State Board of Guide Dogs for the Blind
BACKGROUND INFORMATION AND OVERVIEW OF THE CURRENT REGULATORY PROGRAM
As of December 1, 2016

Section 1 –
Background and Description of the Board and Regulated Profession

The State Board of Guide Dogs for the Blind (Board) was established effective January 1, 1948 for the specific purpose of ensuring consumer protection through the licensure and regulation of schools and individuals providing instruction to persons who are blind or visually impaired in the use of guide dogs and for the training of guide dogs for use by persons who are blind or visually impaired. A secondary purpose was to assure that donors to guide dog charities might be certain that their donations would be utilized for the intended charitable purpose. These two reforms continue to have a very positive impact on guide dog matters here in California, the only State that has such a regulatory program. All licensed schools are inspected annually by the Board. New guide dog instructors take a legally defensible examination and are required to submit proof of eight hours of continuing education each year to remain licensed.

The Board licenses: 1) guide dog schools; 2) guide dog instructors; and 3) fundraising programs to open new guide dog schools. (Bus. & Prof. Code §§ 7200.5, 7210.6)

1. Describe the make-up and functions of each of the board's committees (cf., Section 12, Attachment B).

   Practice Task Force – the Practice Task Force is comprised of three licensed guide dog instructors and two Board Members. The Task Force reviews statutes and regulations and makes recommendations to the Board to update, clarify, and add language that is reflective of the current practice of guide dog instruction. As there are no licensee members on the Board, this task force ensures that the Board receives input from the regulated profession.
   The Task Force Members are as follows:
   Chair, Bob Wendler, Guide Dog Instructor (Guide Dogs of the Desert)
   Amy Gunn, Guide Dog Instructor (Guide Dogs for the Blind, Inc.)
   Yvonne Martin, Guide Dog Instructor (Guide Dogs of America)
   Carmen Delgado, Board Vice President
   Don Brown, Board Member

   Outreach and Education Committee – The Outreach and Education Committee evaluates topics such as access rights, dog attacks on guide dogs, and changes to the Americans with Disabilities Act, and it leverages partnerships with stakeholders and media to educate members of the public, government officials, law enforcement, and the business community.
   The Committee Members are as follows:
   Eric Holm
   Catherine Carlton

Legislative Committee – The Legislative Committee reviews state and federal legislation affecting its stakeholders, including guide dog users, guide dog schools, and guide dog instructors. After review, the Committee makes legislative recommendations to the Board. The Committee Members are as follows:

Table 1a. Attendance			
Eric Holm, Board President			
Date Appointed:	October 28, 2008, July 02, 2012, and June 05, 2015		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Board Meeting	01/13/2014	Sacramento, CA	Yes
Board Meeting	04/14/2014	Sacramento, CA	Yes
Board Meeting	05/05/2014	San Rafael, CA	Yes
Board Meeting	09/22/2014	Whitewater, CA	Yes
Board Meeting	01/20/2015	Sacramento, CA	Yes
Board Meeting	04/20/2015	Sacramento, CA/ Teleconference	Yes
Board Meeting	05/11/2015	Sacramento, CA/ Teleconference	Yes
Outreach and Education Committee	07/02/2015	Teleconference	Yes
Strategic Planning Session	07/07/2015	Sacramento, CA	Yes
Board Meeting	07/20/2015	Sacramento, CA/ Teleconference	Yes
Board Meeting	10/26/2015	Sacramento, CA	Yes
Board Meeting	01/25/2016	Sacramento, CA/ Teleconference	Yes
Board Meeting	04/08/2016	Teleconference	Yes
Board Meeting	05/09/2016	Sacramento, CA/ Teleconference	Yes
Board Meeting	07/18/2016	Sacramento, CA/ Teleconference	Yes
Board Meeting	10/11/2016	Sacramento, CA/ Teleconference	Yes

Table 1a. Attendance			
Carmen Delgado, Board Vice President			
Date Appointed:	June 3, 2013		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Board Meeting	01/13/2014	Sacramento, CA	Yes
Board Meeting	04/14/2014	Sacramento, CA	Yes
Board Meeting	05/05/2014	San Rafael, CA	Yes
Board Meeting	09/22/2014	Whitewater, CA	Yes
Practice Task Force	01/13/2015	Teleconference	Yes
Board Meeting	01/20/2015	Sacramento, CA	Yes
Board Meeting	04/20/2015	Sacramento, CA/	Yes

		Teleconference	
Board Meeting	05/11/2015	Sacramento, CA/ Teleconference	Yes
Strategic Planning Session	07/07/2015	Sacramento, CA	Yes
Board Meeting	07/20/2015	Sacramento, CA/ Teleconference	Yes
Board Meeting	10/26/2015	Sacramento, CA	Yes
Board Meeting	01/25/2016	Sacramento, CA/ Teleconference	Yes
Practice Task Force	03/28/2016	Teleconference	Yes
Board Meeting	04/08/2016	Teleconference	Yes
Board Meeting	05/09/2016	Sacramento, CA/ Teleconference	Yes
Practice Task Force	05/31/2016	Teleconference	Yes
Board Meeting	07/18/2016	Sacramento, CA/ Teleconference	Yes
Board Meeting	10/11/2016	Sacramento, CA/ Teleconference	Yes

Table 1a. Attendance			
Don Brown			
Date Appointed:	June 23, 2013		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Board Meeting	01/13/2014	Sacramento, CA	Yes
Board Meeting	04/14/2014	Sacramento, CA	Yes
Board Meeting	05/05/2014	San Rafael, CA	Yes
Board Meeting	09/22/2014	Whitewater, CA	Yes
Practice Task Force	01/13/2015	Teleconference	Yes
Board Meeting	01/20/2015	Sacramento, CA	Yes
Board Meeting	04/20/2015	Sacramento, CA/ Teleconference	No
Board Meeting	05/11/2015	Sacramento, CA/ Teleconference	Yes
Strategic Planning Session	07/07/2015	Sacramento, CA	No
Board Meeting	07/20/2015	Sacramento, CA/ Teleconference	Yes
Board Meeting	10/26/2015	Sacramento, CA	No
Board Meeting	01/25/2016	Sacramento, CA/ Teleconference	No
Practice Task Force	03/28/2016	Teleconference	Yes
Board Meeting	04/08/2016	Teleconference	Yes
Board Meeting	05/09/2016	Sacramento, CA/ Teleconference	Yes
Practice Task Force	05/31/2016	Teleconference	Yes
Board Meeting	07/18/2016	Sacramento, CA/ Teleconference	Yes

Board Meeting	10/11/2016	Sacramento, CA/ Teleconference	Yes

Table 1a. Attendance			
Catherine Carlton			
Date Appointed:	June 3, 2013, and June 1, 2016		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Board Meeting	01/13/2014	Sacramento, CA	Yes
Board Meeting	04/14/2014	Sacramento, CA	Yes
Board Meeting	05/05/2014	San Rafael, CA	Yes
Board Meeting	09/22/2014	Whitewater, CA	No
Board Meeting	01/20/2015	Sacramento, CA	No
Board Meeting	04/20/2015	Sacramento, CA/ Teleconference	Yes
Board Meeting	05/11/2015	Sacramento, CA/ Teleconference	Yes
Outreach and Education Committee	07/02/2015	Teleconference	Yes
Strategic Planning Session	07/07/2015	Sacramento, CA	No
Board Meeting	07/20/2015	Sacramento, CA/ Teleconference	No
Board Meeting	10/26/2015	Sacramento, CA	No
Board Meeting	01/25/2016	Sacramento, CA/ Teleconference	Yes
Board Meeting	04/08/2016	Teleconference	Yes
Board Meeting	05/09/2016	Sacramento, CA/ Teleconference	Yes
Board Meeting	07/18/2016	Sacramento, CA/ Teleconference	Yes
Board Meeting	10/11/2016	Sacramento, CA/ Teleconference	Yes

