SPCB
STRUCTURAL PEST CONTROL BOARD

STRUCTURAL PEST CONTROL BOARD

BOARD MEETING

August 26, 2024
9 a.m. to conclusion of business

Structural Pest Control Board
Hearing Room
2005 Evergreen Street
Sacramento, CA 95815

SPCB

STRUCTURAL PEST CONTROL BOARD

MEMBERS OF THE BOARD

YESSENIA ANDERSON, PRESIDENT

KYLE FINLEY, VICE PRESIDENT

ANKUR BINDAL

SCOTT MENDENHALL

MARK PAXSON

JOHN TENGAN

OUR VISION

The Structural Pest Control Board sets the standard as the national regulatory and environmental leader of pest management for consumer protection.

OUR MISSION

The Structural Pest Control Board's mission is to protect the general welfare of Californians and the environment by promoting outreach, education, and regulation of the structural pest management profession.

OUR VALUES

Accountability
Consumer Protection
Professionalism
Service
Transparency

STRUCTURAL PEST CONTROL BOARD
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CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS

PDE_23-010

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MEETING NOTICE
STRUCTURAL PEST CONTROL BOARD MEETING

August 26, 2024
9:00 a.m. – 5:00 p.m. (or until conclusion of business)

LOCATION:
Structural Pest Control Board
Hearing Room
2005 Evergreen Street
Sacramento, California 95815

AGENDA

Action may be taken on any agenda item. Agenda items may be taken out of order.

1. Roll Call / Establishment of Quorum

2. Flag Salute / Pledge of Allegiance

3. Public Comment for Items Not on the Agenda
   The Board may not discuss or take action on any matter raised during this public comment section that is not included on this agenda, except to decide whether to place the matter on the agenda of a future meeting. (Government Code, Sections 11125, 11125.7(a).)

4. Petition for Reinstatement
   Dawn Marie Charrette – OPR 9119, Branch 1 and 3

5. Petition for Reinstatement
   Marc A. Howze – OPR 12023, Branch 2

6. Petition for Reinstatement
   Caleb J. Goins-Jacobs – RA 59665, Branch 2 and 3

7. Petition for Reinstatement
   Emiliano Lopez – FR 32172, Branch 2

Closed Session

8. Pursuant to Government Code, section 11126, subdivision (c)(3), the Board will meet in closed session for discussion and to take action on disciplinary matters, including the above petitions.

Open Session

9. Discussion and Possible Approval of the October 10, 2023, SPCB Meeting Minutes

10. California Department of Pesticide Regulation Update

11. Regulations:
    a. Consideration of, and Possible Action on, Comment(s) Received During the 45-Day Comment Period Regarding Proposed Regulations to Amend Section 1970.4 and Adopt Sections 1970.41, 1970.42, and 1970.43 of Title 16 of the California Code of Regulations (Pesticide Application Notice Requirements)

    b. Review, Discussion, and Possible Action to Consider Non-Substantive Changes to Previously Approved Text and Reauthorization of Regular Rulemaking to Amend Section 1970.4 and Adopt Sections 1970.41, 1970.42, and 1970.43 of Title 16 of the California Code of Regulations (Pesticide Application Notice Requirements)

    c. Review, Discussion, and Possible Action to Initiate the Rulemaking Process to Adopt or Amend Regulations on Examinations (Sections 1940, 1941, and 1942 of Title 16 of the California Code of Regulations)

    d. Review, Discussion, and Possible Action to Initiate the Rulemaking Process to Adopt or Amend Regulations on Fee Increase (Sections 1936, 1936.2, 1948, and 1997 of Title 16 of the California Code of Regulations)

12. Update on Board Monitored Legislation:
    a. SB 1451(Ashby) Professions and Vocations

13. Executive Officer's Report
    a. Budget Update
    b. 2023-2028 Strategic Plan Update
    c. Research Advisory Committee Update
    d. Technical Advisory Committee Update

14. Licensing Update
    a. Statistical Report
    b. Connect Implementation

15. Enforcement Update
    a. Statistical Report

16. Outreach and Communication Update

17. Future Board Meeting: October 15-16, 2024

18. Adjournment

This meeting will be Webcast, provided there are no unforeseen technical difficulties or limitations. To view the Webcast, please visit https://thedcapage.wordpress.com/webcasts/. Additionally, the meeting may be cancelled or changed without notice. For verification, please check the Board's website at www.pestboard.ca.gov or call 916-561-8700.

Government Code, section 11125.7, provides the opportunity for the public to address each agenda item during discussion or consideration by the Board prior to the Board taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Board, but the Board President may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the Board to discuss items not on the agenda; however, the Board can neither discuss nor take official action on these items at the time of the same meeting. (Government Code sections 11125, 11125.7(a).)

The meeting is accessible to the physically disabled. A person who needs disability-related accommodation or modification in order to participate in the meeting may make a request by contacting: Kristina Jackson-Duran at (916) 561-8700, email: pestboard@dca.ca.gov, or send a written request to the Structural Pest Control Board, 2005 Evergreen Street, Suite 1500, Sacramento, CA 95815. Providing your request at least five (5) business days prior to the meeting will help to ensure availability of the requested accommodations. The Board's TDD Line is: (916) 322-1700.

SPCB
STRUCTURAL PEST CONTROL BOARD

AGENDA ITEM 9

DISCUSSION AND POSSIBLE APPROVAL OF THE OCTOBER 10, 2023, SPBC MEETING MINUTES

Structural Pest Control Board
Meeting Minutes

October 10, 2023

Location:
Department of Consumer Affairs – Hearing Room (1st Floor)
1625 North Market Boulevard
Sacramento, CA 95834

Board Members Present:
Kyle Finley, Board President
Yessenia Anderson, Board Vice President
Mark Paxson
John Tengan

Board Members Absent:
Ankur Bindal
Janet Thrasher

Board Staff Present:
Sophia Azar, Executive Officer
Melissa Zanetta, Chief of Licensing & Administration
Kathleen Boyle, Chief of Enforcement
Melissa Sowers-Roberts, Disciplinary Specialist
Heather Jackson, Regulation & Legislation Specialist

Departmental Staff Present:
Sabina Knight, DCA Legal Counsel

Agenda Item 1. Roll Call / Establishment of Quorum

The Structural Pest Control Board (Board) meeting was called to order by President Finley at 9:03 a.m. and Executive Officer (EO) Azar called roll.

President Finley, along with Vice President Anderson, Board members Paxson and Tengan were present. Board members Bindal and Thrasher were absent.

A quorum of the Board was established.

Agenda Item 2. Flag Salute / Pledge of Allegiance

President Finley led everyone in a flag salute and recitation of the Pledge of Allegiance.

Agenda Item 3. Public Comment for Items Not on the Agenda

No public comments.

Agenda Item 4. Petition for Reinstatement
Bernard M. Garcia – FR 47991 – Branch 3 & RA 52952 – Branch 2

An Administrative Law Judge and Deputy Attorney General appeared with the Board to hear Mr. Bernard M. Garcia's petition. After much discussion, Mr. Garcia was informed he would be notified by mail of the Board's decision.

Agenda Item 5. Petition for Reinstatement
Daniel Ray Smith – FR 35981 – Branch 2

An Administrative Law Judge and Deputy Attorney General appeared with the Board to hear Mr. Daniel Ray Smith's petition. After much discussion, Mr. Smith was informed he would be notified by mail of the Board's decision.

CLOSED SESSION

The Board entered closed session at 11:37 a.m.

Agenda Item 6.

Pursuant to Government Code section 11126(c)(3) the Board met in closed session to discuss and take action on disciplinary matters, including the above petitions.

Agenda Item 7.

Pursuant to Government Code section 11126(a)(1) the Board met in closed session to conduct the annual performance evaluation and consider the salary of its Executive Officer.

Agenda Item 9. Discussion and Possible Approval of the June 28-29, 2023, SPCB Meeting Minutes

Board Vice President **Anderson moved,** and Board member **Paxson seconded** the motion to approve the minutes of the June 28-29, 2023, Structural Pest Control Board meeting.

No Board or public comments.

Motion carried 4-0 by roll call vote.

Agenda Item 10. California Department of Pesticide Regulation Update

Nathan Desjarlais, Department of Pesticide Regulation (DPR), provided the Board an update on the Structural Regulatory Training, rulemaking regarding Handler Decontamination Facilities and Certification and Training as it relates to SPCB licensees, and EPA's sulfuryl fluoride residential fumigation mitigation measures and enforcement efforts.

Agenda Item 11. Executive Officer's Report

EO Azar provided the Board with an update on the new Applicator Examination and plan to update the reference lists included in the examination candidate handbooks. She also reported Board staff is currently working with DCA's Office of Professional Examination Services (OPES) to develop a new Operator Branch 3 examination and explained a key component of the examination development process is Subject Matter Experts (SMEs), encouraged any qualified licensed Branch 3 Operators to apply with the Board (Email SPCBworkshops@dca.ca.gov) to become an SME and assist with the examination development process, and detailed some of the benefits of participation.

EO Azar reported OPES recently ran statistics for the new Field Representative Branch 2 and 3 examinations for August and September of 2023. The statistics show both examinations

performing very well, with a pass rate of about 80% (Field Representative Branch 2) and 65% (Field Representative Branch 3). Whereas prior examination pass rates reflected 65% (Field Representative Branch 2) and 45% (Field Representative Branch 3).

(a) Staffing Update

EO Azar provided a staffing update for the Board. She reported on the Board's current recruitments efforts for a Structural Pest Control Board Specialist vacancy in Southern California, targeting mid-November for interviews and hoping to complete the hiring process and onboarding by December 2023/January 2024 timeframe. She also announced Alicia Vaupotic and Rachael Jordan were both recently promoted within the Board.

(b) Budget Update

The Board was referred to the meeting materials for detailed revenue and expenditure reports. EO Azar reported the Board's expenses for the year were approximately $5.9 million. She reported the Board began the new fiscal year (2023/24) with a fund balance of $3.1 million and anticipates revenue of approximately $6.6 million. The Board's full expenditure allocation is $7.6, but EO Azar explained historically, the Board has only spent about 80% of their appropriation, about $1 million less than allocated.

