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MEMORANDUM

TO: Boards, Bureaus, Committees and Programs[1] Scheduled for Sunset Review Oversight Hearings

FROM: Senate Committee on Business, Professions and Economic Development
Assembly Committee on Business and Professions

DATE: **February 4, 2016**

SUBJECT: Background Paper, Attendance and Presentation at Sunset Review Oversight Hearings

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The Senate Committee on Business, Professions and Economic Development and the Assembly Committee on Business and Professions, collectively "the Committees", will hold joint sunset review oversight hearings on March 9 and March 14 in Rooms 4202 and 4203 of the State Capitol starting at 9:00 a.m.

The Committees are the standing committees of the Legislature that have oversight jurisdiction over the Department of Consumer Affairs (Department) and all agencies and entities under the Department. The Committees also have oversight jurisdiction over other regulatory or certification programs within the Business and Professions Code, Civil Code, and Health and Safety Code. It is the responsibility of the Committees to determine whether the state should continue to regulate in this area, and if so, what changes should be made to improve the overall effectiveness and efficiency of these entities to ensure that the interests of California's consumers are protected against incompetent practice or illegal activities of these professionals.

The following boards are scheduled for review this year, and are listed in order of appearance before the Committees:

March 9
Department of Consumer Affairs

[1] In this letter "board" generally refers to board, bureau, committee or program; "license" refers to license, certification or registration.

Bureau of Real Estate
Bureau of Real Estate Appraisers
Court Reporters Board
Physician Assistant Board
Board of Podiatric Medicine

March 14
California Massage Therapy Council
Acupuncture Board
Board of Pharmacy
Board of Psychology
Board of Behavioral Sciences
Veterinary Medical Board

The following is a tentative outline of the agenda, subject to change, for each board, bureau or committee reviewed:

A. Board Presents Short "Overview" of the Current Regulatory Program (5 minutes)
B. Board Response to Issues, Problem Areas, Questions and Staff Recommendations (20 minutes)
C. Public Comment (15 minutes)
D. Comment by Professional Individuals, Groups or Associations (15 minutes)
E. Any Closing Comments by the Board (5 minutes)

The Executive Officer/Bureau Chief of your board should plan to participate in the hearing. The President/Chair of the board should also participate. You may also include other board or committee members and staff members as needed. Please provide us with those names as soon as possible by contacting Sarah Mason at (916) 651-4104 or sarah.mason@sen.ca.gov

In providing an "Overview" of your current regulatory program, please be brief. Committee members will have had an opportunity to review your Sunset Review Report prior to the hearing. Please try to limit your overview to about **5 minutes** after introductions.

During your "Overview" presentation, you should discuss the history, function and activities of the board and its current composition, who you license, number of licensees, brief description of your budget and any other information you consider relevant to provide an introduction to your board. You should also briefly discuss what major changes have taken place since the last sunset review of your board. We would also like you to generally discuss any performance measures you have established pursuant to the Consumer Protection Enforcement Initiative (CPEI), or on your own accord, and whether you have been meeting those performance measures or targets, and if not, why not.

After your introductory presentation, you may then present your response to issues and/or questions raised by the Committee staff. We will provide a listing of these issues and questions to you by February 29 if your hearing is scheduled for March 9, and by March 4 if your hearing is scheduled for March 14. There may be other questions which individual Committee members may pose, but we believe that the list of primary issues that will be provided to you represent the most important topics to be addressed by the board at the hearing.

Approximately two weeks prior to the date of your hearing, we will separately send you the "Background Paper" prepared by staff of the Committees for the hearing. This Paper provides

background information concerning the issues we have raised for each individual board, and, where appropriate, staff recommendations to address those issues. The Background Paper will be given to each member of the Committees in advance of the hearing.

We ask each board that is being reviewed to notify their interested parties list of the upcoming hearing, and advise them of the hearing time, date and place, as well as the availability of the Background Paper, which is made public two weeks prior to the hearing on the Committees' Websites at the following links:

http://sbp.senate.ca.gov/informationalhearingagendaandbackground

http://abp.assembly.ca.gov/jointsunsethearings

Upon completion of the hearings, the board will have 30 days to submit a written response to all of the issues and recommendations raised by Committee staff in the Background Paper or during the hearing.

Certain recommendations may require legislation, which may be included in a "Sunset Bill" for a particular board, bureau or committee. We anticipate that the Sunset Bills will be heard by the respective Committees sometime in April.

If you have any questions regarding your presentation, or other concerns about the hearing, please contact sarah.mason@sen.ca.gov at (916) 651-4104. We look forward to your participation in these hearings.