Table 1a. Attendance			
Gwen Marelli			
Date Appointed:	November 26, 2013		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Board Meeting	01/13/2014	Sacramento, CA	Yes
Board Meeting	04/14/2014	Sacramento, CA	No
Board Meeting	05/05/2014	San Rafael, CA	No
Board Meeting	09/22/2014	Whitewater, CA	Yes
Board Meeting	01/20/2015	Sacramento, CA	Yes
Board Meeting	04/20/2015	Sacramento, CA/ Teleconference	Yes
Board Meeting	05/11/2015	Sacramento, CA/ Teleconference	Yes

Strategic Planning Session	07/07/2015	Sacramento, CA	No
Board Meeting	07/20/2015	Sacramento, CA/ Teleconference	No
Board Meeting	10/26/2015	Sacramento, CA	Yes
Board Meeting	01/25/2016	Sacramento, CA/ Teleconference	Yes
Board Meeting	04/08/2016	Teleconference	No
Board Meeting	05/09/2016	Sacramento, CA/ Teleconference	Yes
Board Meeting	07/18/2016	Sacramento, CA/ Teleconference	Yes
Board Meeting	10/11/2016	Sacramento, CA/ Teleconference	Yes

Table 1a. Attendance			
Joan Patche			
Date Appointed:	February 17, 2015, and June 1, 2016		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Board Meeting	04/20/2015	Sacramento, CA/ Teleconference	Yes
Board Meeting	05/11/2015	Sacramento, CA/ Teleconference	Yes
Strategic Planning Session	07/07/2015	Sacramento, CA	Yes
Board Meeting	07/20/2015	Sacramento, CA/ Teleconference	Yes
Board Meeting	10/26/2015	Sacramento, CA	Yes
Board Meeting	01/25/2016	Sacramento, CA/ Teleconference	Yes
Board Meeting	04/08/2016	Teleconference	No
Board Meeting	05/09/2016	Sacramento, CA/ Teleconference	Yes
Board Meeting	07/18/2016	Sacramento, CA/ Teleconference	Yes
Board Meeting	10/11/2016	Sacramento, CA/ Teleconference	Yes

Table 1a. Attendance			
Rosa Gomez			
Date Appointed:	July 6, 2015		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Strategic Planning Session	07/07/2015	Sacramento, CA	Yes
Board Meeting	07/20/2015	Sacramento, CA/ Teleconference	Yes
Board Meeting	10/26/2015	Sacramento, CA	Yes
Board Meeting	01/25/2016	Sacramento, CA/ Teleconference	Yes

Board Meeting	04/08/2016	Teleconference	No
Board Meeting	05/09/2016	Sacramento, CA/ Teleconference	Yes
Board Meeting	07/18/2016	Sacramento, CA/ Teleconference	Yes
Board Meeting	10/11/2016	Sacramento, CA/ Teleconference	Yes

Table 1a. Attendance			
Kathy Bowler			
Date Appointed:	June 3, 2013		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Board Meeting	01/13/2014	Sacramento, CA	No
Board Meeting	04/14/2014	Sacramento, CA	Yes
Board Meeting	05/05/2014	San Rafael, CA	Yes
Board Meeting	09/22/2014	Whitewater, CA	Yes

Table 1a. Attendance			
Joe Xavier (Department of Rehabilitation Director)			
Date Appointed:	April 21, 2010		
Meeting Type	**Meeting Date**	**Meeting Location**	**Attended?**
Board Meeting	01/13/2014	Sacramento, CA	Yes
Board Meeting	04/14/2014	Sacramento, CA	No
Board Meeting	05/05/2014	San Rafael, CA	No
Board Meeting	09/22/2014	Whitewater, CA	No
Board Meeting	01/20/2015	Sacramento, CA	No
Board Meeting	04/20/2015	Sacramento, CA/ Teleconference	Yes
Board Meeting	05/11/2015	Sacramento, CA/ Teleconference	Yes
Strategic Planning Session	07/07/2015	Sacramento, CA	Yes

Table 1b. Board/Committee Member Roster					
Member Name (Include Vacancies)	Date First Appointed	Date Re-appointed	Date Term Expires	Appointing Authority	Type (public or professional)
Eric Holm	10/28/2008	7/2/2012 6/5/2015	6/5/2019	Governor	Public
Carmen Delgado	6/3/2013	n/a	6/1/2017	Governor	Public
Don Brown	6/23/2013	n/a	6/1/2016	Governor	Public
Gwen Marelli	11/26/2013	n/a	6/1/2017	Governor	Public
Catherine Carlton	6/3/2013	6/1/2016	6/1/2020	Governor	Public
Joni Patche	2/17/2015	6/1/2016	6/1/2020	Governor	Public
Rosa Gomez	7/6/2015	n/a	Pleasure	Director of	Public

			of the Director	Dept of Rehabilitation	

2. In the past four years, was the board unable to hold any meetings due to lack of quorum? If so, please describe. Why? When? How did it impact operations?

   The Board has been able to achieve a quorum at all of its meetings over the past four years, however, there have been instances where the Board had to cancel meetings due to teleconference locations not being properly staffed.

3. Describe any major changes to the board since the last Sunset Review, including, but not limited to:

   - Internal changes (i.e., reorganization, relocation, change in leadership, strategic planning).

     Since the Board's last Sunset Review, there have been significant internal changes.

     - The Board hired a new Executive Officer in May, 2014.
     - In order to maintain fiscal solvency, the Board restructured its internal operations and eliminated the 0.5 Office Technician position.
     - In order to maintain fiscal solvency, the Board stopped regular travel for Board meetings. Physical teleconference locations throughout California are typically provided. Additionally, the Board provides a public teleconference line at every meeting.
     - The Board approved a new strategic plan for 2016-2020.
     - The Board began the process of amending its examination process in an effort to make it more accessible and legally defensible.

   - All legislation sponsored by the board and affecting the board since the last sunset review.

Year	Bill Number	Bill Description	Status
2012	**AB 1588** Atkins	**<u>Professions and Vocations: Reservist Licensees: Fees and Continuing Education</u>** Authorized a waiver from license renewal fees and continuing education requirements for any licensee of a program under the jurisdiction of the Department of Consumer Affairs called to active duty by the United States Armed Forces or the California National Guard.	Chapter 742 Statutes of 2012
2012	**SB 1099** Wright	**<u>Regulations</u>** A regulation or order of repeal is effective on one of four dates: January 1, April 1, July 1, or October 1, except as specified. The Office of Administrative Law must list on its website and link to the full text of each regulation filed with the Secretary of State.	Chapter 295 Statutes of 2012
2012	**AB 1904** Block	**<u>Professions and Vocations: Military Spouses: Expedited Licensure</u>** Required the Department of Consumer Affairs' boards and bureaus to expedite the licensure process for the spouse or domestic partner of a member of the military on active duty who is assigned to a duty station in California.	Chapter 399 Statutes of 2012

2013	**SB 666** Steinberg	**<u>Employment: Retaliation</u>** Provided that a licensee of an entity under the Department of Consumer Affairs may be subject to disciplinary action, upon a finding by the Secretary of the Labor and Workforce Development Agency, that a licensee has threatened to retaliate or retaliated against an employee or an employee's family based on citizenship or immigration status.	Chapter 577 Statutes of 2013
2013	**AB 1149** Campos	**<u>Identity Theft: Local Agencies</u>** Required local agencies that are the target of a data security breach to notify individuals whose personal information may have been exposed.	Chapter 395 Statutes of 2013
2013	**SB 822** Price	**<u>Professions and Vocations: Non-Healing Arts: Omnibus Bill</u>** Eliminated the requirement for the Board to meet to conduct examinations and removed trademarked terminology from the Guide Dog Act.	Chapter 319 Statutes of 2013
2013	**AB 258** Chavez	**<u>State Agencies: Veterans</u>** Required every state agency that requests on any written form, publication, or through its website, whether a person is a veteran, to request that information only in the following format: "Have you ever served in the United States military?"	Chapter 227 Statutes of 2013
2013	**AB 1057** Medina	**<u>Professions and Vocations: Licenses: Military Service</u>** Required all licensing programs within the Department of Consumer Affairs to ask on all initial applications for licensure whether the applicant is serving, or has previously served, in the military.	Chapter 693 Statutes of 2013
2013	**SB 308** Lieu	**<u>Professions and Vocations</u>** Extended the sunset date of the Board of Guide Dogs for the Blind until January 1, 2018.	Chapter 333 Statutes of 2013
2014	**AB 2396** Bonta	**<u>Convictions: Expungement: Licenses</u>** Prohibited a program under the Department of Consumer Affairs from denying a license based solely on a prior conviction if the conviction had been dismissed pursuant to certain Penal Code expungement procedures.	Chapter 737 Statutes of 2014
2014	**SB 1159** Lara	**<u>Professions and Vocations: License Applicants: Federal Tax Identification Number</u>** Required all programs within the Department of Consumer Affairs to accept an individual taxpayer identification number from applicants in lieu of a social security number and explicitly directs the Department's licensing programs to issue licenses to individuals qualified for licensure, but not legally present in the United States.	Chapter 752 Statutes of 2014

