

- Does the board's membership include voting privileges?
- List committees, workshops, working groups, task forces, etc., on which the board participates.
- How many meetings did board representative(s) attend? When and where?
- If the board is using a national exam, how is the board involved in its development, scoring, analysis, and administration?

Section 2 Fiscal and Staff

Fiscal Issues

6. Is the board's fund continuously appropriated? If yes, please cite the statute outlining this continuous appropriation.

7. Using *Table 2. Fund Condition*, describe the board's current reserve level, spending, and if a statutory reserve level exists.

Table 2. Fund Condition (list dollars in thousands)						
	FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25	FY 2025/26
Beginning Balance						
Revenues and Transfers						
Total Resources						
Budget Authority						
Expenditures						
Loans to General Fund						
Accrued Interest, Loans to General Fund						
Loans Repaid From General Fund						
Fund Balance						
Months in Reserve						

8. Describe if/when a deficit is projected to occur and if/when fee increase or reduction is anticipated. Describe the fee changes (increases or decreases) anticipated by the board.

9. Describe the history of general fund loans. When were the loans made? When have payments been made to the board? Has interest been paid? What is the remaining balance?

10. Using *Table 3, Expenditures by Program Component*, describe the amounts and percentages of expenditures by program component. Provide a breakdown of the expenditures by the board in each program area. Expenditures by each component (except for pro rata) should be broken out by personnel expenditures and other expenditures.

Table 3. Expenditures by Program Component								(list dollars in thousands)	
	FY 2020/21		FY 2021/22		FY 2022/23		FY 2023/24		
	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E	
Enforcement									
Examination									
Licensing									
Administration *									
DCA Pro Rata									
Diversion (if applicable)									
TOTALS									

* Administration includes costs for executive staff, board, administrative support, and fiscal services.

11. Describe the amount the board has spent on business modernization, including contributions to the BreEZe program, which should be described separately.

12. Describe license renewal cycles and the history of fee changes over the last 10 years. Give the fee authority (Business and Professions Code and California Code of Regulations citations) for each fee charged by the board.

Table 4. Fee Schedule and Revenue								(list revenue dollars in thousands)	
Fee	Current Fee Amount	Statutory Limit	FY 2020/21 Revenue	FY 2021/22 Revenue	FY 2022/23 Revenue	FY 2023/24 Revenue	% of Total Revenue		

13. Describe Budget Change Proposals (BCPs) submitted by the board in the past four fiscal years.

BCP ID #	Fiscal Year	Description of Purpose of BCP	Personnel Services				OE&E	
			# Staff Requested (include classification)	# Staff Approved (include classification)	\$ Requested	\$ Approved	\$ Requested	\$ Approved

Staffing Issues

- 14. Describe any board staffing issues/challenges, i.e., vacancy rates, efforts to reclassify positions, staff turnover, recruitment and retention efforts, succession planning.

- 15. Describe the board's staff development efforts and total spent annually on staff development (cf., Section 12, Attachment D).

Section 3 Licensing Program

16. What are the board's performance targets/expectations for its licensing² program? Is the board meeting those expectations? If not, what is the board doing to improve performance?
17. Describe any increase or decrease in the board's average time to process applications, administer exams and/or issue licenses. Have pending applications grown at a rate that exceeds completed applications? If so, what has been done by the board to address them? What are the performance barriers and what improvement plans are in place? What has the board done and what is the board going to do to address any performance issues, i.e., process efficiencies, regulations, BCP, legislation?
18. How many licenses or registrations has the board denied over the past four years based on criminal history that is determined to be substantially related to the qualifications, functions, or duties of the profession, pursuant to BPC § 480? Please provide a breakdown of each instance of denial and the acts the board determined were substantially related.

Table 6. Licensee Population		FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24
	Active ³				
	Out of State				
	Out of Country				
	Delinquent/Expired				
	Retired Status <i>if applicable</i>				
	Inactive				
	Other ⁴				
	Active				
	Out of State				
	Out of Country				
	Delinquent/Expired				
	Retired Status <i>if applicable</i>				
	Inactive				
	Other				

Note: 'Out of State' and 'Out of Country' are two mutually exclusive categories. A licensee should not be counted in both.

² The term "license" in this document includes a license, certificate, permit or registration.

³ Active status is defined as able to practice. This includes licensees that are renewed, current, and active.

⁴ Other is defined as a status type that does not allow practice in California, other than retired or inactive.