Board member Paxson asked if there are budget projections that support the expectation of spending $1 million less than appropriated. EO Azar assured the Board she doesn't anticipate anything out of the ordinary with regard to expenditures for the coming year. She explained the Board will be undergoing a workload analysis to quantify position needs and suggested the Board's fees, increases may be considered in the future. Board member Paxson requested that EO Azar keep the Board regularly informed, particularly if there are any unexpected expenditures that may appear to exceed the provided fund condition projections.

(c) 2023-2028 Strategic Plan Update

EO Azar reported that in September 2022, Governor Newsom signed an executive order to strengthen the State's commitment to a "California For All" which directed state agencies and departments to take additional actions to embed equity analysis and considerations into its policies and practices, including but not limited to the strategic planning process. To ensure compliance with the Governor's mandate, DCA's SOLID program will assist the Board with conducting an abbreviated environmental scan and analysis with a focus on Diversity, Equity, and Inclusion (DEI) for consideration in regard to our existing plan and objectives. She reported SOLID hopes to present to the Board members early next year the results of the environmental scan and work with the members on incorporating DEI into the Board's existing Strategic Plan.

EO Azar also reported on the status of the Board's current Strategic Plan and referred to the meeting materials to review the status for each goal area and objective. She reported an average progress increase of 15% for all goal areas and expressed gratitude for Board staff's efforts toward reaching these goals.

President Finley requested a more detailed report for future reporting on the Strategic Plan. EO Azar will provide details on each objective in her next monthly EO report and future Board meetings.

Agenda Item 12. Licensing Update

Melissa Zanetta provided the Board with an update on the Board's licensing statistics and directed attention to the materials for additional information. She reported the Board renewed a total of 6,013 licenses this year, and 3,222 licenses were canceled for non-renewal. She also explained the licensing surveys were not included in the materials for this meeting because the Board is working to modernize the process to a virtual survey as opposed to mailed hard copy survey cards. She explained the hope is the new format will increase participation.

During the last Board meeting, the Board requested additional information regarding qualifying managers (QMs) and their roles and responsibilities, specifically, those who live out of state. Ms. Zanetta provided the Board some additional background including the licensing unit's internal process for ensuring the QM's proximity to their office is not a hinderance to their ability to fulfill their role and oversee the day-to-day operations of the business.

President Finley asked about the process and frequency of requests for written plans described in the memo. Ms. Zanetta further explained Board staff's process in coordinating with field specialists for planned check-ins to ensure QMs are fulfilling their duties. She further explained the frequency is determined on a case-by-case basis, based on need and discretion.

President Finley recommended additional outreach be done to contact licensees who may be renting out their license for companies to use as a QM without ensuring actual oversight into the day-to-day activities to let them know about the legalities and responsibilities of doing such.

President Finley inquired about future possibilities of the Board moving toward allowing a more remote option for QMs, what that would look like for industry, and if it should be considered. Board Specialist, Tom Ineichen, stated the tasks required of the QMs are not typically able to be handled remotely. Board member Paxson acknowledged if the Board does decide to pursue changes detailed in the materials, there would be a need for legislation and not simply internal procedure or regulatory changes.

Board member Tengan emphasized the importance of direct oversight of QMs and cited the following examples of typical tasks necessary for in-person interactions: certifying experience, understanding and involvement in daily business, and ensuring worker protection standards. He suggested the Board consider adding some accountability measures and requirements at renewal. Vice President Anderson inquired about citation or fines associated with non-compliance. Ms. Zanetta provided additional information about the Board's office records check and order of abatement options in cases of non-compliance. Board member Tengan suggested the Board look into requirements of other states when considering possible changes to the QM requirements.

Public Comment

Darren Van Steenwyk, Sprague Pest Solutions, stated he was part of the effort to address absent QMs through legislation and suggested the Board consider the effect that electronic signatures may have on future absenteeism. He also reiterated the QM is responsible and should be held accountable for compliance with all aspects of the law.

Todd Veden, Terminix Qualifying Manager, echoed Mr. Van Steenwyk's sentiments about the goal of amending BPC section 8506.2 (Amended by Stats. 2016, Ch. 181, Sec. 1. (AB 1874) Effective January 1, 2017.) was to address QM absenteeism and prevent licensees from being able to display their license at a company location and not actually participate in the daily operations as necessary. He inquired about the Board's interpretation of the appropriate documentation to satisfy the requirement and suggested the Board consider clarifying the requirements. He also suggested one way to ensure QMs are not living out of the state would be to add verbiage to the effect of "resident of the state" to BPC section 8610(c).

Agenda Item 13. Enforcement Update

Kathleen Boyle provided the Board with an update on the Board's enforcement statistics and directed the Board's attention to the materials for additional information.

President Finley inquired about the 29% increase on the convictions arrests received year over year. EO Azar explained that number is the total number of the arrest reports received for either applicants at licensure or subsequent arrest reports for current licensees. She explained the increasing number does not reflect anything the Board is taking action on. President Finley asked, and EO Azar confirmed, that number simply reflects an increasing number of licensees getting arrested. EO Azar also provided additional background on revisions made to the Q2 and Q3 sections of the statistical report.

Agenda Item 14. Legislative Update

Heather Jackson provided an update on the status of legislation that either affects the Board, has an impact on the pest control industry, or has department-wide impact and may affect the Board or its operations.

Ms. Jackson stated the deadline for the Governor to sign or veto bills is quickly approaching and confirmed the Board will receive a final legislative update in the next monthly EO report. She also confirmed plans to utilize the newsletter (Quarterly SPIN) to communicate the final legislative status to the industry and consumers.

Board member Paxson requested information on how the new Bagley-Keene Open Meeting Act will impact future Board meetings. EO Azar stated the Department's Legal Affairs Office provided her with a summary of the new requirements and agreed to share that information to the Board members in the next monthly EO report.

Agenda Item 15. Rulemaking Report

Ms. Jackson provided the following status updates on three regulation packages, requesting Board action on one:

- **Item 15b – Update regarding Regulatory Proposals for Disciplinary Guidelines (Amend Title 16 CCR, section 1937.11) and Pesticide Application Notice Requirements (Amend Title 16 CCR, section 1970.4, and add sections 1970.41, 1970.42, and 1970.43)**

  Ms. Jackson presented an update on the Board's pending regulatory efforts that do not require action and referred the Board to the attached Rulemaking Update document in the meeting materials.

  Board staff is in the process of reviewing the current Disciplinary Guidelines to provide the review workgroup with a proposal. She said they expect to have a proposal for the Board's review next summer (2024).

  The Pesticide Application Notice regulation continues to progress through the rulemaking process. She reported the package is pending Agency review and approval and once approval is obtained, the package can be filed with the Office of Administrative Law at which time the 45-day comment period will open.

- **Item 15a – Review, Discussion, and Possible Approval to Begin the Rulemaking Process and to Adopt Regulations on Regulatory Proposal Regarding Fumigation & Pesticide Use Standards & Record Requirements (Amend Title 16, California Code of Regulations (CCR), section 1970)**

  Ms. Jackson presented the Board's regulatory effort to comply with the U.S. Environmental Protection Agency's (EPA) new standards. She explained Board staff reviewed each revision in the previous proposal and separated out the components specifically necessary for U.S. EPA compliance. The new proposal, available in the meeting materials, proposes changes to 16 CCR section 1970 which are minor to incorporate the new Structural Fumigation Log by reference, clarify which report/form is used and when, and add additional reporting requirements necessary to align with the EPA standards.

  She requested the Board to consider the proposal and make a motion to approve the proposed regulation text to notice, directing the Board to the recommended motion language in the Rulemaking Report memo under recommendation.

  Board member **Paxson moved,** and Board President **Finley seconded** the motion to approve the proposed regulatory text and changes to Section 1970 as provided in the materials and direct staff to submit all approved text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review. If no adverse comments are received, authorize the Executive Officer to take all steps necessary to initiate the rulemaking process, make any technical or non-substantive changes to the package, and set the matter for hearing if requested. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Section 1970 as noticed.

  No Board or public comments.

Motion carried 4-0 by roll call vote.

Agenda Item 16. Outreach and Communications Update

Ms. Jackson presented the Board with an update on the current outreach efforts, including email communications, partnerships, live events, and speaking engagements. She provided an overview of the social media efforts, statistics; and explained the Board's newsletter name was voted on by Board staff and announced it would be called the "Quarterly Structural Pest Informational Newsletter," abbreviated as "Quarterly SPIN."

Vice President Anderson inquired about the possibility and legalities of the Board allocating funding to boost social media postings. Ms. Jackson replied Board staff is actively pursuing this and will report back to the Board what options are available. Vice President Anderson also requested information about the Board's educational institution partnerships and engagements be included in future Board meeting materials.

Agenda Item 17. Discussion and Possible Action Regarding Termite Bait Stations/Termite Monitoring Devices

Tom Ineichen, Board Specialist, reported Board staff has received several inquiries on bait stations and monitoring stations and provided background on past regulatory efforts relevant to bait and monitoring stations. He explained current concern from the industry is how bait stations can be used for ongoing programs and what are the appropriate recommendations for control and preventative measures. He provided a summary of the issues that require the Board's attention.

He suggested the Board accept EO Azar's recommendation to establish a Technical Advisory Committee to research the issue, solicit stakeholder input, and deliver a recommendation to the Board at a future meeting on how best to resolve. President Finley directed EO Azar to work with staff and reach out to potential members to form a committee.

Public Comment

Darren Van Steenwyk, Sprague Pest Solutions, expressed support for the Board developing guidance on this issue due to the ambiguities in current law. He also acknowledged that DPR's efforts to reduce overall pesticide usage and the discovery and potential spreading of Formosan subterranean termites in California makes termite baiting a more prevalent option for pest control companies.

Todd Veden, Terminix Qualifying Manager, echoed Mr. Van Steenwyk's comments and recalled a prior Board meeting where a study regarding the effectiveness of several bait systems was presented and mentioned his company was involved in a large bait installation in California and reported it was extremely effective.

Agenda Item 18. Annual Election of Board President and Vice President

Board President **Finley moved**, and Board member **Paxson seconded** to nominate Yessenia Anderson for Board President. Ms. Anderson accepted the nomination.

No Board or public comments.

Motion carried 4-0 by roll call vote.

Current Vice President **Anderson moved**, and Board member **Tengan seconded** to nominate Kyle Finley for Board Vice President. Mr. Finley accepted the nomination.