2014	**SB 1226** Correa	**<u>Veterans: Professional Licensing</u>** Authorized programs under the Department of Consumer Affairs to expedite and assist the licensure process for individuals honorably discharged from the United States Armed Forces who return to California and seek professional and occupational licensure.	Chapter 657 Statutes of 2014
2014	**AB 1710** Dickinson	**<u>Personal Information: Privacy</u>** Extended certain notification requirements for data security breaches currently applicable to those businesses that own or license the data to those businesses that maintain the data; required businesses that are the source of certain breaches to provide 12 months of credit monitoring services at no charge to affected consumers; specified that the selling of an individual's social security number is unlawful.	Chapter 855 Statutes of 2014
2014	**AB 1711** Cooley	**<u>Administrative Procedures Act: Economic Impact Assessment</u>** Required state agencies to include an economic impact assessment of any proposed regulation in its published initial statement of reasons document. The bill also required the Department of Finance to include and update instructions on how to prepare the economic impact assessment in the State Administrative Manual.	Chapter 779 Statutes of 2014
2014	**AB 1702** Maienschein	**<u>Professions and Vocations: Incarceration</u>** Prohibited licensing boards and bureaus within the Department of Consumer Affairs from denying a license or delaying the processing of applications based solely on some or all of the licensure requirements having been completed while the applicant was incarcerated.	Chapter 410 Statutes of 2014
2014	**AB 2720** Ting	**<u>State Agencies: Meetings: Record of Action Taken</u>** Amended the Bagley-Keene Open Meeting Act to require all state bodies to keep a record of, and publicly report, every vote and abstention of each voting member on every action taken by a board, committee, or commission.	Chaper 510 Statutes of 2014
2014	**AB 1809** Maienschein	**<u>Dogs: Health Certificates</u>** Required a person bringing a dog into California for resale or change of ownership to obtain a health certificate from a licensed veterinarian prior to that dog entering the state. The certificate must be submitted to the county health department, and the county health department receiving the certificate may charge a fee to cover processing costs. Guide dogs are exempt from the aforementioned requirements.	Chapter 498 Statutes of 2014
2014	**AB 2264** Levine	**<u>Victim Compensation: Guide, Signal, or Service Dogs</u>** Authorized a person with a disability to receive compensation from	Chapter 502 Statutes

		the California Victim Compensation and Government Claims Board if the guide, signal, or service dog employed by the disabled person is disabled or killed while servicing the disabled person.	of 2014
2015	**AB 181** Bonilla	**<u>Business and Professions: Omnibus</u>** removed the term "blind person" from statute and replaces it with "persons who are blind or visually impaired." This bill also changed statutory references from calendar year to fiscal year.	Chapter 430 Statutes of 2015
2015	**SB 560** Monning	**<u>Licensing Boards: Unemployment Insurance</u>** Allowed boards and bureaus within the Department of Consumer Affairs to report specified licensee information to the Employment Development Department. In addition, this bill prohibited the Department and its programs from processing initial license applications that do not contain a Social Security Number, Individual Taxpayer Identification Number, or Employer Identification Number.	Chapter 389 Statutes of 2015
2016	**SB 1331** Pavley	**<u>State Board of Guide Dogs for the Blind: membership: out-of-state schools: followup services</u>** Increased the required number of guide dog users on the Board from 2 to 3; Allowed unlicensed instructors from schools outside of California to provide follow-up services in the State without obtaining licensure; Required the Board to prepare a fact sheet outlining specific functions of the Board and require licensed schools to provide that fact sheet to clients receiving instruction from the school.	Chapter 595 Statutes of 2016

- All regulation changes approved by the board since the last sunset review. Include the status of each regulatory change approved by the board.

Regulation Information	File Date	Effective Date
Cleanup		
Retroactive Fingerprinting		
CCR Section 2259 (Examinations)	n/a	withdrawn
CCR Section 2285 (Standards of Conduct)	Monday, September 10, 2014	Monday, January 1, 2015
CCR Sections 2268.2 (Donations; Records), 2271 (Living Quarters; Attendants)	Monday, April 22, 2013	Monday, July 1, 2013

4. Describe any major studies conducted by the board (cf. Section 12, Attachment C).

   While the Board is continually gathering data, particularly through outreach with licensees and consumers, it has not yet had occasion or capacity to conduct a major study.

   The Board has begun a new occupational audit in conjunction with an examination evaluation and restructuring which will take place late 2016-2017. The previous occupational audit was completed in 2011.

5. List the status of all national associations to which the board belongs.

Currently there are no national associations of guide dog boards; therefore this Board does not belong to any.

Section 2 – Performance Measures and Customer Satisfaction Surveys

6. Provide each quarterly and annual performance measure report for the board as published on the DCA website

   Due to the limited licensing population of the Board, DCA does not track quarterly or annual performance for the State Board of Guide Dogs for the Blind.

7. Provide results for each question in the board's customer satisfaction survey broken down by fiscal year. Discuss the results of the customer satisfaction surveys.

   Due to the low volume of complaints, the Board does not use DCA customer satisfaction surveys. However, the Board did create a consumer survey that measured consumer satisfaction with guide dog schools and instructors.

Section 3 – Fiscal and Staff

Fiscal Issues

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

   The Board's fund is not continuously appropriated.

9. Describe the board's current reserve level, spending, and if a statutory reserve level exists.

10. The Board completed FY 2015-16 with a reserve of $80K, equivalent to 4.6 months in reserve. In 2015, the Board laid off the part-time Office Technician to balance revenue and expenditures while delaying the need for a fee increase. Additionally, the Board restructured meeting operations to attain fiscal savings. The Board no longer travels regularly for the pupose of meetings and instead utilizes technology to facilitate Board meetings and provide opportunities for public participation. However, owing to the restrictions of the Open Meetings Act, a number of scheduled Board meetings have been canceled at the last minute due to teleconference locations not being properly staffed by at least one Board member. The Board is now structurally balanced, expending and collecting approximately the same amount of money each year. The Board is subject to Business and Professions Code Section 128.5 which sets a statutory reserve capacity of 24 months.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.

    The Board is projected to be in a deficit in FY 2017-18 if revenue and full expenditure authority are realized. The Board believes that with the restructure implemented in 2015, that solvency can be projected through FY 2018-19 at which point, an increase to School renewal fees to the statutory capacity would yield an approximate $25K increase to revenue and delay insolvency further into the future.

Table 2. Fund Condition

(Dollars in Thousands)	FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16	FY 2016/17	FY 2017/18
Beginning Balance	$163	$123	$127	$88	$80	$25

Revenues and Transfers	$149	$151	$152	$153	$153	$153
Total Revenue	$312	$274	$279	$241	$233	$178
Budget Authority	$196	$199	$209	$208	$208	N/A
Expenditures	$189	$147	$190	$161	$208	$212
Loans to General Fund	$ -	$ -	$ -	$ -	$ -	$ -
Accrued Interest, Loans to General Fund	$ -	$ -	$ -	$ -	$ -	$ -
Loans Repaid From General Fund	$ -	$ -	$ -	$ -	$ -	$ -
Fund Balance	$123	$127	$89	$80	$25	$(34)
Months in Reserve	10	8.0	6.6	4.6	1.4	-1.9

11. 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?

