

2023 LEGISLATIVE ADVISORY

The Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board (Board) would like to notify you of legislative changes that may impact your practice and/or the profession. Unless otherwise specified, these changes are effective January 1, 2024.

[AB 567 \(Ting\)](#) Criminal records: relief.

Status: Chapter 444, Statutes of 2023

Summary: This bill would require the Department of Justice (DOJ) to provide confirmation that a conviction record relief was granted upon request from the subject of the record starting July 1, 2024.

Impact on Licensees: Licensees eligible for automatic conviction record relief can request confirmation that the relief was granted from the DOJ starting July 1, 2024

[AB 883 \(Mathis\)](#) Business licenses: United States Department of Defense SkillBridge program.

Status: Chapter 348, Statutes of 2023

Summary: This bill would additionally require the Board to expedite the licensure process for an applicant who supplies evidence to the Board that the applicant is an active duty member of a regular component of the Armed Forces of the United States enrolled in the United States Department of Defense SkillBridge program, and permit the Board to assist the applicant in the initial licensure process starting July 1, 2024.

Impact on Licensees: No impact on licensees. The Board will be required to expedite the initial licensure process for applicants who provide evidence to the Board that they are an active duty member of a regular component of the Armed Forces of the United States enrolled in the United States Department of Defense SkillBridge program starting July 1, 2024.

[AB 1417 \(Wood\)](#) Elder and dependent adult abuse: mandated reporting.

Status: Chapter 580, Statutes of 2023

Summary: This bill would amend and reorganize some of the mandated reporting of elder or dependent adult abuse in a long-term care facility, and make conforming changes to related provisions. The bill would require mandated reporter to submit a written report to the local law enforcement agency, the long-term care ombudsperson and the corresponding state agency within 24 hours if the abuse occurred in a long-term facility and the abuse was caused by another resident of the facility with dementia diagnosed by a licensed physician where there was no serious bodily injury. The bill would require mandated reporter to submit a verbal report to the local law enforcement agency immediately or as soon as practically possible, but no longer than 2 hours, and a

written report to the local law enforcement agency, the long-term care, ombudsperson, and the corresponding state agency within 24 hours if the abuse occurred in a long-term facility in all other instances. The bill would specify the time limit for reporting beginning when the mandated reporter observes, obtains knowledge of, or suspects the abuse or neglect.

Impact on Licensees: Licensees who are mandated reporter in a long-term care facility shall submit a written report to the local law enforcement agency, the long-term care, ombudsperson, and the corresponding state agency within 24 hours if the abuse occurred in a long-term facility and the abuse was caused by another resident of the facility with dementia diagnosed by a licensed physician where no serious bodily injury. Mandated reporters shall submit a verbal report to the local law enforcement agency immediately or as soon as practically possible, but no longer than 2 hours, and a written report to the local law enforcement agency, the long-term care, ombudsperson, and the corresponding state agency within 24 hours if the abuse occurred in a long-term facility in all other instances. The time of reporting begins when the mandated reporter observes, obtains knowledge of, or suspects the abuse or neglect.

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[AB 1707 \(Pacheco\)](#) Health professionals and facilities: adverse actions based on another state's law.

Status: Chapter 258, Statutes of 2023

Summary: This bill would prohibit the Board from denying an application for a license or imposing discipline upon a licensee or health care practitioner on the basis of a civil judgment, criminal conviction, or disciplinary action in another state if it is based solely on the application of another state's law that interferes with a person's right to receive sensitive services as defined in Civil Code Section 56.05 that would be lawful if provided in this state. The bill would prohibit a health facility from denying staff privileges to, removing from medical staff, or restricting the staff privileges of a licensed healing arts professional on the basis of such a civil judgment, criminal conviction, or disciplinary action in another state. The bill would not apply to a civil judgment, criminal conviction, or disciplinary action imposed in another state for which a similar claim, charge, or action would exist against an applicant, licensee, or health care practitioner under the laws of this state.

Impact on Licensees: Licensees will not be disciplined by the Board for civil judgment, criminal conviction, or disciplinary action in another state that interferes with a person's right to receive sensitive services as defined in Civil Code Section 56.05 that would be lawful if provided in this state. This excludes a civil judgment, criminal conviction, or disciplinary action imposed in another state for which a similar claim, charge, or action would exist under the laws of this state. The Board will not be able to deny an application for such a civil judgment, criminal conviction, or disciplinary action.

[SB 259 \(Seyarto\)](#) Reports submitted to legislative committees.

Status: Chapter 148, Statutes of 2023

Summary: This bill would additionally require the Board to post on its website any report identified in the Legislative Analyst's Supplemental Report of the Budget Act and include committees of the Legislature as a recipient of any required report.

Impact on Licensees: No impact on licensees. The Board will be required to post on its website any reports identified in the Legislative Analyst's Supplemental Report of the Budget Act and include committees of the Legislature as a recipient of any required report.

[SB 345 \(Skinner\)](#) Health care services: legally protected health care activities.

