



tinuing education course for RNs which would prepare them to practice dermatology, a procedure involving the penetration of skin to introduce pigmentation into the upper layer of the dermis to provide permanent cosmetic make-up and camouflaging of skin problems such as scarring. According to Department of Consumer Affairs legal counsel Gregory Gorges, such a procedure, in many cases, would constitute the practice of medicine. Based on staff's conclusion that dermatology is not within the scope of RN practice, the Board agreed that the proposed course would not meet the requirements for continuing education courses specified in section 1456, Title 16 of the CCR.

FUTURE MEETINGS:

January 23-24 in Los Angeles.

March 26-27 in Sacramento.

May 28-29 in San Diego.

BOARD OF CERTIFIED SHORTHAND REPORTERS

Executive Officer: Richard Black
(916) 445-5101

The Board of Certified Shorthand Reporters (BCSR) is authorized pursuant to Business and Professions Code section 8000 *et seq.* The Board's regulations are found in Division 24, Title 16 of the California Code of Regulations (CCR).

BCSR licenses and disciplines shorthand reporters; recognizes court reporting schools; and administers the Transcript Reimbursement Fund, which provides shorthand reporting services to low-income litigants otherwise unable to afford such services.

The Board consists of five members—three public and two from the industry—who serve four-year terms. The two industry members must have been actively engaged as shorthand reporters in California for at least five years immediately preceding their appointment.

MAJOR PROJECTS:

OAL Rejects Proposed Rulemaking.

On July 31, BCSR submitted proposed new sections 2480 and 2481, Title 16 of the CCR, for review and approval by Office of Administrative Law (OAL). The sections would implement a citation and fine program to remedy consumer complaints and discipline licensees. (See CRLR Vol. 11, No. 3 (Summer 1991) p. 108; Vol. 11, No. 2 (Spring 1991) p. 105; and Vol. 11, No. 1 (Winter 1991) p. 87 for background information.) On August 23, OAL rejected the

proposed sections, based on its findings that the provisions fail to comply with the Administrative Procedure Act's standards of necessity, clarity, and authority as stated in Government Code section 11349.1, and for failure to include all the required documents in the rulemaking file. BCSR plans to correct these deficiencies and resubmit the proposed rules to OAL.

Update on Other Regulatory Changes. On August 30, OAL approved BCSR's adoption of new sections 2407, 2408, and 2409, Title 16 of the CCR. These sections specify BCSR's processing times for considering and issuing permits pursuant to the Permit Reform Act of 1981. (See CRLR Vol. 11, No. 3 (Summer 1991) p. 108; Vol. 11, No. 2 (Spring 1991) pp. 104-05; and Vol. 11, No. 1 (Winter 1991) p. 87 for background information.)

The Board still has not commenced the formal regulatory process to revise its school curriculum regulations. At its August 24 meeting, BCSR provided an opportunity for further suggestions regarding changes to section 2411, Title 16 of the CCR; no suggestions were made. The Board hoped to publish the proposed revisions by the end of the year.

BCSR Budget Problems. The Board is experiencing budget problems, even though it ended fiscal year 1990-91 close to budget. (See CRLR Vol. 11, No. 3 (Summer 1991) p. 107 for background information.) The Board may seek to supplement its 1991-92 budget by requesting an augmentation from the Department of Finance. Although the Board has no plans at this time to increase licensing fees to alleviate its budget problems, it expects to review this possibility around the first of the year.

LEGISLATION:

AB 2002 (Horchler), as amended June 20, makes numerous changes in BCSR's enabling act. Among other things, this bill provides that all BCSR certificates expire on the last day of the birth month of the licensee, instead of on April 30 of each year; provides that gross negligence or incompetence in practice are grounds for discipline or denial of certification; and sets forth additional grounds for discipline or denial of certification, including physical or mental incapacity to perform the duties of a CSR. This bill was signed by the Governor on October 14 (Chapter 1097, Statutes of 1991).

RECENT MEETINGS:

At BCSR's August 24 meeting, Jim Conran, new Director of the Depart-

ment of Consumer Affairs, and Karen McGagin, Special Assistant to the Director, were in attendance. Mr. Conran commented that he wants BCSR to be a proactive rather than a reactive board.

Also at the August meeting, the Board stated that volunteers are needed to write new items for its test bank; the Board will solicit both professional licensees and shorthand reporting school employees to write test items.

Also at its August 24 meeting, the Board agreed to grant full recognition to San Diego City College and provisional recognition to Humphrey's College in Sacramento and Watterson College Pacific in San Marcos. Provisional recognition allows a school to operate for three years. Within the three-year period, the school must pass at least one individual through its program; if that individual passes BCSR's licensing exam, the school is eligible for full recognition.

FUTURE MEETINGS:

February 22 (location undecided).

May 7 (location undecided).

STRUCTURAL PEST CONTROL BOARD

Registrar: Mary Lynn Ferreira
(916) 924-2291

The Structural Pest Control Board (SPCB) is a seven-member board functioning within the Department of Consumer Affairs. The SPCB is comprised of four public and three industry representatives. SPCB's enabling statute is Business and Professions Code section 8500 *et seq.*; its regulations are codified in Division 19, Title 16 of the California Code of Regulations (CCR).

SPCB licenses structural pest control operators and their field representatives. Field representatives are allowed to work only for licensed operators and are limited to soliciting business for that operator. Each structural pest control firm is required to have at least one licensed operator, regardless of the number of branches the firm operates. A licensed field representative may also hold an operator's license.

Licensees are classified as: (1) Branch 1, Fumigation, the control of household and wood-destroying pests by fumigants (tenting); (2) Branch 2, General Pest, the control of general pests without fumigants; (3) Branch 3, Termite, the control of wood-destroying organisms with insecticides, but not with the use of fumigants, and including authority to perform structural repairs and corrections; and (4) Branch