Table 7a. Licensing Data by Type										
		Received	Approved /Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY)
FY 2021/22	(Exam)									
	(License)									
	(Renewal)									
FY 2022/23	(Exam)									
	(License)									
	(Renewal)									
FY 2023/24	(Exam)									
	(License)									
	(Renewal)									

* Optional. List if tracked by the board.

Table 7b. License Denial			
	FY 2021/22	FY 2022/23	FY 2023/24
License Applications Denied (no hearing requested)			
SOIs Filed			
Average Days to File SOI (from request for hearing to SOI filed)			
SOIs Declined			
SOIs Withdrawn			
SOIs Dismissed (license granted)			
License Issued with Probation / Probationary License Issued			
Average Days to Complete (from SOI filing to outcome)			

19. How does the board verify information provided by the applicant?

- What process does the board use to check prior criminal history information, prior disciplinary actions, or other unlawful acts of the applicant? Has the board denied any licenses over the last four years based on the applicant's failure to disclose information on the application, including failure to self-disclose criminal history? If so, how many times and for what types of crimes (please be specific)?
- Does the board fingerprint all applicants?
- Have all current licensees been fingerprinted? If not, explain.
- Is there a national databank relating to disciplinary actions? Does the board check the national databank prior to issuing a license? Renewing a license?

- Does the board require primary source documentation?

20. Describe the board's legal requirement and process for out-of-state and out-of-country applicants to obtain licensure.

21. Describe the board's process, if any, for considering military education, training, and experience for purposes of licensing or credentialing requirements, including college credit equivalency.

- Does the board identify or track applicants who are veterans? If not, when does the board expect to be compliant with BPC § 114.5?
- How many applicants offered military education, training or experience towards meeting licensing or credentialing requirements, and how many applicants had such education, training or experience accepted by the board?
- What regulatory changes has the board made to bring it into conformance with BPC § 35?
- How many licensees has the board waived fees or requirements for pursuant to BPC § 114.3, and what has the impact been on board revenues?
- How many applications has the board expedited pursuant to BPC § 115.5?

22. Does the board send No Longer Interested notifications to DOJ on a regular and ongoing basis? Is this done electronically? Is there a backlog? If so, describe the extent and efforts to address the backlog.

Examinations

23. Describe the examinations required for licensure. Is a national examination used? Is a California specific examination required? Are examinations offered in a language other than English?

24. What are pass rates for first time vs. retakes in the past 4 fiscal years? Are pass rates collected for examinations offered in a language other than English?

Table 8(a). Examination Data⁵

California Examination (include multiple language) if any:				
License Type				
Exam Title				
FY 2020/21	Number of Candidates			
	Overall Pass %			
	Overall Fail %			
FY 2021/22	Number of Candidates			
	Overall Pass %			
	Overall Fail %			
FY 2022/23	Number of Candidates			
	Overall Pass %			
	Overall Fail %			
FY 2023/24	Number of Candidates			
	Overall Pass %			
	Overall Fail %			
Date of Last OA				
Name of OA Developer				
Target OA Date				

**Table 8(b). National Examination.
Include multiple languages, if any.**

License Type		N/A	N/A	N/A
Exam Title		N/A	N/A	N/A
FY 2020/21	Number of Candidates	N/A	N/A	N/A
	Overall Pass %	N/A	N/A	N/A
	Overall Fail %	N/A	N/A	N/A
FY 2021/22	Number of Candidates	N/A	N/A	N/A
	Overall Pass %	N/A	N/A	N/A
	Overall Fail %	N/A	N/A	N/A
FY 2022/23	Number of Candidates	N/A	N/A	N/A
	Overall Pass %	N/A	N/A	N/A
	Overall Fail %	N/A	N/A	N/A
FY 2023/24	Number of Candidates	N/A	N/A	N/A
	Overall Pass %	N/A	N/A	N/A
	Overall Fail %	N/A	N/A	N/A
Date of Last OA		N/A	N/A	N/A
Name of OA Developer		N/A	N/A	N/A

⁵ This table includes all exams for all license types as well as the pass/fail rate. Include as many examination types as necessary to cover all exams for all license types.

Target OA Date	N/A	N/A	N/A
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25. Is the board using computer based testing? If so, for which tests? Describe how it works. Where is it available? How often are tests administered?
26. Are there existing statutes that hinder the efficient and effective processing of applications and/or examinations? If so, please describe.
27. When did the Board last conduct an occupational analysis that validated the requirement for a California-specific examination? When does the Board plan to revisit this issue? Has the Board identified any reason to update, revise, or eliminate its current California-specific examination?