No Board or public comments.

Motion carried 4-0 by roll call vote.

Agenda Item 19. Future Agenda Items

No Board or public comments.

Agenda Item 22. Adjournment

President Finley adjourned the meeting at 3:07 p.m.

_____ _____

Board President Signature Date

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AGENDA ITEM 11
REGULATIONS

a. Consideration of, and Possible Action on, Comment(s) Received During the 45-Day Comment Period Regarding Proposed Regulations to Amend Section 1970.4 and Adopt Sections 1970.41, 1970.42, and 1970.43 of Title 16 of the California Code of Regulations (Pesticide Application Notice Requirements)

b. Review, Discussion, and Possible Action to Consider Non-Substantive Changes to Previously Approved Text and Reauthorization of Regular Rulemaking to Amend Section 1970.4 and Adopt Sections 1970.41, 1970.42, and 1970.43 of Title 16 of the California Code of Regulations (Pesticide Application Notice Requirements)

c. Review, Discussion, and Possible Action to Initiate the Rulemaking Process to Adopt or Amend Regulations on Examinations (Sections 1940, 1941, and 1942 of Title 16 of the California Code of Regulations)

d. Review, Discussion, and Possible Action to Initiate the Rulemaking Process to Adopt or Amend Regulations on Fee Increase (Sections 1936, 1936.2, 1948, and 1997 of Title 16 of the California Code of Regulations)

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MEMORANDUM

DATE	August 26, 2024
TO	Members of the Structural Pest Control Board
FROM	Sophia Azar, Executive Officer Structural Pest Control Board
SUBJECT	**Agenda Item #11a: Consideration of, and Possible Action on, Comment(s) Received During the 45-Day Comment Period on Proposed Revisions to Pesticide Application Notice Requirements Regulations**

Background

At its October 2022 meeting, the Board approved regulatory changes pertaining to pesticide application notice requirements. The proposed changes will:

1. Incorporate by reference a new Occupants Fumigation Notice and Pesticide Disclosure Form, commonly referred to as an OFN. The OFN was revised to align with language described in BPC section 8538(a)(1-3) and reformatted for ease of use and understanding.
2. Define or modify instances of unclear terminology and include other non-substantive edits.
3. Relocate requirements described in subsections b-f, to stand-alone sections and remove the subsections.
4. Include new or modified requirements:
   - Death or serious injuries to be reported to the County Agricultural Commissioner in the County where the application took place, in addition to SPCB.
   - Allows for the option of electronic notification of the post-application pesticide notice when the pesticide application occurred around or to the exterior of any structure or the interior of a commercial, industrial, or single-unit residential structure. *Maintains existing requirements for applications to the interior of units within multi-unit structures.*
   - Includes the date of service as a required field on the post-application pesticide notice.

Status of the Regulation Proposal

On March 11, 2024, the final rulemaking package was submitted to OAL, however, was subsequently withdrawn due to one comment that was received during the public comment period that needs to be considered by the Board.

Comment from David Poplin, received December 30, 2023 (Attachment A)
Mr. Poplin notes that this regulatory proposal strikes 16 CCR 1970.4(b) and moves its provisions to a newly created 16 CCR 1970.43. Additionally, this regulatory proposal adds language to clarify that any death or serious injury, whether to the homeowner, structural pest control company, or member of the public, must be immediately reported to **both** the SPCB, **the Prime Contractor, if applicable** and the County Agricultural Commissioner's office in the county in which the pesticide application occurred. (Emphasis in original comment.)

He states that a Prime Contractor has just as much responsibility as a subcontractor and therefore, should also be required to be notified under 16 CCR 1970.43. He further states that as the board is aware, subcontracting commonly occurs between Branch 2/3 companies and Branch 1 companies for fumigation services.

Recommended Response
Please note that the Board's originally proposed text at CCR 1970.43 states:

> Any death or serious injury relating to a structural fumigation or pesticide application or use, whether to the owner, an employee of the registered structural pest control company, or a member of the public, must be reported immediately upon learning of the serious injury or death by telephone to both the Structural Pest Control Board office and the County Agricultural Commissioner's office in the county where the structural fumigation or pesticide application or use occurred.

This comment, therefore, proposes to add the text emphasized above that includes a new reporting requirement to the Prime Contractor (if applicable) under these circumstances. Staff recommends that the Board reject this comment for the following reasons.

The purpose of this provision was to ensure that applicable enforcement agencies are notified of these events to ensure coordination of investigation and enforcement of laws and regulations designed to protect the public. It is unclear when such a proposed notice requirement would be "applicable" as suggested by the commenter. Nevertheless, such a requirement is unnecessary since as part of any investigation into a death or serious injury case, a prime contractor would be contacted to determine their level of responsibility in such a case by representatives of the Board. Business and Professions Code (BPC) section 8514(g) provides, in part:

> Subcontracting of work, as permitted in this section, shall not relieve the prime contractor or the subcontractor from responsibility for, or from disciplinary action because of, an act or omission on its part, which would otherwise be a ground for disciplinary action.

At the least, notice would be provided upon action taken by the Board (see BPC sections 8620, 8663, and 8664). Not including notice to the prime contractor in the first instance allows the Board time to collect and evaluate evidence and contact other witnesses before contact with the prime contractor occurs.

Actions Requested

The Board is asked to discuss the information presented in this memorandum and consider Board staff recommendations. Suggested motions are listed below. Staff recommend **Option A** for action on this item.

Option A (support the staff recommended response to reject the comments): Direct staff to proceed as recommended to reject the comments as specified and provide the responses to the comments as indicated in this memorandum.

Option B (If there are changes to the proposed responses by the Board members): Direct staff to accept the public comment and make the following edits to the text: [identify what part of the comment to accept and text to change here and explain why].

Attachments

A. Comment Received from David Poplin
B. Originally Proposed Regulatory Language

ATTACHMENT A

From:	David Poplin
To:	Jackson, Heather@DCA
Cc:	Azar, Sophia@DCA
Subject:	Notice of Proposed Rulemaking- 16 CCR 1970.43
Date:	Saturday, December 30, 2023 5:58:03 AM

This Message Is From an Untrusted Sender
Warning: This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

Report Suspicious

Mrs. Jaskson,

I would like to provide some feedback on this proposed language.

The Structural Pest Control Board proposes to amend section 1970.4 and add sections 1970.41, 1970.42, and 1970.43 of Title 16 of the California Code of Regulations (CCR), regarding Pesticide Application Notice Requirements.

This regulatory proposal strikes 16 CCR 1970.4(b) and moves its provisions to a newly created 16 CCR 1970.43. Additionally, this regulatory proposal adds language to clarify that any death or serious injury, whether to the homeowner, structural pest control company, or member of the public, must be immediately reported to both the SPCB, the Prime Contractor, if applicable and the County Agricultural Commissioner's office in the county in which the pesticide application occurred.

A Prime Contractor has just as much responsibility as a subcontractor and therefore, should also be required to be notified under 16 CCR 1970.43.

As the board is aware, subcontracting commonly occurs between Branch 2/3 companies and Branch 1 companies for fumigation services.

Respectfully,

David Poplin, ACE
Associate Certified Entomologist
CEO/President
CDS Services Inc.

Direct [redacted]

MAS/GSA Schedule 47QSWA22D001A
CMAS- California Schedule 4-22-01-1005

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ATTACHMENT B

California Code of Regulations
Title 16. Professional and Vocational Regulations
Division 19. Structural Pest Control Board

PROPOSED LANGUAGE

Proposed amendments to the regulatory language are shown in single underline for new text and ~~single strikethrough~~ for deleted text.

Amend 16 CCR section 1970.4 to read:

§ 1970.4. ~~Pesticide~~Structural Fumigation Disclosure Requirement.
(a) The primary contractor for fumigation ~~shall have in his or her~~ must possess~~ion and shall provide~~ ~~to any subcontractor for fumigation a~~ a Tenants Fumigation Notice and Pesticide Disclosure form (~~See~~ Form number 43M-48, revised 10/22, which is hereby incorporated by reference~~(Rev. 5/07~~) ~~at the end of this section)~~ signed by the ~~occupants~~ tenants, if any, or ~~designated~~ owner or owner's agent of a structure. The primary contractor for fumigation must provide to any subcontractor for fumigation a signed copy of Tenants Fumigation Notice and Pesticide Disclosure form at least prior to application. The primary contractor for fumigation and the subcontractor for fumigation ~~shall~~ must retain a signed copy of ~~the~~ each ~~occupants fumigation notice~~ Occupants Fumigation Notice and Pesticide Disclosure form for a period of at least three years. In the case of ~~multiple-family dwellings~~ multi-unit structures, the owner, or owner's agent, manager or designated agent of the ~~building~~ structure may obtain signatures and/or verify the notification of the ~~occupants~~ tenants on behalf of the primary contractor.

The Tenants Fumigation Notice and Pesticide Disclosure form shall state the name of the pest to be controlled, the ~~pesticide(s)/~~fumigant(s) proposed to be used, the active ingredient(s) and the health cautionary statement as required under section 8538 of the code. The Tenants Fumigation Notice and Pesticide Disclosure form shall also state that a lethal gas (poison) will be used in the building on indicated dates and that it is unsafe to return to the building until a certification notice for Reentry is posted by the licensed fumigator. The form shall also indicate that the occupant has received the prime contractor's information regarding the procedures for leaving the structure.

(b) The properly signed form or a copy, written or electronic, thereof ~~shall~~ must be in the possession of the licensed fumigator, at the fumigation site, when the fumigant is released. Such form ~~shall~~must be attached to and become a permanent part of the fumigation log upon completion of the fumigation.