Status: Chapter 260, Statutes of 2023

Summary: This bill would prohibit the Board from denying an application for a license or imposing discipline upon a licensee or health care practitioner based solely on the application of another state's law that interferes with a person's right to receive sensitive services as defined in Civil Code Section 56.05. The bill would not apply to a civil judgment, criminal conviction, or disciplinary action imposed in another state for which a similar claim, charge, or action would exist against an applicant, licensee, or health care practitioner under the laws of this state. This bill would prohibit the Board from imposing discipline upon a licensee or health care practitioner based solely on the basis they

performed, recommended, or provided legally protected health care activity as defined in Civil Code Section 1798.300 to a patient who resides in a state in which such activity is illegal. The bill defines a “legally protected health care activity” to mean specified acts, including exercising rights related to reproductive or gender-affirming health care services secured by the Constitution or laws of California or the provision of insurance coverage for those services.

Impact on Licensees: Licensees will not be disciplined by the Board for civil judgment, criminal conviction, or disciplinary action in another state that interferes with a person’s right to receive sensitive services as defined in the Civil Code Section 56.05 that would be lawful if provided in this state. Licensees will also not be disciplined by the Board for performing, recommending, or providing legally protected health care activity as defined in Civil Code Section 1798.300 that is illegal in the state the patient resides. This excludes a civil judgment, criminal conviction, or disciplinary action imposed in another state for which a similar claim, charge, or action would exist under the laws of this state. The Board will not be able to deny an application for such civil judgment, criminal conviction, or disciplinary action

SB 372 (Menjivar) Department of Consumer Affairs: licensee and registrant records: name and gender changes.

Status: Chapter 225, Statutes of 2023

Summary: This bill would require the Board to update a licensee’s or registrant’s license and any references to their name or gender displayed on the internet if the board receives from the licensee or registrant government-issued documentation demonstrating that their legal name or gender has been changed. The bill would require the Board to post an online statement and direct the public to contact the Board for more information if the licensee or registrant has enforcement records online referencing their former name or gender or if a search on the online license verification system is performed using a licensee’s or registrant’s former name.

Impact on Licensees: Licensee will be able to request a name or gender change if the Board receives documentation (i.e., certified court order, etc.) demonstrating the change. Publicly viewable information containing the licensee’s former name or gender will be replaced. Any publicly viewable information the Board is unable to replace will be removed and a statement will be used in its place to direct the public to contact the Board for more information.

SB 544 (Laird) Bagley-Keene Open Meeting Act: teleconferencing.

Status: Chapter 216, Statutes of 2023

Summary: This bill would provide the Board an alternative set of provisions to hold a meeting by teleconference. The alternative would require a majority of Board members to be physically present at the same teleconference location and permit additional Board members in excess of a majority to participate from a remote location that is not accessible to the public nor would it require disclosure on the notice and agenda. Board

members participating remotely must disclose whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with any such individuals. Furthermore, Board members shall appear on camera during the open portion of a meeting or announce the reason for their nonappearance. This alternative shall remain in effect only until January 1, 2026.

This bill would also provide the Board an alternative set of provision for committees to hold a meeting by teleconference. The alternative would require at least one staff member to be present at the primary physical meeting location during the meeting and permit Board members to participate from a remote location that is not accessible to the public nor would it require disclosure on the notice and agenda. Furthermore, Board members shall appear on camera during the open portion of a meeting or announce the reason for their nonappearance. This alternative shall remain in effect only until January 1, 2026. After January 1, 2026, the alternative would require a majority of Board members to be physically present at the same teleconference location and permit additional members in excess of a majority to participate from a remote location that is not accessible to the public nor would it require disclosure on the notice and agenda. Appearance on camera would not be required for standing committee meetings after January 1, 2026.

Impact on Licensees: No impact on licensees. The Board will have alternative methods to hold meeting by teleconference.

[SB 612 \(Ochoa Bogh\)](#) Speech-language pathologists.

Status: Chapter 620, Statutes of 2023

Summary: This bill would specify that a licensed speech-language pathologist, who obtained a written verification before January 1, 2023, meets the requirements to perform a flexible fiber optic transnasal endoscopic procedure described in Business and Professions Code section 2530.2(f)(1).

Impact on Licensees: Licensees who received their written verification to perform a flexible fiber optic transnasal endoscopic procedure before January 1, 2023 meet the requirements enacted by SB 1453 (Ochoa Bogh, Chapter 450, Statutes of 2022).

[SB 887 \(Committee on Business, Professions and Economic Development\)](#)

Consumer affairs.

Status: Chapter 510, Statutes of 2023

Summary: This bill would make numerous technical and clarifying changes to various practice acts. Specifically, the bill would amend the Speech-Language Pathologist and Audiologist and Hearing Aid Dispensers Licensure Act to replace gendered pronouns with gender-neutral pronouns or nouns.

Impact on Licensees: No impact on licensees. No requirements were changed as a result of this bill.