



**Legislative and Regulatory Committee
Meeting Minutes**

Thursday, August 11, 2011

1625 North Market Blvd., 1st Floor Hearing Room, S-102
Sacramento, CA 95834

Members Present:

Fran Burton, Public Member, Chair
Stephen Casagrande, DDS, Vice Chair
Steven Afriat, Public Member
Luis Dominicis, DDS
Huong Le, DDS
Steven Morrow, DDS

Members Absent:

Suzanne McCormick, DDS

Staff Present:

Richard DeCuir, Executive Officer
Kim A. Trefry, Enforcement Chief
Karen Fischer, Licensing Analyst
Sarah Wallace, Legislative and Regulatory Analyst
Linda Byers, Executive Assistant
Kristy Shellans, DCA Senior Staff Counsel
Greg Salute, Deputy Attorney General

Roll Call and Establishment Of Quorum:

Chair Fran Burton called the meeting to order at 4:58 p.m. and established a quorum.

LEG 1 – Approval of the May 19, 2011 Legislative and Regulatory Committee Meeting Minutes:

M/S/C (Morrow/Afriat) to approve the May 19, 2011 Legislative and Regulatory Committee meeting minutes. The motion passed unanimously.

LEG 2 – 2011 Tentative Legislative Calendar – Information Only:

The Committee reviewed the 2011 Legislative Calendar, and Chair Burton noted that the Legislature will reconvene from summer recess on August 15th and the last day for fiscal committees to meet and report bills to the floor is August 26th.

LEG 3 – Discussion and Possible Action on the Following Legislation:

AB 127 (Logue) Regulations: effective date. The Committee decided to hold any discussion regarding AB 127 (Logue) because it is designated as a two-year bill and will not be taken up again in the Legislature until early 2012. This bill would require a regulation or an order of appeal to become effective on January 1 next following a 90-day period after filing with the Secretary of State. Currently, regulations become effective following a 30-day period after filing with the Secretary of State. The Committee and the Board took a “watch” position on AB 127 at the May 2011 meeting. The Committee did not take action.

AB 991 (Olsen) State government: licenses: California Licensing and Permit Center. The Committee decided to hold any discussion regarding AB 991 (Olsen) because it is designated as a two-year bill and will not be taken up again in the Legislature until early 2012. This bill would establish the California Licensing and Permit Center to assist the public with licensing, permitting, and registration requirements of all state agencies. The Committee and the Board took a “watch” position on AB 991 at the May 2011 meeting. The Committee did not take action.

AB 1088 (Eng) State agencies: collection of demographic data. This bill will require state agencies to update survey forms to use separate collection categories for other identified Asian, Native Hawaiian, and Pacific Islander groups. This bill will affect the Dental Board of California, the Medical Board of California and the Dental Hygiene Committee of California, as these agencies are currently collecting demographic data via surveys. This bill will not affect the revenues of these agencies and the expected fiscal impact is minor and absorbable. The Committee and the Board took a “watch” position on AB 1088 at the May 2011 meeting. The Committee did not take action to recommend changing the position of the Board regarding this bill

AB 1424 (Perea) Franchise Tax Board: delinquent tax debt. This bill was hand carried to the meeting as staff became aware of its amendments after the meeting was noticed. This bill would require Franchise Tax Board (FTB) to update the Top 500 tax debtor list at least twice a year and would require FTB to submit a certified list of tax debtors appearing on the Top 500 list to state governmental licensing agencies. This bill provides for the suspension of licensure for a licensee who is listed on FTB’s Top 500 tax debtors until all taxes are paid. M/S/C (Casagrande/Afriat) to recommend the Board take a “watch” position on AB1424.

SB 103 (Liu) State government: meetings. This bill would make changes to the provisions of the Bagley-Keene Open Meeting Act. Most notably, this bill would provide that any member of a state body may request that a meeting be held by teleconference. It was noted that the California Board of Accountancy that should the bill pass, it would be possible for a member of a state body to abuse the privilege and never attend a meeting in person. The Committee discussed the importance of government transparency and human interaction at Board meetings. The Committee and the Board took a “watch” position on SB 103 at the February 2011 meeting. The Committee did not take action to recommend changing the Board’s position regarding this bill.

SB 540 (Price) Dentistry. This bill was not discussed during the Committee meeting because it was placed on the agenda to be discussed as a full board item.

SB 541 (Price) Regulatory boards: expert consultants. This bill is an urgency measure that would authorize any board, within the Department of Consumer Affairs, the State Board of Chiropractic Examiners, and the Osteopathic Medical Board of California to enter into an agreement with subject matter expert and for the agreement to be exempt from the State Contract Act. The Committee and the Board took a “support” position on SB 544 at the February 2011 meeting. The Committee did not take action to recommend changing the Board’s position regarding this bill

SB 544 (Price) Professions and vocations: regulatory boards. This bill was not discussed during the Committee meeting because it was placed on the agenda to be discussed as a full board item.

SB 694 (Padilla) Dental care. The Committee decided to hold any discussion regarding 694 (Padilla) because it is designated as a two-year bill and will not be taken up again in the Legislature until early 2012. This bill would require the Director of the Department of Consumer Affairs and the Dental Board of California to convene a working group to conduct an analysis of the dental care needs of California. The Committee and the Board took a “watch” position on SB 694 at the February 2011 meeting. The Committee did not take action.

SB 943 (Committee on Business, Professions and Economic Development) Healing Arts. This bill is one of three omnibus bills authored by the Senate Business, Professions, and Economic Development Committee and non-controversial changes to update the provisions of some of the healing arts boards. This bill does not change the provisions of the Dental Board of California but does contain changes to the provisions of the Dental Hygiene Committee of California. The Committee did not take a position on this bill

Public Comment:

There was no additional public comment.

Adjournment :

The meeting adjourned at 5:11 p.m.