~~(b) Any death or serious injury relating to pesticide application or use, whether to a worker or member of the public, shall be reported to the nearest Structural Pest Control Board office immediately.~~

~~(c) Whenever a licensee employed by a branch 2 or branch 3 registered company~~

~~applies a pesticide within, around or to any structure such person shall leave in a conspicuous location a written notice identifying the common, generic or chemical name of each pesticide applied. In case of a multiple family structure, such notice may be given to the designated agent or the owner. Such pesticide identification notice may be a door hanger, invoice, billing statement or other similar written document which contains the registered company's name, address, and telephone number.~~

~~(d) All pest control operators, field representatives, applicators and employees in all branches shall comply in every respect with the requirements of section 8538 of the code. Failure to comply with section 8538 of the code is a misdemeanor and shall constitute grounds for discipline.~~

~~(e) Where notification is required under section 8538 of the code, and the premises on which the work is to be performed is a multiple family dwelling consisting of more than 4 units, the owner/owner's agent shall receive notification and other notices shall be posted in heavily frequented, highly visible areas including, but not limited to, all mailboxes, manager's apartment, in all laundry rooms, and community rooms on all external pest control servicing. Complexes with fewer than 5 units will have each affected unit notified. Any pest control servicing done within a tenant's apartment requires that the tenant be notified according to section 8538 of the code.~~

~~(f) A registered company which applies any pesticide within, around or to any structure shall provide to any person, within 24 hours after request therefore, the common, generic or chemical name of each pesticide applied.~~

Note: Authority cited: Section 8525, Business and Professions Code. Reference: Section 8505.7, 8505.13 and 8538, Business and Professions Code.
Add 16 CCR section 1970.41:

OCCUPANTS FUMIGATION NOTICE AND PESTICIDE DISCLOSURE

JOB ADDRESS _____ CITY _____

Single Family Dwelling Multi Family Dwelling Other _____
Owner/Agent _____
Tel. No. ( ) _____ Emergency No. ( ) _____
Occupant _____
Tel. No. ( ) _____ Emergency No. ( ) _____
Prime Contractor _____ Emergency No. ( ) _____
Fumigation Contractor _____ Emergency No. ( ) _____
Target Pest(s): Dryowood Termites Beetles Other(s)
Fumigants proposed to be used: Methyl Bromide Sulfuryl Fluoride _____
Other(s) (Product Name)

Are you aware of any conduits, pipes, common drains, air ducts, central vacuum systems or any other construction elements that would allow the passage of a fumigant from the structure to be fumigated to any other adjacent or adjoining structure?
YES ( ) NO ( )

CHLOROPICRIN WILL BE USED AS WARNING AGENT WITH EITHER FUMIGANT

Dates of fumigation: _____ Date changes/Alternative date: _____

Initials _____

IMPORTANT - READ CAREFULLY

THIS BUILDING WILL BE FUMIGATED WITH LETHAL GASES ON THE DATE(S) INDICTED ABOVE. ALL PERSONS AND ANIMALS MUST VACATE THE PREMISES ON OR BEFORE ARRIVAL OF THE FUMIGATION CREW.

UNDER NO CIRCUMSTANCES CAN ANYONE ENTER THE BUILDING UNTIL THE FUMIGATION COMPANY'S NOTICE IS POSTED GIVING THE TIME AND DATE FOR SAFE RE ENTRY.

"State law requires that you be given the following information: CAUTION PESTICIDES ARE TOXIC CHEMICALS. Structural pest control companies are registered and regulated by the Structural Pest Control Board, and apply pesticides which are registered and approved for use by the California Department of Pesticide Regulation and the United States Environmental Protection Agency. Registration is granted when the State finds that based on existing scientific evidence there are no appreciable risks if proper use conditions are followed or that the risks are outweighed by the benefits. The degree of risk depends upon the degree of exposure, so exposure should be minimized."

If within 24 hours you experience symptoms of dizziness, headache, nausea, reduced awareness, slowed movement, garbled speech or difficulty in breathing, leave the structure immediately and seek medical attention by contacting your physician or Poison Control Center ( ) and notify your pest control company. The warning agent, chloropicrin, can cause symptoms of tearing, respiratory distress and vomiting. Entry into the space during fumigation can be fatal.
For further information, contact any of the following: ( ); for Health Questions - the County Health Department ( ); for Application Information - the County Agricultural Commissioner ( ) and for Regulatory Information - the Structural Pest Control Board, 800/737-8188, 2005 Evergreen Street, Suite 1500, Sacramento, California, 95815.

FOR HEALTH QUESTIONS:

COUNTY HEALTH DEPARTMENT	COUNTY AGRICULTURAL COMMISSIONER	POISON CONTROL CENTER	STRUCTURAL PEST CONTROL BOARD
PHONE #	PHONE #	PHONE #	PHONE #

(This section may be modified to include the information of geographical area served by the licensee.)

I hereby acknowledge receipt of a copy of this document as well as a list that includes the instructions for the necessary preparations for the fumigation, procedures for leaving the structure, and the following documents.

We suggest that you notify nearby neighbors of the date of fumigation and to keep pets away during the fumigation. Close off any open access to the subarea to prevent pets from entering.

[ ] Owner/Agent (signature) _____ Date _____
[ ] Occupants(s) (signature) _____

§ 1970.41 Pesticide Pre-Application Notice

In the pre-application pesticide notice, "conspicuous place" as it is used in section 8538 of the code, means heavily frequented, common areas, including the on-site manager's office or unit, all multi-unit mailboxes, in all laundry rooms and community rooms for all exterior pest control services.

Note: Authority cited: Section 8525, Business and Professions Code. Reference: Section 8525 and 8538, Business and Professions Code.

Add 16 CCR section 1970.42:

§ 1970.42 Pesticide Post-Application Notice Requirements,

(a) In addition to notification required by section 8538 of the code, whenever a licensee employed by a registered Branch 2 or Branch 3 company has applied or used a pesticide the licensee must provide a post-application pesticide notice in compliance with subdivision (b) immediately after the service visit as follows:

(1) When applied around or to the exterior of any structure, the post-application pesticide notice must be provided in writing personally to the tenant, owner, or owner's agent, or by first-class mail. Alternatively, the post-application pesticide notice may be provided via electronic mail if the tenant, owner, or owner's agent has authorized such communication method via contract or other written confirmation of such agreement.

(2) When applied to the interior of a unit within a multi-unit residential structure the post-application pesticide notice must be provided in writing and left on the door of the unit, or within the unit in an area next to the door of the unit.

(3) When applied to the interior of a commercial, industrial, or single-unit residential structure, the notice must be provided in a manner as described in subdivision (a)(1).

(b) The post-application pesticide notice specified in (a) may be a door hanger, invoice, billing statement or other similar written document and must include:

(1) The common, generic or chemical name of each pesticide applied;

(2) The date of service; and

(3) The registered company's name, address, and telephone number.

(c) A registered structural pest control company which applies any pesticide within, around or to any structure must provide to any person, within 24 hours after request therefore, the common, generic or chemical name of each pesticide applied. This

requirement applies to all requests made within 3 years of the pesticide application.

Note: Authority cited: Section 8525, Business and Professions Code. Reference: Section 8525 and 8538, Business and Professions Code.

Add 16 CCR section 1970.43:

§ 1970.43 Reporting Death or Serious Injury.
Any death or serious injury relating to a structural fumigation or pesticide application or use, whether to the owner, an employee of the registered structural pest control company, or a member of the public, must be reported immediately by telephone to both the Structural Pest Control Board office and the County Agricultural Commissioner's office in the county where the structural fumigation or pesticide application or use occurred.

Note: Authority cited: Section 8525, Business and Professions Code. Reference: Section 8525 and 8538, Business and Professions Code.

TENANTS FUMIGATON NOTICE & PESTICIDE DISCLOSURE

Address of Structure to be Fumigated: _____

City: _____ State: _____ Zip: _____

☐ Single-Unit Structure

☐ Multi-Unit Structure

☐ Other: _____

Owner/Agent: _____

Contact Number(s): _____

Tenant: _____

Contact Number(s): _____

Prime Contractor: _____ PR #: _____ Emergency Number: _____

Fumigation Contractor: _____ PR #: _____ Emergency Number: _____

Target Pest: _____

Fumigant Brand Name: _____

Active Ingredient: _____

IF YOU ARE AWARE OF ANY CONDUITS, PIPES, COMMON DRAINS, CENTRAL VACUUM SYSTEMS, AIR DUCTS, OR ANY OTHER CONSTRUCTION ELEMENTS THAT WOULD ALLOW FOR THE PASSAGE OF A FUMIGANT FROM THE STRUCTURE TO BE FUMIGATED TO ANY OTHER ADJACENT OR ADJOINING STRUCTURES THAT ARE NOT TO BE FUMIGATED, PLEASE DESCRIBE IN DETAIL:

_____

_____

CHLOROPICRIN WILL BE USED AS A WARNING AGENT

Start Date of Fumigation: _____ Date of Start Date: _____

End Date of Fumigation: _____ Change of End Date: _____

IMPORTANT READ CAREFULLY

THIS STRUCTURE WILL BE FUMIGATED WITH A LETHAL GAS ON THE DATE(S) INDICATED ABOVE. ALL PERSONS AND ANIMALS MUST VACATE THE STRUCTURE PRIOR TO THE COMMENCEMENT OF FUMIGATION.

IT IS UNSAFE TO ENTER THE STRUCTURE PRIOR TO THE TIME AND DATE LISTED ON THE CERTIFICATION NOTICE FOR RE-ENTRY POSTED BY THE LICENSED FUMIGATOR.

State law requires that you be given the following information: CAUTION – PESTICIDES ARE TOXIC CHEMICALS. Structural Pest Control Companies are registered and regulated by the Structural Pest Control Board, and apply pesticides which are registered and approved for use by the California Department of Pesticide Regulation and the United States Environmental Protection Agency. Registration is granted when the State finds that, based on existing scientific evidence, there are no appreciable risks if proper use conditions are followed or that the risks are outweighed by the benefits. The degree of risk depends upon the degree of exposure, so exposure should be minimized."

If within 24 hours following application you experience symptoms of dizziness, headache, nausea, reduced awareness, slowed movement, garbled speech, or difficulty in breathing, leave the structure immediately and seek medical attention by contacting your physician or Poison Control Center (_____) and notify your pest control company. The warning agent chloropicrin can cause symptoms of tearing, respiratory distress, and vomiting. Entry into the space during fumigation can be fatal.

For further information, contact any of the following: (_____); for Health Questions the County Health Department (_____); for Application Information the County Agricultural Commissioner (_____) and for Regulatory Information the Structural Pest Control Board 916-561-8700, 2005 Evergreen Street, Suite 1500, Sacramento, CA 95815.