School Approvals

28. Describe legal requirements regarding school approval. Who approves your schools? What role does BPPE have in approving schools? How does the board work with BPPE in the school approval process?
29. How many schools are approved by the board? How often are approved schools reviewed? Can the board remove its approval of a school?
30. What are the board's legal requirements regarding approval of international schools?

Continuing Education/Competency Requirements

31. Describe the board's continuing education/competency requirements, if any. Describe any changes made by the board since the last review.

Continuing Education			
Type	Frequency of Renewal	Number of CE Hours Required Each Cycle	Percentage of Licensees Audited

- How does the board verify CE or other competency requirements? Has the Board worked with the Department to receive primary source verification of CE completion through the Department's cloud?
- Does the board conduct CE audits of licensees? Describe the board's policy on CE audits.
- What are consequences for failing a CE audit?
- How many CE audits were conducted in the past four fiscal years? How many fails? What is the percentage of CE failure?
- What is the board's course approval policy?
- Who approves CE providers? Who approves CE courses? If the board approves them, what is the board application review process?
- How many applications for CE providers and CE courses were received? How many were approved?
- Does the board audit CE providers? If so, describe the board's policy and process.
- Describe the board's effort, if any, to review its CE policy for purpose of moving toward performance based assessments of the licensee's continuing competence.

Section 4

Enforcement Program

32. What are the board's performance targets/expectations for its enforcement program? Is the board meeting those expectations? If not, what is the board doing to improve performance?

33. Explain trends in enforcement data and the board's efforts to address any increase in volume, timeframes, ratio of closure to pending cases, or other challenges. What are the performance barriers? What improvement plans are in place? What has the board done and what is the board going to do to address these issues, i.e., process efficiencies, regulations, BCP, legislation?

Table 9. Enforcement Statistics			
	FY 2021/22	FY 2022/23	FY 2023/24
COMPLAINTS			
Intake			
Received			
Closed without Referral for Investigation			
Referred to INV			
Pending (close of FY)			
Conviction / Arrest			
CONV Received			
CONV Closed Without Referral for Investigation			
CONV Referred to INV			
CONV Pending (close of FY)			
Source of Complaint ⁶			
Public			
Licensee/Professional Groups			
Governmental Agencies			
Internal			
Other			
Anonymous			
Average Time to Refer for Investigation (from receipt of complaint / conviction to referral for investigation)			
Average Time to Closure (from receipt of complaint / conviction to closure at intake)			
Average Time at Intake (from receipt of complaint / conviction to closure or referral for investigation)			
INVESTIGATION			
Desk Investigations			
Opened			
Closed			
Average days to close (from assignment to investigation closure)			
Pending (close of FY)			
Non-Sworn Investigation			
Opened			
Closed			
Average days to close (from assignment to investigation closure)			
Pending (close of FY)			
Sworn Investigation			
Opened			
Closed			

⁶ Source of complaint refers to complaints and convictions received. The summation of intake and convictions should match the total of source of complaint.

Average days to close (from assignment to investigation closure)			
Pending (close of FY)			
All investigations ⁷			
Opened			
Closed			
Average days for all investigation outcomes (from start investigation to investigation closure or referral for prosecution)			
Average days for investigation closures (from start investigation to investigation closure)			
Average days for investigation when referring for prosecution (from start investigation to referral for prosecution)			
Average days from receipt of complaint to investigation closure			
Pending (close of FY)			
CITATION AND FINE			
Citations Issued			
Average Days to Complete (from complaint receipt / inspection conducted to citation issued)			
Amount of Fines Assessed			
Amount of Fines Reduced, Withdrawn, Dismissed			
Amount Collected			
CRIMINAL ACTION			
Referred for Criminal Prosecution			
ACCUSATION			
Accusations Filed			
Accusations Declined			
Accusations Withdrawn			
Accusations Dismissed			
Average Days from Referral to Accusations Filed (from AG referral to Accusation filed)			
INTERIM ACTION			
ISO & TRO Issued			
PC 23 Orders Issued			
Other Suspension/Restriction Orders Issued			
Referred for Diversion			
Petition to Compel Examination Ordered			
DISCIPLINE			
AG Cases Initiated (cases referred to the AG in that year)			
AG Cases Pending Pre-Accusation (close of FY)			
AG Cases Pending Post-Accusation (close of FY)			
DISCIPLINARY OUTCOMES			
Revocation			
Surrender			
Suspension only			
Probation with Suspension			
Probation only			
Public Reprimand / Public Reproval / Public Letter of Reprimand			
Other			
DISCIPLINARY ACTIONS			
Proposed Decision			
Default Decision			

⁷ The summation of desk, non-sworn, and sworn investigations should match the total of all investigations.