    The Board has no history of general fund loans.

12. Describe the amounts and percentages of expenditures by program component. Use *Table 3. Expenditures by Program Component* to 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 2012/13		FY 2013/14		FY 2014/15		FY 2015/16	
	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E
Enforcement	$ 22	$5	$ 17	$5	$26	$4	$ 20	$5
Examination	$ 23	$5	$ 17	$5	$26	$3	$ 20	$5
Licensing	$ 30	$7	$ 23	$6	$34	$5	$ 26	$6
Administration *	$ 40	$18	$ 31	$16	$44	$16	$ 36	$17
DCA Pro Rata	-	$39	-	$27	-	$32	-	$26
Diversion	-	-	-	-	-	-	-	-
TOTALS	$ 115	$74	$ 88	$59	$130	$60	$ 102	$59

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

13. Describe the amount the board has contributed to the BreEZe program. What are the anticipated BreEZe costs the board has received from DCA?

    Since the inception of the BreEZe project, the Board has contributed a total of $1,020. The Board's estimated contribution in FY 2016-17 is $1,089. The Board has not and does not anticipate utilizing the BreEZe system.

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

    Guide dog schools are required to renew annually by April 30 of each year (Business and Professions Code section 7200.7). As set forth by California Code of Regulations Section 2262.1, the current renewal fee is .00425 of total annual expenses. A school's total annual expenses aredetermined by the audit required in Business and Professions Code section 7217.

In 2010, SB 475 (Padilla) Chapter 51 Statutes of 2009 increased the statutory ceiling of a school renewal fee to .005 of a school's total annual expenses (Business and Professions Code section 7200.7). The Board then promulgated regulations to set the amount the Board could charge a guide dog school to .00425 of school expenses (California Code of Regulations Section 2262.1). Guide dog instructors are required to renew their license on the anniversary date of their initial licensure date. The annual renewal fee is $100 (Business and Professions Code section 7211).

A license for advanced solicitation of charitable donations to be used in the establishment of a guide dog school is $50 (Business and Professions Code section 7210.6(d)). The Board has not issued a license under this provision in at least 40 years.

There have been no changes to the guide dog instructor or fundraising license fees in the last ten years.

Table 4. Fee Schedule and Revenue (list revenue dollars in thousands)

Fee	Current Fee Amount	Statutory Limit	FY 2012/13 Revenue	FY 2013/14 Revenue	FY 2014/15 Revenue	FY 2015/16 Revenue	% of Total Revenue
Instructor Application	$250	$250	$1	$1	$2	$3	2%
Instructor Renewal	$100	$100	$10	$10	$9	$9	6%
Instructor Delinquent Renewal	$50	$50	$ -	$ -	$ -	$ -	0%
Inactive Instructor Renewal	$25	$25	$ -	$ -	$ -	$ -	0%
School Renewal	.00425 X Expenses	.005 X Expenses	$138	$140	$139	$141	92%
Misc. Revenue	Variable	Variable	$ -		$2	$ -	0%
Total Revenue			$149	$151	$152	$153	100%

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

    The Board has not submitted any BCPs in the past four fiscal years.

Staffing Issues

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

    In 2015, the Board made the difficult decision to lay off the part-time Office Technician position to ensure fiscal solvency. While this has created challenges for the day-to-day operations of the Board, the Executive Officer has been able to absorb the workload and utilize Department of Consumer Affairs distributed resources wherever possible.

17. Describe the board's staff development efforts and how much is spent annually on staff development (cf., Section 12, Attachment D).

    SOLID Training Solutions offers a variety of both soft and hard skills training options at no additional cost to Department of Consumer Affairs employees and is covered through

departmental distributed costs. Their traditional classroom style courses have been specifically designed to help build the leadership competencies as defined by the HR Modernization Project.

Section 4 – Licensing Program

18. What are the board's performance targets/expectations for its licensing[1] program? Is the board meeting those expectations? If not, what is the board doing to improve performance?

    Due to the Board's small applicant and licensee population, the Board operates under the general expectation of processing documents within one week. The Board is currently meeting this performance expectation. Processing times upon receipt of all components of an application for examination, are currently under one week.

19. 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?

    The Board continues to process all applications upon receipt. The current application process consists of evaluating a video of an instructor working with a client, reviewing the instructor application for accuracy of information, cashiering $250 initial license/examination fee, and clearing Live Scan fingerprinting.

    Based on demand, the Board generally holds examinations twice per fiscal year.

20. How many licenses or registrations does the board issue each year? How many renewals does the board issue each year?

Table 6. Licensee Population

[1] The term "license" in this document includes a license certificate or registration.

		FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16
Guide Dog Instructor	Active	116	94	98	103
	Inactive	0	6	4	3
	Out-of-State	48	43	46	47
	Out-of-Country	0	0	0	0
	Delinquent	7	6	6	2
Guide Dog School	Active	3	3	3	3
	Out-of-State*	0	0	0	0
	Out-of-Country*	0	0	0	0
	Delinquent	0	0	0	0
Fundraising License	Active	0	0	0	0
	Out-of-State*	0	0	0	0
	Out-of-Country*	0	0	0	0
	Delinquent	0	0	0	0

* The Board has no authority to license or regulate schools or fund raising programs physically located outside of California.

Table 7a. Licensing Data by Type

	Application Type	Received	Approved	Closed	Issued	Pending Applications			Cycle Times		
						Total (Close of FY)	Outside Board control*	Within Board control*	Complete Apps	Incomplete Apps	combined, IF unable to separate out
FY 2013/14	Exam	5	5	0	5	0	-	-	-	-	14
	License	5	5	0	5	0	-	-	-	-	14
	Renewal	109	109	n/a	109	0	-	-	-	-	7
FY 2014/15	Exam	6	6	0	6	0	-	-	-	-	10
	License	6	6	0	6	0	-	-	-	-	10
	Renewal	99	99	n/a	99	0	-	-	-	-	5
FY 2015/16	Exam	13	13	0	13	0	-	-	-	-	10
	License	13	13	0	13	0	-	-	-	-	10
	Renewal	97	97	n/a	97	0	-	-	-	-	5

* Optional. List if tracked by the board.

Table 7b. Total Licensing Data

	FY 2013/14	FY 2014/15	FY 2015/16
Initial Licensing Data:			
Initial License/Initial Exam Applications Received	5	6	13
Initial License/Initial Exam Applications Approved	5	6	13
Initial License/Initial Exam Applications Closed	0	0	0
License Issued	5	6	12
Initial License/Initial Exam Pending Application Data:			
Pending Applications (total at close of FY)	0	0	1
Pending Applications (outside of board control)*	0	0	0
Pending Applications (within the board control)*	0	0	0
Initial License/Initial Exam Cycle Time Data (WEIGHTED AVERAGE):			
Average Days to Application Approval (All - Complete/Incomplete)	5	5	5
Average Days to Application Approval (incomplete applications)*	-	-	-

Average Days to Application Approval (complete applications)*	-	-	-
License Renewal Data:			
License Renewed	109	99	97
* Optional. List if tracked by the board.			

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

    Guide dog schools submit a qualifying letter stating the individual test candidate is qualified to take the licensing examination per Business and Professions Code section 7208.

    a. What process does the board use to check prior criminal history information, prior disciplinary actions, or other unlawful acts of the applicant?

       The Board utilizes Live Scan fingerprinting during the application process to check prior criminal and disciplinary history.

    b. Does the board fingerprint all applicants?

       The Board requires the fingerprinting of guide dog instructors upon application for licensure.

    c. Have all current licensees been fingerprinted? If not, explain.