County Health Department Phone Number	County Agricultural Commissioner Phone Number	Poison Control Center Phone Number	Structural Pest Control Board Phone Number

(This section may be modified to include the information of geographical area served by the licensee)

WE SUGGEST YOU NOTIFY YOUR NEIGHBORS OF THE START AND END DATE OF FUMIGATION AND TO KEEP PETS AWAY DURING THE FUMIGATION. CLOSE OFF ANY ACCESS TO THE SUBAREA TO PREVENT PETS FROM ENTERING.

I hereby acknowledge receipt of a copy of this document and the information contained herein, a list that includes the instructions for the necessary preparations for the fumigation, procedures for leaving the structure, the fact sheet for the fumigant to be used, and the documents listed below, if any.

_____

_____

☐ Owner/Agent Signature: _____ Date: _____

☐ Tenants Signature: _____ Date: _____

To Be Adopted

BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
DEPARTMENT OF CONSUMER AFFAIRS • STRUCTURAL PEST CONTROL BOARD
2005 Evergreen St., Suite 1500, Sacramento, CA 95815
P (916) 561-8750 | F (916) 263-2469 | www.pestboard.ca.gov

MEMORANDUM

DATE	August 26, 2024
TO	Members of the Structural Pest Control Board
FROM	Sophia Azar, Executive Officer Structural Pest Control Board
SUBJECT	**Agenda Item #11b: Review, Discussion, and Possible Action to Consider Non-Substantive Changes to Previously Approved Text and Reauthorization of Regular Rulemaking to Amend Section 1970.4 and Adopt Sections 1970.41, 1970.42, and 1970.43 of Title 16 of the California Code of Regulations (Pesticide Application Notice Requirements)**

At its October 2022 meeting, the Board approved regulatory changes pertaining to pesticide application notice requirements. The proposed changes will:

1. Incorporate by reference a new Occupants Fumigation Notice and Pesticide Disclosure Form, commonly referred to as an OFN. The OFN was revised to align with language described in BPC section 8538(a)(1-3) and reformatted for ease of use and understanding.
2. Define or modify instances of unclear terminology and include other non-substantive edits.
3. Relocate requirements described in subsections b-f, to stand-alone sections and remove the subsections.
4. Include new or modified requirements:
   - Death or serious injuries to be reported to the County Agricultural Commissioner in the County where the application took place, in addition to SPCB.
   - Allows for the option of electronic notification of the post-application pesticide notice when the pesticide application occurred around or to the exterior of any structure or the interior of a commercial, industrial, or single-unit residential structure. *Maintains existing requirements for applications to the interior of units within multi-unit structures.*
   - Includes the date of service as a required field on the post-application pesticide notice.

Non-substantive changes were made to the proposed regulations as highlighted. These changes include:

1. 1970.4: For consistency – Use the term "prime" vs "primary" contractor for consistency within the BPC and CCRs.
2. 1970.4: We initially proposed changing the form's title to "Tenant Fumigation Notice and Pesticide Disclosure." However, after further review, we decided to retain the original title, "Occupant Fumigation Notice and Pesticide Disclosure." In consultation with Legal, we determined that the term "Occupant" was deliberately chosen to ensure the form effectively notifies all individuals residing in a structure, regardless of their legal status as tenants. The signature requirement serves as evidence that the notice has been received.
3. The revision date was changed from "10/22" to "10/2022" to provide clarity and avoid potential confusion. The updated format makes it clear that "10" refers to October and "2022" to the year.
4. We changed "shall" to "must" to enhance clarity and enforceability. The term "must" is more direct and leaves no room for ambiguity, ensuring that the requirement is clearly understood as mandatory. This change aligns with modern drafting standards that favor precise and straightforward language.
5. 1970.43 the wording was changed to clarify responsibility, specify timing, and improve readability. The change ensures there is no ambiguity regarding who should report the incident and when it should be reported.

Proposed Motion

Move for the Board to approve the proposed regulatory text for Section 1970.4, 1970.41, 1970.42, and 1970.43 as presented in Attachment A, direct staff to take all steps necessary to complete the rulemaking process, including the filing of the final rulemaking package with the Office of Administrative Law, authorize the Executive Officer to make any additional non-substantive changes to the proposed regulations before completing the rulemaking process, and adopt the proposed amendments to Section 1970.4 and the proposed adoptions at Sections 1970.41, 1970.42, and 1970.43 with the non-substantive amendments discussed and approved at this meeting.

Attachment

A. Proposed Text - Pesticide Application Notice Requirements

ATTACHMENT A

California Code of Regulations
Title 16. Professional and Vocational Regulations
Division 19. Structural Pest Control Board

PROPOSED LANGUAGE

Proposed amendments to the regulatory language are shown in single underline for new text and ~~single strikethrough~~ for deleted text.

Amend 16 CCR section 1970.4 to read:

§ 1970.4. ~~Pesticide~~ Structural Fumigation Disclosure Requirement.
(a) The prime~~ary~~ contractor for fumigation ~~shall have in his or her~~ must possess~~ion and shall provide~~ ~~to any subcontractor for fumigation~~ an Occupant Fumigation Notice and Pesticide Disclosure form (~~See~~ Form number 43M-48, revised 10/2022, which is hereby incorporated by reference ~~(Rev. 5/07)~~ ~~at the end of this section)~~ signed by the occupant~~s~~, if any, or ~~designated~~ owner or owner's agent of a structure. The prime contractor for fumigation must provide to any subcontractor for fumigation a signed copy of the Occupant Fumigation Notice and Pesticide Disclosure form. The prime~~ary~~ contractor for fumigation and the subcontractor for fumigation ~~shall~~must retain a signed copy of ~~the~~each ~~occupants fumigation notice~~ Occupant Fumigation Notice and Pesticide Disclosure form for a period of at least three years. In the case of ~~multiple-family dwellings~~ multi-unit structures, the owner, or owner's agent, manager or designated agent of the ~~building~~ structure may obtain signatures and/or verify the notification of the occupants on behalf of the prime contractor.

The Occupant Fumigation Notice and Pesticide Disclosure form ~~shall~~must state the name of the pest to be controlled, the ~~pesticide(s)/~~fumigant(s) proposed to be used, the active ingredient(s) and the health cautionary statement as required under section 8538 of the code. The Occupant Fumigation Notice and Pesticide Disclosure form ~~shall~~must also state that a lethal gas (poison) will be used in the building on indicated dates and that it is unsafe to return to the building until a certification notice for Reentry is posted by the licensed fumigator. The form ~~shall~~must also indicate that the occupant has received the prime contractor's information regarding the procedures for leaving the structure.

The properly signed form or a copy, written or electronic, thereof ~~shall~~must be in the possession of the licensed fumigator, at the fumigation site, when the fumigant is released. Such form ~~shall~~must be attached to and become a permanent part of the fumigation log upon completion of the fumigation.

(b) ~~Any death or serious injury relating to pesticide application or use, whether to a worker or member of the public, shall be reported to the nearest Structural Pest Control Board office immediately.~~

(c) ~~Whenever a licensee employed by a branch 2 or branch 3 registered company applies a pesticide within, around or to any structure such person shall leave in a conspicuous location a written notice identifying the common, generic or chemical name of each pesticide applied. In case of a multiple family structure, such notice may be given to the designated agent or the owner. Such pesticide identification notice may be a door hanger, invoice, billing statement or other similar written document which contains the registered company's name, address, and telephone number.~~

(d) ~~All pest control operators, field representatives, applicators and employees in all branches shall comply in every respect with the requirements of section 8538 of the code. Failure to comply with section 8538 of the code is a misdemeanor and shall constitute grounds for discipline.~~

(e) ~~Where notification is required under section 8538 of the code, and the premises on which the work is to be performed is a multiple family dwelling consisting of more than 4 units, the owner/owner's agent shall receive notification and other notices shall be posted in heavily frequented, highly visible areas including, but not limited to, all mailboxes, manager's apartment, in all laundry rooms, and community rooms on all external pest control servicing. Complexes with fewer than 5 units will have each affected unit notified. Any pest control servicing done within a tenant's apartment requires that the tenant be notified according to section 8538 of the code.~~

(f) ~~A registered company which applies any pesticide within, around or to any structure shall provide to any person, within 24 hours after request therefore, the common, generic or chemical name of each pesticide applied.~~

Note: Authority cited: Section 8525, Business and Professions Code. Reference: Section 8505.7, 8505.13 and 8538, Business and Professions Code.

OCCUPANTS FUMIGATION NOTICE AND PESTICIDE DISCLOSURE

JOB ADDRESS _____ CITY _____

Single Family Dwelling Multi Family Dwelling Other _____
Owner/Agent _____
Tel. No. ( ) _____ Emergency No. ( ) _____
Occupant _____
Tel. No. ( ) _____ Emergency No. ( ) _____
Prime Contractor _____ Emergency No. ( ) _____
Fumigation Contractor _____ Emergency No. ( ) _____
Target Pest(s): Drywood Termites Beetles Other(s)
Fumigants proposed to be used: Methyl Bromide Sulfuryl Fluoride _____
Other(s) (Product Name)

Are you aware of any conduits, pipes, common drains, air ducts, central vacuum systems or any other construction elements that would allow the passage of a fumigant from the structure to be fumigated to any other adjacent or adjoining structure?
YES ( ) NO ( )

CHLOROPICRIN WILL BE USED AS WARNING AGENT WITH EITHER FUMIGANT

Dates of fumigation: _____ Date changes/Alternative date: _____

Initials _____

IMPORTANT—READ CAREFULLY

THIS BUILDING WILL BE FUMIGATED WITH LETHAL GASES ON THE DATE(S) INDICTED ABOVE. ALL PERSONS AND ANIMALS MUST VACATE THE PREMISES ON OR BEFORE ARRIVAL OF THE FUMIGATION CREW.

UNDER NO CIRCUMSTANCES CAN ANYONE ENTER THE BUILDING UNTIL THE FUMIGATION COMPANY'S NOTICE IS POSTED GIVING THE TIME AND DATE FOR SAFE RE ENTRY.

"State law requires that you be given the following information: CAUTION PESTICIDES ARE TOXIC CHEMICALS. Structural pest control companies are registered and regulated by the Structural Pest Control Board, and apply pesticides which are registered and approved for use by the California Department of Pesticide Regulation and the United States Environmental Protection Agency. Registration is granted when the State finds that based on existing scientific evidence there are no appreciable risks if proper use conditions are followed or that the risks are outweighed by the benefits. The degree of risk depends upon the degree of exposure, so exposure should be minimized."

