

LEGISLATION:

SB 89 (Boatwright), introduced December 12, would repeal the statutes creating the Cemetery Board, transfer the Board's powers and duties to the Board of Funeral Directors and Embalmers, and increase the membership of that board by adding a cemetery industry representative.

RECENT MEETINGS:

At its December 3 meeting, the Board reviewed two applications for Certificates of Authority. The Board continued one application and approved the other. The Board also reviewed six applications for a cemetery broker's license, denying one, approving four, and continuing one application.

Ms. Scuri drafted legislation authorizing disciplinary action against any Board licensee or registrant for unprofessional conduct. Unprofessional conduct will include, among other things, incompetence and negligence. At the December meeting, however, Board industry members voiced concern over the vagueness of the proposed legislation's definitions of negligence and incompetence. The Board moved to re-refer the item to the subcommittee composed of Board members Cuffie Joslin and Frank Haswell. (See CRLR Vol. 6, No. 4 (Fall 1986) p. 31.)

FUTURE MEETINGS:

To be announced.

BUREAU OF COLLECTION AND INVESTIGATIVE SERVICES

Chief: Gary Kern
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The Bureau of Collection and Investigative Services is one of over forty separate regulatory agencies within the Department of Consumer Affairs. The chief of the Bureau is directly responsible to the director of the Department.

The Bureau regulates the practices of collection agencies in California. Collection agencies are businesses that collect debts owed to others. The responsibility of the Bureau in regulating collection agencies is two-fold: (1) to protect the consumer/debtor from false, deceptive and abusive practices and (2) to protect businesses which refer accounts for collection from financial loss.

In addition, seven other industries are regulated by the Bureau: private security services (security guards and private patrol operators), repossession, private investigators, alarm company operators, protection dog operators, medical provider consultants and security guard training facilities.

Private Security Services. Private security services encompass those who provide protection for persons and/or property in accordance with a contractual agreement. The types of services provided include private street patrols, security guards, watchpeople, body guards, store detectives and escort services. Any individual employed for these services is required to register with the Bureau as a security guard. Any security guard who carries a firearm on the job must possess a firearm permit issued by the Bureau. The Bureau operates to protect consumers from guards who unlawfully detain, conduct illegal searches, exert undue force and use their authority to intimidate and harass.

Repossession. Repossession agencies repossess personal property on behalf of a credit grantor when a consumer defaults on a conditional sales contract which contains a repossession clause. The Bureau functions to protect consumers from unethical methods of repossessing personal property, such as physical abuse resulting in bodily harm, threats of violence, illegal entry onto private property and misrepresentation in order to obtain property or information about property.

Private Investigators. Private investigators conduct investigations for private individuals, businesses, attorneys, insurance companies and public



agencies. The scope of their job generally falls within the areas of civil, criminal and domestic investigations. The Bureau oversees private investigators to protect consumers and clients against investigators who misrepresent, impersonate or make threats in order to obtain desired information; perform inadequate or incompetent investigations; fail to substantiate charges or charge more than the amount agreed upon; and alter, falsify or create evidence.

Alarm Industry. Alarm company operators install, service, maintain, monitor and respond to burglar alarms. These services are provided to both private individuals, businesses and public entities. The Bureau regulates this industry in order to protect clients from potential theft or burglary, invasion of privacy or misrepresentation by alarm companies and failure on their part to render service as agreed.

Protection Dog Operators. Protection dog operators train, lease and sell dogs for personal and/or property protection. They also provide patrol services using trained dogs. These services are employed by private individuals, business entities and law enforcement agencies. The Bureau serves to protect against possible violations in this industry, such as inadequately trained or physically abused dogs, overcharges for services, invasions of privacy or potential theft or burglary of property.

Medical Provider Consultants. Medical provider consultants are contract collectors who provide in-house collection services to medical facilities. They contact insurance companies and/or patients to try to collect on medical debts on behalf of the medical provider. Nevertheless, consultants cannot themselves collect on delinquent debts. Instead, they must turn the debt over to an independent, licensed collection agency in order to avoid any conflict of interest.