       In the last sunset report, the Board identified 12 licensees that had not been fingerprinted. While the majority of these individuals complied with a request to submit fingerprints, it recently came to the Board's attention that there were a significant number of licensees that were fingerprinted manually and not electronically. Therefore, the Board introduced a retroactive fingerprint regulation change on 10/11/2016 that will require all licensees to be electronically fingerprinted before their next annual renewal. The Board anticipates the completion of the regulatory procees by the end of 2017.

    d. Is there a national databank relating to disciplinary actions? Does the board check the national databank prior to issuing a license? Renewing a license?

       There is not a national databank relating to disciplinary actions.

    e. Does the board require primary source documentation?

       The Board does not require primary source documentation.

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

    For out-of-state and out-of-country instructors to be licensed in California, they must allow the CADOJ and the FBI to obtain fingerprints and complete a background check, and they must take the Board administered examinations. Examinations are currently only administered in California.

23. 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.

    a. Does the board identify or track applicants who are veterans? If not, when does the board expect to be compliant with BPC § 114.5?

       The Board is working with the Department of Consumer Affairs Publications Office to revise all of its forms to include veteran tracking. The target completion date of this project is January 1, 2017.

    b. 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?

The Board has not received any requests to review military education towards meeting licensing or credentialing requirements. The Board is unaware of any military organization that provides education, training or experience that would assist an applicant in meeting the requirements of BPC § 7209 or CCR § 2260.

c. What regulatory changes has the board made to bring it into conformance with BPC § 35?

The Board is unaware of any military organization that provides education, training or experience that would assist an applicant in meeting the requirements of BPC § 7209 or CCR § 2260. However, the Board's current regulations allow for the evaluation of outside experience, which would include all relevant military experience, for consideration of equivalence when determining eligibility for licensure.

d. 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?

The Board has not received any requests for fee waivers from licensees called to active duty as a member of the United States Armed Forces or the California National Guard.

e. How many applications has the board expedited pursuant to BPC § 115.5?

The Board has not received any requests for an expedited licensure process from applicants married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in this state under official active duty military orders.

24. 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.

The Board routinely sends No Longer Interested notifications to the DOJ when licenses are expired or revoked. These notifications are sent to the DOJ via fax or mail. There is currently no backlog related to No Longer Interested notifications from the Board.

Examinations

Table 8. Examination Data				
California Examination (include multiple language) if any:				
License Type		Guide Dog Instructor	Guide Dog Instructor	Guide Dog Instructor
Exam Title		Written Exam	Practical Exam	Oral Exam
FY 2012/13	# of 1st Time Candidates	2	2	2
	Pass %	100%	100%	100%
FY 2013/14	# of 1st Time Candidates	5	5	5
	Pass %	100%	100%	100%
FY 2014/15	# of 1st Time Candidates	6	6	6
	Pass %	100%	86%*	86%*
FY 2015/16	# of 1st time Candidates	12	12	12
	Pass %	100%	100%	100%
	Date of Last OA	2011	2011	2011
	Name of OA Developer	OPES	OPES	OPES
	Target OA Date	2017	2017	2017

*2014-15 Practical Exam - One candidate did not pass first exam, but retook 6 months later and passed. Both examinations took place in the same FY.				
National Examination (include multiple language) if any:				
License Type		N/A	N/A	N/A
Exam Title		N/A	N/A	N/A
FY 2012/13	# of 1st Time Candidates	N/A	N/A	N/A
	Pass %	N/A	N/A	N/A
FY 2013/14	# of 1st Time Candidates	N/A	N/A	N/A
	Pass %	N/A	N/A	N/A
FY 2014/15	# of 1st Time Candidates	N/A	N/A	N/A
	Pass %	N/A	N/A	N/A
FY 2015/16	# of 1st time Candidates	N/A	N/A	N/A
	Pass %	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
Target OA Date		N/A	N/A	N/A

25. 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?

The Board requires that applicants pass written, practical, and oral examinations, administered by the Board, for licensure. There is no national examination available and there has been no demand for an examination in a language other than English.

The State Board of Guide Dogs for the Blind (Board) contracted with the Office of Professional Examination Services (OPES), of the Department of Consumer Affairs, to conduct an occupational analysis and examination development (FYs 2011/2012 and 2012/2013) for the mandated written, practical, and oral examinations for licensing Guide Dog Instructors in the State of California.

Currently the Board is administering these three types of examinations based on an occupation analysis completed in June, 2011 also developed by OPES. The Board is currently working with OPES to update its occupational analysis.

The 100-item written examination covers the following content areas for respective time periods:

<u>Under 2011 Occupational Analysis</u>

I.	Dog Selection and Care		7%
II.	Dog Training		13%
III.	Dog Evaluation		9%
IV.	Client Assessment		21%
V.	Client Services		50%
	A. Instruction	(22%)	
	B. Documentation	(10%)	
	C. Graduate Support	(18%)	

The Practical examination requires the Guide Dog Instructor candidate to prepare a video of real-time training with the apprentice's client-dog team in the initial weeks of training demonstrating

identified tasks and knowledge from the current occupational analysis. This video is presented to the Board, prior to Orals, for approval of standards.

The Oral examination requires the Guide Dog Instructor candidate to orally present his or her video and verbally demonstrate the minimally acceptable competence in knowledge and safety for entry level practice to the satisfaction of a three-person panel of subject matter experts.

The candidate must pass the written examination by achieving the passing score; the Practical examination is completed by Board approval of the video, and the Oral examination by achieving the passing score. All three examinations must be passed to qualify for licensure.

Guide Dog Instructor licensing examinations are currently only available in English. The Board has not received a request to accommodate an applicant that wishes to take the exam in a different language.

26. What are pass rates for first time vs. retakes in the past 4 fiscal years? *(Refer to Table 8: Examination Data)* Are pass rates collected for examinations offered in a language other than English?

    100% of written Instructor examinations were passed first time. 96% of practical and oral Instructor exams were passed first time. 100% of practical and oral Instructor exam retakes were passed on the first retake. Because the exam is only offered in English, pass rates are not collected for other languages.

27. 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?

    The Board does not currently utilize computer based testing however it is exploring the feasibility of utilizing it for the written exam.

28. Are there existing statutes that hinder the efficient and effective processing of applications and/or examinations? If so, please describe.

    There are no existing statutes that hinder the efficient and effective processing of applications and/or examinations conducted by the board.

School approvals

29. 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?

    The Board licenses and approves guide dog schools physically located in California. The Bureau of Private Postsecondary Education has no role in the approval or licensure process because guide dog schools do not exist for the purpose of granting degrees, certificates, or education leading towards licensure or other academic goals.

30. How many schools are approved by the board? How often are approved schools reviewed? Can the board remove its approval of a school?

    The Board licenses and approves the three schools physically located in California. The Board inspects and evaluates schools annually and can take action on a schools license, if necessary including by not limited to the issuance of citations and fines or the revocation of a license.

31. What are the board's legal requirements regarding approval of international schools?

    The Board does not approve schools located outside the State, but rather evaluates and issues licenses to individual instructors employed by those schools coming into the state to provide

instruction.

Continuing Education/Competency Requirements

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

    CCR § 2286. (Continuing Education)

    As a condition of renewal of an instructor's license, an instructor shall provide proof to the board of completion of not less than 8 hours of continuing education (CE) obtained within 12 months prior to license renewal. Proof of completion of CE shall be in form of a written declaration specifically naming the activity, the dates involved, any costs, and the name of the instructor, and institution or sponsoring organization. An instructor shall provide proof to the board of completion of one or a combination of any of the following totaling 8 hours:

    (1) Participates in a board approved course or seminar, regarding blindness mobility, health issues relating to blindness, instructing blind persons, and care and training of dogs.

    (2) Attends at meetings of guide dog user organizations or organizations of the blind.

    (3) Participates in self-study videos or online coursework.

    There have been no changes to the continuing education requirements since the last review.

a. How does the board verify CE or other competency requirements?