If within 24 hours you experience symptoms of dizziness, headache, nausea, reduced awareness, slowed movement, garbled speech or difficulty in breathing, leave the structure immediately and seek medical attention by contacting your physician or Poison Control Center ( ) and notify your pest control company. The warning agent, chloropicrin, can cause symptoms of tearing, respiratory distress and vomiting. Entry into the space during fumigation can be fatal.
For further information, contact any of the following: ( ); for Health Questions—the County Health Department ( ); for Application Information—the County Agricultural Commissioner ( ) and for Regulatory Information—the Structural Pest Control Board, 800/737-8188, 2005 Evergreen Street, Suite 1500, Sacramento, California, 95815.

FOR HEALTH QUESTIONS:

COUNTY HEALTH DEPARTMENT	COUNTY AGRICULTURAL COMMISSIONER	POISON CONTROL CENTER	STRUCTURAL PEST CONTROL BOARD
PHONE #	PHONE #	PHONE #	PHONE #

(This section may be modified to include the information of geographical area served by the licensee.)

I hereby acknowledge receipt of a copy of this document as well as a list that includes the instructions for the necessary preparations for the fumigation, procedures for leaving the structure, and the following documents.

We suggest that you notify nearby neighbors of the date of fumigation and to keep pets away during the fumigation. Close off any open access to the subarea to prevent pets from entering.

[ ] Owner/Agent (signature) _____ Date _____
[ ] Occupants(s) (signature) _____

Add 16 CCR section 1970.41

§ 1970.41 Pesticide Pre-Application Notice

In the pre-application pesticide notice, "conspicuous place" as it is used in section 8538 of the code, means heavily frequented, common areas, including the on-site manager's office or unit, all multi-unit mailboxes, in all laundry rooms and community rooms for all exterior pest control services.

Note: Authority cited: Section 8525, Business and Professions Code. Reference: Section 8525 and 8538, Business and Professions Code.

§ 1970.42 Pesticide Post-Application Notice Requirements.

(a) In addition to notification required by section 8538 of the code, whenever a licensee employed by a registered Branch 2 or Branch 3 company has applied or used a pesticide the licensee must provide a post-application pesticide notice in compliance with subdivision (b) immediately after the service visit as follows:

(1) When applied around or to the exterior of any structure, the post-application pesticide notice must be provided in writing personally to the occupant, owners, or owners' agent, or by first-class mail. Alternatively, the post-application pesticide notice may be provided via electronic mail if the occupant, owners, or owners' agent has authorized such communication method via contract or other written confirmation of such agreement.

(2) When applied to the interior of a unit within a multi-unit residential structure the post-application pesticide notice must be provided in writing and left on the door of the unit, or within the unit in an area next to the door of the unit.

(3) When applied to the interior of a commercial, industrial, or single-unit residential structure, the notice must be provided in a manner as described in subdivision (a)(1).

(b) The post-application pesticide notice specified in (a) may be a door hanger, invoice, billing statement or other similar written document and must include:

(1) The common, generic, or chemical name of each pesticide applied;

(2) The date of service; and

(3) The registered company's name, address, and telephone number.

(c) A registered structural pest control company which applies any pesticide within, around or to any structure must provide to any person, within 24 hours after request therefore, the common, generic or chemical name of each pesticide applied. This requirement applies to all requests made within 3 years of the pesticide application.

Note: Authority cited: Section 8525, Business and Professions Code. Reference: Section 8505.13, 8525 and 8538, Business and Professions Code.

Add 16 CCR section 1970.43:

§ 1970.43 Reporting Death or Serious Injury.

In the event of any death or serious injury relating to a structural fumigation or pesticide application or use, whether to the owner, an employee of the registered structural pest control company, or a member of the public, a representative from the structural pest control company must, immediately upon learning of the incident, report it by telephone to both the Structural Pest Control Board office and the County Agricultural Commissioner's office in the county where the structural fumigation or pesticide application or use occurred.

Note: Authority cited: Section 8525, Business and Professions Code. Reference: Section 8525 and 8538, Business and Professions Code.

OCCUPANT FUMIGATION NOTICE & PESTICIDE DISCLOSURE

Address of Structure to be Fumigated: _____

City: _____ State: _____ Zip: _____

☐ Single-Unit Structure

☐ Multi-Unit Structure

☐ Other: _____

Owner/Agent: _____

Contact Number(s): _____

Occupant(s): _____

Contact Number(s): _____

Prime Contractor: _____ PR #: _____ Emergency Number: _____

Fumigation Contractor: _____ PR #: _____ Emergency Number: _____

Target Pest: _____

Fumigant Brand Name: _____

Active Ingredient: Sulfuryl Fluoride

IF YOU ARE AWARE OF ANY CONDUITS, PIPES, COMMON DRAINS, CENTRAL VACUUM SYSTEMS, AIR DUCTS, OR ANY OTHER CONSTRUCTION ELEMENTS THAT WOULD ALLOW FOR THE PASSAGE OF A FUMIGANT FROM THE STRUCTURE TO BE FUMIGATED TO ANY OTHER ADJACENT OR ADJOINING STRUCTURES THAT ARE NOT TO BE FUMIGATED, PLEASE DESCRIBE IN DETAIL:

_____

_____

CHLOROPICRIN WILL BE USED AS A WARNING AGENT

Start Date of Fumigation: _____ Change of Start Date: _____

End Date of Fumigation: _____ Change of End Date: _____

IMPORTANT READ CAREFULLY

THIS STRUCTURE WILL BE FUMIGATED WITH A LETHAL GAS ON THE DATE(S) INDICATED ABOVE. ALL PERSONS AND ANIMALS MUST VACATE THE STRUCTURE ON OR BEFORE ARRIVAL OF THE FUMIGATION CREW.

UNDER NO CIRCUMSTANCES CAN ANYONE ENTER THE STRUCTURE UNTIL THE FUMIGATION COMPANY'S NOTICE IS POSTED GIVING THE TIME AND DATE FOR SAFE RE-ENTRY.

State law requires that you be given the following information: CAUTION – PESTICIDES ARE TOXIC CHEMICALS. Structural Pest Control Companies are registered and regulated by the Structural Pest Control Board and apply pesticides which are registered and approved for use by the California Department of Pesticide Regulation and the United States Environmental Protection Agency. Registration is granted when the State finds that, based on existing scientific evidence, there are no appreciable risks if proper use conditions are followed or that the risks are outweighed by the benefits. The degree of risk depends upon the degree of exposure, so exposure should be minimized."

If within 24 hours following application you experience symptoms of dizziness, headache, nausea, reduced awareness, slowed movement, garbled speech, or difficulty in breathing, leave the structure immediately and seek medical attention by contacting your physician or Poison Control Center (_____) and notify your pest control company. The warning agent chloropicrin can cause symptoms of tearing, respiratory distress, and vomiting. Entry into the space during fumigation can be fatal.

For further information, contact any of the following: (_____); for Health Questions the County Health Department (_____); for Application Information the County Agricultural Commissioner (_____) and for Regulatory Information the Structural Pest Control Board 916-561-8700, 2005 Evergreen Street, Suite 1500, Sacramento, CA 95815.

FOR HEALTH QUESTIONS:

County Health Department Phone Number	County Agricultural Commissioner Phone Number	Poison Control Center Phone Number	Structural Pest Control Board Phone Number

(This section may be modified to include the information of geographical area served by the licensee)

WE SUGGEST YOU NOTIFY YOUR NEIGHBORS OF THE START AND END DATE OF FUMIGATION AND TO KEEP PETS AWAY DURING THE FUMIGATION. CLOSE OFF ANY ACCESS TO THE SUBAREA TO PREVENT PETS FROM ENTERING.

I hereby acknowledge receipt of a copy of this document and the information contained herein, a list that includes the instructions for the necessary preparations for the fumigation, procedures for leaving the structure, the fact sheet for the fumigant to be used, and the documents listed below, if any. _____

_____

☐ Owner/Agent signature: _____ Date: _____

☐ Occupant signature: _____ Date: _____

PROPOSED

BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
DEPARTMENT OF CONSUMER AFFAIRS • STRUCTURAL PEST CONTROL BOARD
2005 Evergreen St., Suite 1500, Sacramento, CA 95815
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MEMORANDUM

DATE	August 26, 2024
TO	Members of the Structural Pest Control Board
FROM	Sophia Cornejo, Executive Officer Structural Pest Control Board
SUBJECT	**Agenda Item #11c: Review, Discussion, and Possible Action to Initiate the Rulemaking Process to Adopt or Amend Regulations on Examinations (Sections 1940, 1941, and 1942 of Title 16 of the California Code of Regulations)**

Background: In 1974, the United States Environmental Protection Agency (U.S. EPA) adopted 40 CFR section 171 "Certification of Pesticide Applicators" to ensure that the pesticide applicator certification program standards adequately protected applicators, the public, and the environment from risks associated with the use of restricted use pesticides (RUP). Since then, U.S. EPA has updated 40 CFR section 171 to enhance and improve programs that certify applicators of RUPs.

On March 6, 2017, U.S. EPA revised the federal rule for certification and recertification of applicators of RUPs. These changes, specifically 40 CFR section 171.303(b)(2)(i), provides the requirement that the federal minimum core standards must be cited in laws or regulation. Although our licensees already meet the federal minimum core standards, a citation in regulations is necessary to meet the federal requirement.

This regulatory proposal ensures that the Structural Pest Control Board conforms with federal EPA standards that were adopted in 2017. Board staff has worked in collaboration with the DCA Regulations Unit to draft language aimed to address the new federal standards related to Certification of Pesticide Applicators. This proposal details the Board's examination standards and application process. Staff is presenting the proposed language (attachment A) for Board consideration.

Proposed Motion: Move to approve the proposed regulatory text and changes to Sections 1940, 1940.1, 1941, and 1942 as provided in the materials and direct staff to submit all approved text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review. If no adverse comments are received, authorize the Executive Officer to take all steps necessary to initiate the rulemaking process, make any technical or non-substantive changes to the package, and set the matter for hearing if requested. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Sections 1940, 1940.1, 1941, and 1942 as noticed.