Stipulations			
Average Days to Complete After Accusation (from Accusation filed to imposing formal discipline)			
Average Days from Closure of Investigation to Imposing Formal Discipline			
Average Days to Impose Discipline (from complaint receipt to imposing formal discipline)			
PROBATION			
Probations Completed			
Probationers Pending (close of FY)			
Probationers Told *			
Petitions to Revoke Probation / Accusation and Petition to Revoke Probation Filed			
SUBSEQUENT DISCIPLINE⁸			
Probations Revoked			
Probationers License Surrendered			
Additional Probation Only			
Suspension Only Added			
Other Conditions Added Only			
Other Probation Outcome			
SUBSTANCE ABUSING LICENSEES **			
Probationers Subject to Drug Testing			
Drug Tests Ordered			
Positive Drug Tests			
PETITIONS			
Petition for Termination or Modification Granted			
Petition for Termination or Modification Denied			
Petition for Reinstatement Granted			
Petition for Reinstatement Denied			
DIVERSION **			
New Participants			
Successful Completions			
Participants (close of FY)			
Terminations			
Terminations for Public Threat			
Drug Tests Ordered			
Positive Drug Tests			

Table 10. Enforcement Aging						
	FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24	Cases Closed	Average %
Investigations (Average %)						
Closed Within:						
90 Days						
91 - 180 Days						
181 - 1 Year						
1 - 2 Years						
2 - 3 Years						

⁸ Do not include these numbers in the Disciplinary Outcomes section above.

Table 10. Enforcement Aging						
	FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24	Cases Closed	Average %
Over 3 Years						
Total Investigation Cases Closed						
Attorney General Cases (Average %)						
Closed Within:						
0 - 1 Year						
1 - 2 Years						
2 - 3 Years						
3 - 4 Years						
Over 4 Years						
Total Attorney General Cases Closed						

34. What do overall statistics show as to increases or decreases in disciplinary action since last review?

35. How are cases prioritized? What is the board's compliant prioritization policy?

36. Are there mandatory reporting requirements? For example, requiring local officials or organizations, or other professionals to report violations, or for civil courts to report to the board actions taken against a licensee. Are there problems with the board receiving the required reports? If so, what could be done to correct the problems?

- What is the dollar threshold for settlement reports received by the board?
- What is the average dollar amount of settlements reported to the board?

37. Describe settlements the board, and Office of the Attorney General on behalf of the board, enter into with licensees.

- What is the number of cases, pre-accusation, that the board settled for the past four years, compared to the number that resulted in a hearing?

- What is the number of cases, post-accusation, that the board settled for the past four years, compared to the number that resulted in a hearing?
- What is the overall percentage of cases for the past four years that have been settled rather than resulted in a hearing?

38. Does the board operate with a statute of limitations? If so, please describe and provide citation. If so, how many cases have been lost due to statute of limitations? If not, what is the board's policy on statute of limitations?

39. Describe the board's efforts to address unlicensed activity and the underground economy.

Cite and Fine

40. Discuss the extent to which the board has used its cite and fine authority. Discuss any changes from last review and describe the last time regulations were updated and any changes that were made. Has the board increased its maximum fines to the \$5,000 statutory limit?

41. How is cite and fine used? What types of violations are the basis for citation and fine?

42. How many informal office conferences, Disciplinary Review Committees reviews and/or Administrative Procedure Act appeals of a citation or fine in the last 4 fiscal years?

43. What are the five most common violations for which citations are issued?

44. What is average fine pre- and post- appeal?

45. Describe the board's use of Franchise Tax Board intercepts to collect outstanding fines.

Cost Recovery and Restitution

46. Describe the board's efforts to obtain cost recovery. Discuss any changes from the last review.
47. How many and how much is ordered by the board for revocations, surrenders and probationers? How much do you believe is uncollectable? Explain.
48. Are there cases for which the board does not seek cost recovery? Why?
49. Describe the board's use of Franchise Tax Board intercepts to collect cost recovery.