   In addition to thorough CE audits, renewal forms include a statement certifying all information; including CE information, is true and correct.

b. Does the board conduct CE audits of licensees? Describe the board's policy on CE audits.

   Because of the Board's small licensing population, annual CE audits are completed on its entire population. Upon renewal, the Executive Officer inspects all documents for completion and then verifies that there is sufficient evidence of completion of the coursework submitted.

c. What are consequences for failing a CE audit?

   In the event that a licensee fails a CE audit, they will receive a deficient renewal notification with which they will be given the opportunity to rectify. If a licensee cannot provide sufficient evidence of completion of CE, their license will not be renewed and will ultimately expire.

d. How many CE audits were conducted in the past four fiscal years? How many fails? What is the percentage of CE failure?

   CE audits were conducted annually on the entire instructor population which is currently 116 individuals. There have been no failures; all delinquencies were rectified by either providing sufficient evidence, or by the licensee becoming inactive.

e. What is the board's course approval policy?

   Pursuant to 16 CCR § 2286(b), all courses, seminars, meetings, self-study videos, or online coursework must pertain to blindness mobility, health issues relating to blindness, instructing blind persons, or care and training of dogs.

f. Who approves CE providers? Who approves CE courses? If the board approves them, what is the board application review process?

   The Executive Officer approves CE courses that are submitted with Instructor renewals or in advance of renewal by ensuring that they pertain to the required areas of study detailed above.

g. How many applications for CE providers and CE courses were received? How many were approved?

The Board does not approve CE providers. CE courses are approved with each licensee's application for renewal.

h. Does the board audit CE providers? If so, describe the board's policy and process.

The Board does not audit CE providers.

i. 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.

The Board's goal is to ensure its instructors receive CE that will keep them competent and up-to-date on the latest technology and guide dog instruction protocols, while making the education itself inexpensive and easily accessible.

Section 5 – Enforcement Program

33. 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?

The Board's goal is to be responsive to any and all complaints brought to its attention. Due to the Board's proactive approach to ensuring a highly qualified and law abiding licensing population through its rigorous examination and continuing education process, a low volume of complaints are received. The Board has been able to be responsive and thus meet enforcement performance expectations.

34. 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?

Since the Board's last sunset review, the Board promulgated regulations to attain citation and fine authority as an enforcement mechanism. The Board has successfully and effectively utilized that authority and does not see any current performance barriers to the enforcement program.

Table 9a. Enforcement Statistics

	FY 2013/14	FY 2014/15	FY 2015/16
COMPLAINT			
Intake			
Received	1	2	4
Closed	1	2	4
Referred to INV	1	2	3
Average Time to Close	10	15	26
Pending (close of FY)	0	0	0
Source of Complaint			
Public	1	1	-
Licensee/Professional Groups	-	-	-
Governmental Agencies	-	-	-
Other	-	1	4
Conviction / Arrest			
CONV Received	0	0	0

CONV Closed	0	0	0
Average Time to Close	-	-	-
CONV Pending (close of FY)	0	0	0
LICENSE DENIAL			
License Applications Denied	0	0	0
SOIs Filed	0	0	0
SOIs Withdrawn	0	0	0
SOIs Dismissed	0	0	0
SOIs Declined	0	0	0
Average Days SOI	0	0	0
ACCUSATION			
Accusations Filed	0	0	0
Accusations Withdrawn	0	0	0
Accusations Dismissed	0	0	0
Accusations Declined	0	0	0
Average Days Accusations	0	0	0
Pending (close of FY)	0	0	0

Table 9b. Enforcement Statistics (continued)

	FY 2013/14	FY 2014/15	FY 2015/16
DISCIPLINE			
Disciplinary Actions	0	0	0
Proposed/Default Decisions	0	0	0
Stipulations	0	0	0
Average Days to Complete	0	0	0
AG Cases Initiated	0	0	0
AG Cases Pending (close of FY)	0	0	0
Disciplinary Outcomes	0	0	0
Revocation	0	0	0
Voluntary Surrender	0	0	0
Suspension	0	0	0
Probation with Suspension	0	0	0
Probation	0	0	0
Probationary License Issued	0	0	0
Other	0	0	0
PROBATION			
New Probationers	0	0	0
Probations Successfully Completed	0	0	0
Probationers (close of FY)	0	0	0
Petitions to Revoke Probation	0	0	0
Probations Revoked	0	0	0
Probations Modified	0	0	0
Probations Extended	0	0	0
Probationers Subject to Drug Testing	0	0	0
Drug Tests Ordered	0	0	0
Positive Drug Tests	0	0	0
Petition for Reinstatement Granted	0	0	0
DIVERSION			
New Participants	n/a	n/a	n/a
Successful Completions	n/a	n/a	n/a
Participants (close of FY)	n/a	n/a	n/a
Terminations	n/a	n/a	n/a

Terminations for Public Threat	n/a	n/a	n/a
Drug Tests Ordered	n/a	n/a	n/a
Positive Drug Tests	n/a	n/a	n/a

Table 9c. Enforcement Statistics (continued)

	FY 2013/14	FY 2014/15	FY 2015/16
INVESTIGATION			
All Investigations			
First Assigned	1	2	3
Closed	1	2	3
Average days to close	10	15	26
Pending (close of FY)	0	0	0
Desk Investigations			
Closed	1	1	3
Average days to close	10	7	26
Pending (close of FY)	0	0	0
Non-Sworn Investigation			
Closed	0	0	0
Average days to close	0	0	0
Pending (close of FY)	0	0	0
Sworn Investigation			
Closed	0	0	0
Average days to close	0	0	0
Pending (close of FY)	0	0	0
COMPLIANCE ACTION			
ISO & TRO Issued	0	0	0
PC 23 Orders Requested	0	0	0
Other Suspension Orders	0	0	0
Public Letter of Reprimand	0	0	0
Cease & Desist/Warning	0	0	0
Referred for Diversion	0	0	0
Compel Examination	0	0	0
CITATION AND FINE			
Citations Issued	0	1	0
Average Days to Complete	0	7	0
Amount of Fines Assessed	0	$2,500	0
Reduced, Withdrawn, Dismissed	0	0	0
Amount Collected	0	$2,500	0
CRIMINAL ACTION			
Referred for Criminal Prosecution	0	0	0

Table 10. Enforcement Aging

	FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16	Cases Closed	Average %
Attorney General Cases (Average %)						
Closed Within:						
1 Year	-	-	-	-	0	-
2 Years	-	-	-	-	0	-
3 Years	-	-	-	-	0	-
4 Years	-	-	-	-	0	-
Over 4 Years	-	-	-	-	0	-
Total Cases Closed	0	0	0	0	0	0
Investigations (Average %)						
Closed Within:						
90 Days	100%	100%	100%	100%	6	100%
180 Days	-	-	-	-	0	-
1 Year	-	-	-	-	0	-
2 Years	-	-	-	-	0	-
3 Years	-	-	-	-	0	-
Over 3 Years	-	-	-	-	0	-
Total Cases Closed	1	1	1	3	0	0

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

    There has not been any increase or decrease in disciplinary action since the last review.

36. How are cases prioritized? What is the board's compliant prioritization policy? Is it different from DCA's *Complaint Prioritization Guidelines for Health Care Agencies* (August 31, 2009)? If so, explain why.

    Due in part to the low volume of complaints, all complaints are brought to the attention of Board staff and handled upon receipt.

37. 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?

    There are no mandatory reporting requirements and therefore, no problems identified by the Board.

    a. What is the dollar threshold for settlement reports received by the board?

       n/a

    b. What is the average dollar amount of settlements reported to the board?

       n/a

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

    The Board has not yet entered into any settlements with licensees.

39. 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?

The board does not operate with a statute of limitations. Due to the Board not having a statute of limitations in statute, it operates on the legal equitable principle of laches. Laches is the legal doctrine that an unreasonable delay in seeking a remedy for a legal right or claim will prevent it from being enforced or allowed if the delay has prejudiced the opposing party.