Attachment(s):

A. Proposed Regulatory Language - Examinations

PROPOSED TEXT

California Code of Regulations
Title 16. Professional and Vocational Regulations
Division 19. Structural Pest Control Board

Proposed amendments to the regulatory language are shown in single underline for new text and ~~single strikethrough~~ for deleted text.

§ 1940. ~~Notice of Operator's and Field Representative's~~Examinations.
~~Operator's and Field Representative's examination notices shall be mailed to all persons eligible for examination. Such notice shall be sent by United States mail, the postage fully prepaid, addressed to the applicant's address as shown on the notice of examination.~~ After submitting a completed application for examination and receiving a written approval notice from the board in accordance with section 1940.1, applicants shall successfully complete the applicable examination requirements specified in this section.

(a) As a condition of licensure, applicants for an applicator license in Branch 2 or 3 shall pass the Board's California Applicator Examination, which requires applicants to demonstrate practical knowledge of the subjects specified in Section 8564.5 of the code, California pesticide laws and regulations, and the minimum federal core standards detailed in Title 40 of the Code of Federal Regulations (40 CFR) Part 171 section 171.103(c) (effective May 22, 2018), which is hereby incorporated by reference.

(b) As a condition of licensure, applicants for a field representative license shall pass the Board's California Branch 1, 2, or 3 Field Representative Examination, as applicable, which requires applicants to demonstrate practical knowledge of the subjects specified in Section 8566 of the code, the requirements in paragraph (1) or (2), as applicable, California pesticide laws and regulations and the minimum federal core standards detailed in Title 40 of the Code of Federal Regulations (40 CFR) Part 171 section 171.103(c) (-effective May 22, 2018), which is hereby incorporated by reference.

(1) As part of their applicable examination specified in subsection (b), applicants for a Branch 1 field representative license shall also demonstrate practical knowledge of the core standards detailed in 40 CFR Part 171 section 171.103(d)(14) (effective May 22, 2018), which is hereby incorporated by reference.

(2) As part of their applicable examination specified in subsection (b), applicants for a Branch 2 or 3 field representative license shall also demonstrate practical knowledge of the core standards detailed in 40 CFR Part 171 section 171.103(d)(7) (effective May 22, 2018), which is hereby incorporated by reference.

(c) As a condition of licensure, applicants for an operator license shall pass the Board's California Branch 1, 2, or 3 Operator Examination, as applicable, which requires applicants to demonstrate practical knowledge of the subjects specified in Section 8565 of the code, California pesticide laws and regulations, the requirements in paragraph (1) or (2), as applicable, and the minimum federal core standards detailed in 40 CFR Part 171 section 171.103(c) (effective May 22, 2018), which is hereby incorporated by reference.

(1) As part of their applicable examination specified in subsection (c), applicants for a Branch 1 operator license shall also demonstrate practical knowledge of the core standards detailed in 40 CFR Part 171 section 171.103(d)(14) (effective May 22, 2018), which is hereby incorporated by reference.

(2) As part of their applicable examination specified in subsection (c), applicants for a Branch 2 or 3 operator license shall also demonstrate practical knowledge of the core standards detailed in 40 CFR Part 171 section 171.103(d)(7) (effective May 22, 2018), which is hereby incorporated by reference.

(d) Upon passing an examination specified in this section, an applicant may submit an application for applicator, field representative, or operator license pursuant to section 1936 or 1936.2, as applicable.

(e) "Pass" or "Passing" an examination specified in this section means earning a score consistent with the requirements set forth in Section 8560 of the code.

NOTE: Authority cited: Section 8525, Business and Professions Code. Reference: Sections 8560, 8561, 8563, 8564.5, 8565, 8565.5, 8566, and 8674, Business and Professions Code.

§ 1940.1. Application for Examination.

(a) All new applicants seeking to take an examination specified in section 1940 shall first submit a completed application for examination to the board, at its current physical address listed on its website or through the Board's online portal accessible through the Board's website accompanied by such statements and documents as required by this subsection. A completed application for examination shall include the applicable applicator, field representative, or operator examination fee required by section 1948 and all of the following information:

(1) Applicant's full legal name (Last Name) (First Name) (Middle Name).
(2) Applicant's date of birth (month, day, and year).
(3) Applicant's Social Security Number or Individual Taxpayer Identification Number, which is authorized to be collected pursuant to section 30 and 494.5 of the Code and Pub. L 94-455 (42 U.S.C.A. § 405(c)(2)(C)), and will be used exclusively for identification, tax enforcement purposes, or compliance with any judgment or order for family support in accordance with Section 17520 of the Family Code.

(4) Applicant's residence address.
(5) Applicant's mailing address, if different from residence address.
(6) Applicant's telephone number.
(7) Applicant's email address.
(8) Whether the applicant has previously applied for the examination.
(9) Whether the applicant is presently or was previously licensed with the board.
(10) A disclosure regarding whether the applicant is requesting a reasonable accommodation pursuant to subdivision (b) of Government Code Section 12944. The applicant shall provide medical documentation consisting of a written document with the name, license number, telephone number, date and signature of a physician confirming the existence of the applicant's disability or medical condition (as defined in Government Code section 12926) and the need for the reasonable accommodation.
(11) A statement signed by the applicant under penalty of perjury that the information provided in the application for examination is true and correct.
(12) A copy of the applicant's acceptable government issued photo identification.
(13) Applicants for a Branch 1, 2, or 3 operator license shall also submit satisfactory proof of completing the applicable courses required by Section 8565.5 of the code within the timeframe required by section 1934. "Satisfactory proof" shall mean a certificate of completion or other document signed and dated by an authorized representative of a continuing education provider approved by the Board per section 1953 specifying that the applicant satisfactorily completed course(s) in the applicable subjects specified in Section 8565.5 of the code.

(b) Once the board confirms the application for examination is complete in accordance with subsection (a), the applicant is qualified pursuant to Sections 8563, 8564, 8564.5 and 8565 of the code, as applicable, and the appropriate examination fee is paid as required by subsection (a), the board shall send a written approval notice to the examination vendor, PSI Services LLC (PSI), and to the applicant by email or, if an email address is not provided by the applicant, by United States Postal Service to the mailing address the applicant provided in their application for examination.

(1) The approval notice shall contain the web-site address, email address, telephone number, and mailing address of PSI, specify that the applicant is responsible for complying with the requirements in paragraphs (2) and (3), and specify that failure to appear for the examination is grounds for forfeiture of the examination fee, unless the applicant requests and is granted a postponement in accordance with section 1941.

(2) The applicant shall contact PSI to schedule an examination date, time, and site location.

(3) The applicant shall appear at the designated PSI examination site location at their scheduled date and time, and the applicant shall present their acceptable government-issued photo identification at the time of examination.

(c) For the purposes of this section, "acceptable government-issued photo identification" means any of the following:

(1) Unexpired driver's license or identification card issued by a U.S. state or territory,
(2) Unexpired United States military identification card including active duty, retiree, or reservist military identification card (DD Form 2 or 2 A),
(3) Unexpired Passport from any country,
(4) Unexpired United States-issued passport card,
(5) Unexpired United States-issued Permanent Resident Card (Form I-551),
(6) Unexpired Mexican Consulate identification card, or,
(7) Unexpired United States-issued Employment Authorization Card (EAC -- Form I766).

NOTE: Authority cited: Section 8525, Business and Professions Code. Reference: Section 8560, 8561, 8563, 8564.5, 8565, 8565.5, 8566, and 8674, Business and Professions Code.

§ 1941. Failure to Appear for anOperator's or Field Representative's Examinations.

Failure of an applicant to appear for an operator's or field representative's examination specified in section 1940 after proper notification thereof shall be grounds for forfeiture of the examination fee, unless the applicant requests and is granted a postponement not less than five days prior to such examination or is excused by the board, for good cause, from complying with this requirement. An applicant who receives a postponement of not more than six (6) months will not be required to file a new application for examination prescribed in section 1940.1.

NOTE: Authority cited: Section 8525, Business and Professions Code. Reference: Sections 8560 and 8674, Business and Professions Code.

1942. Applicant Failing Operator's or Field Representative's Application for Re-Examination.

(a) An applicant who does not pass anfails the operator's or field Representative's examination specified in section 1940 may request to take another examination within six (6) months thereafterby submitting on the samean application for re-examination to the board, at its current physical address listed on its website or through the Board's online portal accessible through the Board's website, accompanied by such statements and documents as required by this subsection. A completed application for re-examination shall include the application fee required by section 1948 and the following information:

(1) Applicant's full legal name (Last Name) (First Name) (Middle Name).
(2) Applicant's Examination ID Number.
(3) Applicant's current mailing address, if different than previously supplied.
(4) Applicant's email address, if any.
(5) Applicant's telephone number.
(6) A statement signed by the applicant under penalty of perjury that the information

provided in the application for examination is true and correct.

(b) Once the board approves an applicant for re-examination, the board shall send a written approval notice to the examination vendor, PSI Services LLC (PSI), and to the applicant by email or, if an email address is not provided by the applicant, by United States Postal Service to the mailing address the applicant provided in their application for re-examination.

(1) The approval notice shall contain the web-site address, email address, telephone number, and mailing address of PSI, specify that the applicant is responsible for complying with the requirements in paragraphs (2) and (3), and specify that failure to appear for the examination is grounds for forfeiture of the examination fee, unless the applicant requests and is granted a postponement in accordance with section 1941.

(2) The applicant shall contact PSI to schedule an examination date, time, and site location.

(3) The applicant shall appear at the designated PSI examination site location at their scheduled date and time, and the applicant shall present their acceptable government-issued photo identification at the time of examination.

(A) For the purposes of this section, “acceptable government-issued photo identification” has the same meaning as provided in section 1940.1.

NOTE: Authority cited: Section 8525, Business and Professions Code. Reference: Sections 8560, 8561, 8563, 8564.5, and 8674, Business and Professions Code.