Table 11. Cost Recovery⁹ (list dollars in thousands)				
	FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24
Total Enforcement Expenditures				
Potential Cases for Recovery *				
Cases Recovery Ordered				
Amount of Cost Recovery Ordered				
Amount Collected				

* "Potential Cases for Recovery" are those cases in which disciplinary action has been taken based on violation of the license practice act.

50. Describe the board's efforts to obtain restitution for individual consumers, any formal or informal board restitution policy, and the types of restitution that the board attempts to collect, i.e., monetary, services, etc. Describe the situation in which the board may seek restitution from the licensee to a harmed consumer.

Table 12. Restitution (list dollars in thousands)				
	FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24
Amount Ordered	\$	\$	\$	\$
Amount Collected	\$	\$	\$	\$

Section 5 Public Information Policies

51. How does the board use the internet to keep the public informed of board activities? Does the board post board meeting materials online? When are they posted? How long do they remain on

⁹ Cost recovery may include information from prior fiscal years.

the board's website? When are draft meeting minutes posted online? When does the board post final meeting minutes? How long do meeting minutes remain available online?

52. Does the board webcast its meetings? What is the board's plan to webcast future board and committee meetings? How long do webcast meetings remain available online?
53. Does the board establish an annual meeting calendar, and post it on the board's web site?
54. Is the board's complaint disclosure policy consistent with DCA's *Recommended Minimum Standards for Consumer Complaint Disclosure*? Does the board post accusations and disciplinary actions consistent with BPC § 27 if applicable?
55. What information does the board provide to the public regarding its licensees (i.e., education completed, awards, certificates, certification, specialty areas, disciplinary action, etc.)?
56. What methods are used by the board to provide consumer outreach and education?

Section 6

Online Practice Issues

57. Discuss the prevalence of online practice and whether there are issues with unlicensed activity. How does the board regulate online practice? Does the board have any plans to regulate internet business practices or believe there is a need to do so?

Section 7

Workforce Development and Job Creation

58. What actions has the board taken in terms of workforce development?
59. Describe any assessment the board has conducted on the impact of licensing delays.

60. Describe the board's efforts to work with schools to inform potential licensees of the licensing requirements and licensing process.

61. Describe any barriers to licensure and/or employment the board believes exist.

62. Provide any workforce development data collected by the board, such as:

- a. Workforce shortages

- b. Successful training programs.

63. What efforts or initiatives has the board undertaken that would help reduce or eliminate inequities experienced by licensees or applicants from vulnerable communities, including low- and moderate-income communities, communities of color, and other marginalized communities, or that would seek to protect those communities from harm by licensees?

Section 8

Current Issues

64. Describe how the board is participating in development of online application and payment capability and any other secondary IT issues affecting the board.

- Is the board utilizing BreZE? What Release was the board included in? What is the status of the board's change requests?

- If the board is not utilizing BreZE, what is the board's plan for future IT needs? What discussions has the board had with DCA about IT needs and options? What is the board's understanding of Release 3 boards? Is the board currently using a bridge or workaround system?

Section 9

Board Action and Response to Prior Sunset Issues

Include the following:

- Background information concerning the issue as it pertains to the board.

- Short discussion of recommendations made by the Committees during prior sunset review.
- What action the board took in response to the recommendation or findings made under prior sunset review.
- Any recommendations the board has for dealing with the issue, if appropriate.

Section 10 – New Issues

This is the opportunity for the board to inform the Committees of solutions to issues identified by the board and by the Committees. Provide a short discussion of each of the outstanding issues, and the board's recommendation for action that could be taken by the board, by DCA or by the Legislature to resolve these issues (i.e., policy direction, budget changes, legislative changes) for each of the following:

- Issues raised under prior Sunset Review that have not been addressed.
- New issues identified by the board in this report.
- New issues not previously discussed in this report.
- New issues raised by the Committees.

Section 11 Attachments

Please provide the following attachments:

- A. Board's administrative manual.
- B. Current organizational chart showing relationship of committees to the board and membership of each committee (cf., Section 1, Question 1).
- C. Major studies, if any (cf., Section 1, Question 4).
- D. Year-end organization charts for last four fiscal years. Each chart should include number of staff by classifications assigned to each major program area (licensing, enforcement, administration, etc.) (cf., Section 3, Question 15).