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

    The Board became aware of unlicensed activity in the form of follow-up instruction in 2011. Out of state instructors were coming into California to provide instruction to teams that they had previously trained elsewhere. The Board has always maintained that follow-up was considered instruction, but adopted regulations (California Code of Regulations, Title 16, Division 22, Section 2252(g)) in 2012 to clarify the existing law. In 2015, the Board enforced this provision in a preventative manner to address unlicensed activity in the State.

Cite and Fine

41. 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?

    In 2012, the Board adopted regulations to establish its cite and fine authority with a maximum fine of $5,000. Since then, the Board has utilized its cite and fine authority to enforce the licensure requirement for instruction.

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

    Cite and fine is used as a mechanism to deter unlicensed activity or violations of the Board's statutes and regulations. Any violation of the Board's practice act is grounds for citation and fine. Since its inception in 2012, the Board has only utilized the authority to enforce violations of the licensure requirement.

43. 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?

    In the last 4 fiscal years, the Board has had no appeals to citation or fines.

44. What are the 5 most common violations for which citations are issued?

    Currently, citations have only been issued relating to unlicensed activity.

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

    The average fine is $2,500.

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

    The Board has had no need to utilize the Franchise Tax Board to collect fines.

Cost Recovery and Restitution

47. Describe the board's efforts to obtain cost recovery. Discuss any changes from the last review.

    The Board has not yet been involved in a case with the potential need for cost recovery.

48. How many and how much is ordered by the board for revocations, surrenders and probationers? How much do you believe is uncollectable? Explain.

    The Board has not been involved in a case with the potential need for cost recovery or restitution in the foreseeable past; therefore it is unknown how much would be uncollectable.

49. Are there cases for which the board does not seek cost recovery? Why?

The Board has not yet been involved in a case with the potential need for cost recovery.

50. Describe the board's use of Franchise Tax Board intercepts to collect cost recovery.

The Board has not needed to utilize the services of the Franchise Tax Board for cost recovery purposes.

51. 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.

The only authority the Board possesses to impose restitution upon any party is derived from the Administrative Procedures Act (APA) at Government code section 11519, subdivision (d). The provisions of the APA are only applicable in cases of discipline imposed upon licensees and persons whom have applied for licensure but have been denied. The Board has not been involved in a case with the potential need for restitution in the past.

Table 11. Cost Recovery (list dollars in thousands)

	FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16
Total Enforcement Expenditures	0	0	0	0
Potential Cases for Recovery *	0	0	1	0
Cases Recovery Ordered	0	0	0	0
Amount of Cost Recovery Ordered	0	0	0	0
Amount Collected	0	0	0	0

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

Table 12. Restitution (list dollars in thousands)

	FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16
Amount Ordered	0	0	0	0
Amount Collected	0	0	0	0

Section 6 – Public Information Policies

52. 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 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?

The Board utilizes the internet to publically notice meetings, disseminate meeting materials, and provide access to meeting minutes. Agendas are emailed and posted online in accordance with the Bagley Keene Open Meeting Act. Draft meeting minutes are typically included in the materials for the next meeting. Final meeting minutes are posted on the website upon approval of the Board and are available online for a minimum of 5 years.

53. Does the board webcast its meetings? What is the board's plan to webcast future board and committee meetings? How long to webcast meetings remain available online?

The Board does not webcast meetings as it feels it is not the most effective way to ensure public access to its constituents. Providing a public teleconference option has proven to be the most effective and beneficial way to ensure public involvement in meetings.

54. Does the board establish an annual meeting calendar, and post it on the board's web site?

Yes, the Board posts the annual quarterly meeting schedule on their website and makes every effort to provide notice of committee and special meetings far in advance of the requirements set forth in the Bagley Keen Open Meeting Act.

55. 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 DCA's *Web Site Posting of Accusations and Disciplinary Actions* (May 21, 2010)?

The Board's complaint disclosure and web site posting policies are consistent with DCA's standards and recommendations.

56. What information does the board provide to the public regarding its licensees (i.e., education completed, awards, certificates, certification, specialty areas, disciplinary action, etc.)?

The Board provides the following information to the public regarding its licensees:

- Guide Dog Instructor – license #, name, license date, mailing address, and status (active, inactive, expired)
- Guide Dog School – school name, license status, address, phone number, Web site

57. What methods are used by the board to provide consumer outreach and education?

The following outreach/education methods are currently employed by the Board:

- Social media, including Facebook and Twitter
- Board Meetings
- Postings to List Serv with stakeholders (e.g. consumer groups)
- Press conferences
- Guide Dog Days
- Special Events (e.g. Q&A regarding definition of service animal with U.S. Department of Justice and Disability Rights California
- Specialized fact sheets outlining specific functions of the Board

In the 2016-2020 Strategic Plan, the Board made a point of focusing resources on the following:

- Partnering with the Department of Consumer Affairs' Office of Public Affairs to develop an outreach plan that focuses on educating the public on legitimate accessibility issues and how to prevent attacks on guide dogs.
- Consistently utilizing the Board's Internet presence and social media channels to disseminate industry and Board-related information and resources in order to bring positive visibility to the industry and increase public engagement and participation, while educating on the need for State-certified licensing and examination of instruction.

Section 7 – Online Practice Issues

58. 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?

The Board is not aware of any guide dog instruction taking place online, therefore there has not been any discussion regarding the regulation of online practice. Due to the nature of the profession, it is the Board's opinion that the training of a guide dog and the instruction of an individual in the use of a guide dog takes place in person.

Section 8 – Workforce Development and Job Creation

59. What actions has the board taken in terms of workforce development?

    The Board has not taken any specific action in the area of workforce development. The three licensed schools located in California hire apprentice instructors as they foresee future needs for instructors based on their organization's strategic planning.

60. Describe any assessment the board has conducted on the impact of licensing delays.

    Due to pre-licensure requirements, the Board is aware of when apprentices will be eligible for application and can strategically adjust the exam schedule to minimize any delays that may occur in the licensure process.

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

    The Board currently works with liaisons from each of the three licensed schools to communicate the licensing process.

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

    The only barrier to licensure that has been brought to the Board's attention is the need for an out-of-state applicant to physically take the licensing exam in California. During the upcoming occupational audit and potential examination restructure, the Board plans to address this potential issue to determine if an effective method exists that would allow for remote or online based testing.

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

    a. Workforce shortages

       None identified

    b. Successful training programs.

       Each guide dog school maintains three year apprenticeship programs that educate instructors in the training of guide dogs, persons that are blind and guide dog teams.

Section 9 – Current Issues

64. What is the status of the board's implementation of the Uniform Standards for Substance Abusing Licensees?

    The Board has not had a history of receiving complaints regarding substance abusing licensees therefore these standards have not been implemented at this time.

65. What is the status of the board's implementation of the Consumer Protection Enforcement Initiative (CPEI) regulations?

The Consumer Protection Enforcement Initiative addresses healing art's Boards and Bureaus' enforcement processes and timelines is not applicable to the Guide Dog Board.

66. Describe how the board is participating in development of BreEZe and any other secondary IT issues affecting the board.

    a. Is the board utilizing BreEZe? What Release was the board included in? What is the status of the board's change requests?

       The Board is currently not utilizing BreEZe and does anticipate utilizing it. The Board was initially included in Release 3.

    b. If the board is not utilizing BreEZe, 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?

       The Board is currently examining the best system to provide services based on the needs of the program, whether it is a modified version of BreEZe or a different system.

Section 10 – Board Action and Response to Prior Sunset Issues

Include the following:

1. Background information concerning the issue as it pertains to the board.
2. Short discussion of recommendations made by the Committees during prior sunset review.
3. What action the board took in response to the recommendation or findings made under prior sunset review.
4. Any recommendations the board has for dealing with the issue, if appropriate.

ISSUE # 1: Should the regulations be changed to require licensees licensed before January 1, 1998 to submit fingerprints for security clearance prior to the renewal of their licenses?