Security Guard Training Facilities. These facilities provide necessary training for those desiring to become security guards. Training is given in legal procedures, public safety, minimum standards and professional conduct. Firearm training is especially important for those guards who will carry a firearm on the job. Upon completion of training, guards must pass an exam before they can be registered.

The purpose of the Bureau is to protect the health, welfare and safety of those affected by these industries. To accomplish this, the Bureau regulates and reviews these industries by its licensing procedures and by the adoption and

enforcement of regulations. For example, the Bureau reviews all complaints for possible violations and takes disciplinary action when violations are found. The Bureau's primary method of regulating, however, is through the issuance or denial of initial/renewal license or registration applications. Education is also utilized to assist in achieving Bureau goals.

Consumers and clients may pursue civil remedies to resolve complaints and disputes currently within the regulatory authority of the Bureau. In addition, class action suits may be filed on behalf of consumers by the Attorney General's office and local district attorneys against businesses which engage in repetitive unethical business practices.

MAJOR PROJECTS:

Regulatory Changes. At its October 3 meeting, the Collection Agency Advisory Board gave formal consideration to the first of several packages of proposed changes to the Bureau's regulations, which appear at Chapter 7, Title 16, of the California Administrative Code. The Advisory Board endorsed those modifications relevant to collection licensees.

On November 21, the 45-day notice and comment period required by the Administrative Procedure Act began on the proposed changes. The changes, largely affecting the Bureau's general regulatory provisions, are intended to standardize, clarify and or simplify licensing laws governing various Bureau programs, including programs administered under the Collection, Repossessors, Private Investigators, and Alarm Company acts.

The Bureau conducted a formal hearing in Sacramento on January 5 at which testimony was received regarding the proposed regulatory changes. All major industries affected were represented at the hearing, which marked the end of the public comment period. The Bureau intends to submit four packages of proposed changes to the Office of Administrative Law for formal review during February.

RECENT MEETINGS:

Other agenda items at the Collection Agency Board's October meeting included another review of the conservatorship process. Board member Robert Morris described the proposal that a consultant position be established as an intermediary step between discovery of a problem within an agency and appointment of a conservator. (See CRLR Vol. 6, No. 4 (Fall 1986) p. 32.) The Board agreed that such a consultant should

possess industry background and experience. The Bureau is investigating a similar program currently being used by the Board of Examiners in Veterinary Medicine.

Board and industry members also discussed unlicensed precollection activity. If Business and Professions Code section 6853 applies to all companies providing billing, letter, and precollection services, those companies must be licensed and must comply with state regulations. In order to eliminate confusion regarding the scope of section 6853 with regard to precollection activities and permissible activities under the statute, the Board intends to obtain a legal opinion on the interpretation of the statute. In the meantime, industry members have been asked to draft specific language for a proposed amendment to this section, such that it applies only to services involving third-party collection.

FUTURE MEETINGS:

To be announced.

CONTRACTORS STATE LICENSE BOARD

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The Contractors State License Board (CSLB) licenses contractors to work in California, handles consumer complaints, and enforces existing laws pertaining to contractors.

The thirteen-member Board, consisting of seven public members, five contractors and one labor member, generally meets every other month. The Board maintains four committees: legislative, which monitors legislation affecting the Board; enforcement, which oversees enforcement of existing rules and regulations, including licensing requirements; licensing, which oversees the Board's licensing procedures; and administration/public information/liaison, which oversees the Board's operations and public contact. Committees meet monthly, making recommendations to the full Board for requested action.

MAJOR PROJECTS:

Field Automation. CSLB investigates consumer complaints through 21 field offices located throughout the state employing 91 deputy registrars. CSLB is currently automating these field offices in order to keep and disseminate more up-to-date information concerning contractors' licensing. The field offices have either been connected to the Field