Recommendation: ***The Board should inform the Committee whether it believes that expanding the Live Scan fingerprinting requirement to all licensees would be beneficial to ensuring the protection of consumers and stakeholders.***

Background: At the time of the prior sunset review, the Board identified twelve licensees who had not submitted fingerprints and were not required to do so because the regulations did not reach those licensed before January 1, 1998. The Board identified that it would promulgate regulations to be consistent with other regulatory boards and fingerprint its entire licensee population.

Board Action: After the prior sunset review, the Board initially made an assumption that the small number of licensees that had not submitted fingerprints would comply with a request to complete the process or let their license expire due to retirement or other attrition. This assumption led the Board not to promulgate regulations immediately following the prior sunset review. While the majority of these individuals complied with the Board's request to submit fingerprints, it recently came to the Board's attention that there were a significant number of licensees that were fingerprinted manually and not electronically. Therefore, the Board introduced a retroactive fingerprint regulation change on 10/11/2016 that, when effective, will require all licensees to be electronically fingerprinted before their next annual renewal. The Board anticipates all licensees being fingerprinted in 2018.

ISSUE # 2: How is the Board dealing with ongoing and recurring vacancies on the Board?

Recommendation: ***The Board should inform the Committee whether board position vacancies are harming the Board's ability to fulfill its mission and whether the Board has suggestions related to addressing the vacancy issue.***

Background: At the time of the prior sunset review, the Board had one unfilled member position, and had trouble retaining Board members and significant turnover for several years.

Board Action: All positions on the Board are currently filled and the Board has not had trouble retaining members. Board staff now has frequent conversations with the Governor's Appointments Office to ensure vacancies are filled in a timely manner.

ISSUE # 3: Has the Board developed an ethics code for practitioners?

Recommendation: ***The Board should update the Committee on its plan for developing an ethics code, its estimated date for completion, and its plans for promulgating and enforcing the code.***

Background: At the time of the prior sunset review, the Board stated that it will develop a code of ethics for practitioners as part of its strategic plan.

Board Action: The Board developed and approved CCR § 2285 "Ethical Standards of Practice for a Guide Dog Instructor or Guide Dog School" which was filed in the Office of the Secretary of State on Monday, September 10, 2014 and became effective January 1, 2015.

ISSUE # 4: Should BPC § 7206 be amended to reflect the current practices of the Board related to candidate examinations?

Recommendation: ***The Committee should amend BPC § 7206 to state that once a year the Board shall direct licensed subject matter experts to conduct examinations of candidates for licensure.***

Background: At the time of the prior sunset review, BPC § 7206 required the Board to conduct an examination of candidates for certification at least once per year. However, after conducting an Occupational Analysis in 2005, the Board changed the examination process so that licensed subject matter experts, not board members, review candidates written and oral exam performance.

Action: SB 822 (Price) Chapter 319, Statutes of 2013 made the necessary changes to the Boards statute and allowed subject matter experts to review and rate a candidates licensing examination.

ISSUE # 5: Should BPC § 7210 be amended to reflect proper contemporary terminology for guide dogs?

Recommendation: ***The Committee should amend BPC § 7210 to remove the term "seeing-eye dog" from the statute.***

Background: At the time of the prior sunset review, BPC § 7210 made reference to "seeing-eye dog," which is a trademark owned by a guide dog school located outside of California. The term "seeing-eye dog" is no longer used as a general term for a guide dog, and needed to be deleted.

Action: SB 822 (Price) Chapter 319, Statutes of 2013 made the necessary changes to the Boards statute to remove the outdated references.

ISSUE # 6: Is the licensure process too burdensome for out of state instructors and schools who wish to provide services, including follow-up training, in California? Is this detrimental to California consumers?

Recommendation: ***The Board should evaluate whether there is anything the Board can do to remove barriers to qualified out-of-state instructors securing California licensure and report back to the Committee.***

Background: California is the only state that regulates guide dog schools, instructors, and fundraisers. Some out-of-state guide dog schools and instructors who do not have the ability to get licenses in their home states have expressed concern that they are unable to provide guide dog training services in California without applying for a California license.

The Board has clarified through regulations that "instruction," which can only be conducted by a licensed provider, includes follow-up instruction. Some guide dog users have questioned the validity of a law that prohibits unlicensed follow-up instruction in this state.

As no other state licenses guide dog instructors, there is no reciprocity to establish mechanisms like practice privilege. However, individuals who meet the criteria laid out in Business and Professions Code section 7209, Qualifications for Examination as Instructor, may become licensed instructors in California even if their own training and experience occurred outside this state. Moreover, Senate Bill 1331, Pavley, Chapter 595, Statutes of 2016 established a mechanism for out of state instructors to provide follow-up instruction in California without first obtaining licensure.

Board Action: In 2015 the Board surveyed guide dog schools located outside of California to determine if there were any barriers to the licensure and examination processes. Limited formal responses were collected, however the Board has begun a new occupational audit in conjunction with an examination evaluation and potential restructuring which will take place late 2016-2017. If the Board identifies any ways to streamline the licensure process while ensuring consumer protection, they will be considered as options for amending the current examination and licensure processes.

ISSUE # 7: Should the arbitration pilot program be extended or allowed to sunset?

Recommendation: ***The Board should inform the Committee whether it believes the arbitration program should be continued in light of its infrequent use.***

Background: BPC § 7215.6 establishes an arbitration panel for the settlement of disputes between a guide dog user and a licensed guide dog school regarding the continued use of a guide dog by the user in all cases except those in which the dog user is the unconditional legal owner of the dog. At the time of the prior sunset review, the arbitration program had only been used two times during the nine years it had existed. In the last two fiscal years, the Board has been involved in 6 separate cases where the continued custody or use of a guide dog was called into question. The Board has conducted custody hearings, arbitrations, and aided in settlements between the school and guide dog user whenever applicable.

Board Action: Through this increased use of the arbitration process, the Board has become aware of flaws inherent in the process. The Board is in the process of discussing the best way to amend the statute and will provide suggestions to the committee as soon as consensus is reached. The primary areas of concern lie in the following:

- individual school policies regarding ownership of guide dogs/ a school's proprietary handle
- composition of the panel
- procedure and timeline for custody disputes when safety is a concern
- violations of user/school contracts

The Board is dedicated to providing an arbitration process that best serves the guide dog user, the guide dog, and the school collectively. The Board believes that the arbitration program should be continued, however it should be amended and enhanced in a way that best serves the community.

Section 11 – 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:

1. Issues that were raised under prior Sunset Review that have not been addressed.

   The Board has addressed, or is in the process of addressing all issues raised under prior Sunset Review

2. New issues that are identified by the board in this report.

   A. The Board recently identified an issue with its retroactive fingerprinting data in that a portion of the licensee population that was fingerprinted completed the requirement manually and not electronically. In order for the Board to receive subsequent arrest warrants, fingerprints must be submitted via Live Scan. To solve this issue, the Board introduced a retroactive fingerprint regulation change on 10/11/2016 that, when effective, will require all licensees to be electronically fingerprinted before their next annual renewal.

   B. The Board will begin the occupational audit and examination development process in an effort to streamline the examination and licensure process if efficiencies are identified.

3. New issues not previously discussed in this report.

   A. Pursuant to BPC § 27(a), the Board is required to post a licensee's address of record on its website. Many licensees use the school with which they are employed as their address of record. However, when licensees retire or separate from a school, they are required to change their address, likely to their home address. This causes many licensees to let their license expire as they do not wish to have their home address listed on the internet. The Board would like the Committee to consider exempting guide dog instructors from BPC § 27(a) to help ensure the personal privacy requested by their licensing population.

   B. Pursuant to BPC § 7210.7 and CCR § 2278, the Board collects the names and addresses of clients enrolled, graduated, and receiving in home training from a guide dog school. This information is collected for demographic purposes and the Board believes that there is no reason to retain specific personal information about guide dog users. These sections of law should be repealed or amended to only collect demographic information deemed necessary by the Board.

4. New issues raised by the Committees.

At this point, no new issues have been raised by the Committees.

Section 12 – 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).