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MEMORANDUM

DATE	August 26, 2024
TO	Members of the Structural Pest Control Board
FROM	Sophia Azar, Executive Officer Structural Pest Control Board
SUBJECT	**Agenda Item #11d:** Review, Discussion, and Possible Action to Initiate the Rulemaking Process to Adopt or Amend Regulations on Fee Increase (Sections 1936, 1936.2, 1948, and 1997 of Title 16 of the California Code of Regulations)

Background

Earlier this year, it was identified that the Board has a structural imbalance in its support fund, meaning that the Board is projected to run out of revenue to meet its operational needs. The Department of Consumer Affairs Budget Office (Budget Office) has since determined that the current fees are no longer adequate to cover the Board's expenditures and do not account for future increases in operational costs. The Budget Office projects that the Board will deplete its existing reserve fund by Fiscal Year 2025-2026 and recommends increasing the Board's application, initial licensing, renewal, and WDO fees to address these costs.

Current Fund Condition Summary

The attached document, titled "Structural Pest Control Fund Analysis of Fund Condition (Status Quo)," demonstrates the Fund Condition without the proposed fee increases. The document "Structural Pest Control Fund Analysis of Fund Condition (w/ Fee Increase effective 7/1/2025)" shows the Board's Fund Condition with the proposed fee increases (see Attachment A).

Data to Support Fee Increases

Board staff recently completed desk audits, confirming that the actual costs to process the Board's examination applications, initial licensing applications, and renewals exceed the current fees charged for these categories, as well as the statutory maximum. The attached workload cost analysis (Attachment B) outlines the Board's current actual costs for processing each examination application, initial licensing application, and renewal.

Current Recommendation

The Budget Office has advised the Board to commence rulemaking to increase examination, initial license, renewal, and WDO Inspection and Completion Activity fees. This increase is necessary to address the Board's structural imbalance and impending insolvency if fee increases are adopted by July 1, 2025. Additionally, as part of the amendment process, the Board will incorporate changes to the application forms as required by new legislation, as well as updates for formatting and cleanup. The proposed text increasing these fees is included for your review and consideration in Attachment C. This proposal would:

1. Amend section 1936 for the application forms for operators and field representatives.
2. Amend section 1936.2 for the applicator application form.
3. Amend section 1948 fee structure.
4. Amend section 1997 for the WDO Inspection and Completion Activity fee.

Considering the foregoing, I request that action be taken to address the pending structural imbalance in the Board's Fund by considering approval of the proposed text with an effective on filing date (which means the regulations would go into effect on the date approved by the Office of Administrative Law rather than quarterly).

Recommended Motion:

Approve the proposed regulatory text and changes to 16 CCR sections 1936, 1936.2, 1948, and 1997 as provided in Attachment C, and direct staff to submit all approved text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review. If no adverse comments are received, authorize the Executive Officer to take all necessary steps to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the Executive Officer to take all necessary steps to complete the rulemaking and adopt the proposed regulations at 16 CCR sections 1936, 1936.2, 1948, and 1997 as noticed with an effective on filing date.

Attachments:

A. Structural Pest Control Fund Analysis of Fund Condition (Status Quo and w/ Fee Increase effective 7/1/2025)
B. Workload Cost Analysis
C. Proposed Regulatory Text for Amendments to 16 CCR section 1936, 1936.2, 1948, and 1997 of the Board's Regulations

ATTACHMENT A

0775 - Structural Pest Control Fund Analysis of Fund Condition
(Dollars in Thousands)

Prepared 8.26.2024

2024 Budget Act (Status Quo)	Actual 2022-23	Pre-Actual PY 2023-24	CY 2024-25	BY 2025-26	BY +1 2026-27
BEGINNING BALANCE	$ 3,529	$ 3,201	$ 2,213	$ 624	$ -1,107
Prior Year Adjustment	$ 55	$ -	$ -	$ -	$ -
Adjusted Beginning Balance	$ 3,584	$ 3,201	$ 2,213	$ 624	$ -1,107
REVENUES, TRANSFERS AND OTHER ADJUSTMENTS					
Revenues					
4121200 - Delinquent fees	$ 7	$ 9	$ 6	$ 6	$ 6
4127400 - Renewal fees	$ 233	$ 250	$ 243	$ 243	$ 243
4129200 - Other regulatory fees	$ 4,533	$ 4,464	$ 4,922	$ 4,922	$ 4,922
4129400 - Other regulatory licenses and permits	$ 665	$ 679	$ 666	$ 666	$ 666
4141200 - Sales of Documents	$ 1	$ 1	$ 1	$ 1	$ 1.00
4143500 - Miscellaneous Services to the Public	$ 1	$ 1	$ 1	$ 1	$ 1
4163000 - Income from surplus money investments	$ 85	$ 101	$ 7	$ -	$ -
4171400 - Escheat of unclaimed checks and warrants	$ 4	$ 1	$ 1	$ 1	$ 1
Totals, Revenues	$ 5,529	$ 5,506	$ 5,847	$ 5,840	$ 5,840
TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS	$ 5,529	$ 5,506	$ 5,847	$ 5,840	$ 5,840
TOTAL RESOURCES	$ 9,113	$ 8,707	$ 8,060	$ 6,464	$ 4,733
Expenditures:					
1111 DCA Regulatory Boards, Bureaus, Divisions (State Ops)	$ 5,444	$ 5,927	$ 6,865	$ 7,071	$ 7,283
9999 Statewide Pro Rata	$ 367	$ 466	$ 499	$ 499	$ 499
9892 Supplemental Pension Payments (State Ops)	$ 101	$ 101	$ 72	$ -	$ -
TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS	$ 5,912	$ 6,494	$ 7,436	$ 7,571	$ 7,783
FUND BALANCE					
Reserve for economic uncertainties	$ 3,201	$ 2,213	$ 624	$ -1,107	$ -3,050
Months in Reserve	**5.9**	**3.6**	**1.0**	**-1.7**	**-4.7**

NOTES:
1. Assumes workload and revenue projections are realized in CY and ongoing.
2. Expenditure growth projected at 3% beginning BY.
3. PY: Pre-Year End Closing (FM 12)

Structural Pest Control Board
CA Code of Regulations Section 1948

Type	Current Fee	Proposed Fee	Increase Amount	BPC 8674*
WDO Filing Fee	$4	$5	**$1**	$5
Exam Fee - Applicator	$55	$60	**$5**	$60
Exam Fee - Field Rep	$50	$75	**$25**	$75
Exam Fee - Operator	$65	$100	**$35**	$100
Original License - Applicator	$10	$35	**$25**	$50
Original License - Field Rep	$30	$45	**$15**	$45
Original License - Operator	$120	$150	**$30**	$150
Triennial Renewal - Applicator	$10	$35	**$25**	$50
Triennial Renewal - Field Rep	$30	$45	**$15**	$45
Triennial Renewal - Operator	$120	$150	**$30**	$150

***BPC 8674 - Statutory Fee Limits**

0775 - Structural Pest Control Fund Analysis of Fund Condition
(Dollars in Thousands)

Prepared 8.26.2024

2024 Budget Act (W/ Fee Increases effective 7/1/2025)	Actual 2022-23	Pre-Actual PY 2023-24	CY 2024-25	BY 2025-26	BY +1 2026-27
BEGINNING BALANCE	$ 3,529	$ 3,201	$ 2,213	$ 2,190	$ 2,054
Prior Year Adjustment	$ 55	$ -	$ -	$ -	$ -
Adjusted Beginning Balance	$ 3,584	$ 3,201	$ 2,213	$ 2,190	$ 2,054
REVENUES, TRANSFERS AND OTHER ADJUSTMENTS					
Revenues					
4121200 - Delinquent fees	$ 7	$ 9	$ 6	$ 6	$ 6
4127400 - Renewal fees	$ 233	$ 250	$ 243	$ 243	$ 243
4127400 - Renewal fees increase (effective 7/1/2025)	$ -	$ -	$ 104	$ 104	$ 104
4129200 - Other regulatory fees	$ 4,533	$ 4,464	$ 4,922	$ 4,922	$ 4,922
4129200 - Other regulatory fees increase (eff 7/1/2025)	$ -	$ -	$ 1,200	$ 1,200	$ 1,200
4129400 - Other regulatory licenses and permits	$ 665	$ 679	$ 666	$ 666	$ 666
4129400 - Other regulatory licenses and permits increase (eff 7/1/2025)	$ -	$ -	$ 262	$ 262	$ 262
4141200 - Sales of Documents	$ 1	$ 1	$ 1	$ 1	$ 1
4143500 - Miscellaneous Services to the Public	$ 1	$ 1	$ 1	$ 1	$ 1
4163000 - Income from surplus money investments	$ 85	$ 101	$ 7	$ 30	$ 25
4171400 - Escheat of unclaimed checks and warrants	$ 4	$ 1	$ 1	$ 1	$ 1
Totals, Revenues	$ 5,529	$ 5,506	$ 7,413	$ 7,436	$ 7,431
TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS	$ 5,529	$ 5,506	$ 7,413	$ 7,436	$ 7,431
TOTAL RESOURCES	$ 9,113	$ 8,707	$ 9,626	$ 9,625	$ 9,485
Expenditures:					
1111 DCA Regulatory Boards, Bureaus, Divisions (State Ops)	$ 5,444	$ 5,927	$ 6,865	$ 7,071	$ 7,283
9999 Statewide Pro Rata	$ 367	$ 466	$ 499	$ 499	$ 499
9892 Supplemental Pension Payments (State Ops)	$ 101	$ 101	$ 72	$ -	$ -
TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS	$ 5,912	$ 6,494	$ 7,436	$ 7,571	$ 7,783
FUND BALANCE					
Reserve for economic uncertainties	$ 3,201	$ 2,213	$ 2,190	$ 2,054	$ 1,701
Months in Reserve	**5.9**	**3.6**	**3.5**	**3.2**	**2.6**

NOTES:
1. Assumes workload and revenue projections are realized in CY and ongoing.
2. Expenditure growth projected at 3% beginning BY.
3. PY: Pre-Year End Closing (FM 12)

ATTACHMENT B

Structural Pest Control Board
Exam Eligibility - BPC Sections 8674 (c), (h) & (k)
Fiscal Impact - (Workload Costs)

Workload Tasks	Per Application	Minutes Per Application	OA	OT	PT	SSA
Receive Application, Intake & Preliminary Check	1	5	5	-	-	-
Cashiering - Input Into IT Systems, Prepare Trial Balance & Adjustments	1	10	-	5	-	5
License Search & App Review	1	5	-	-	5	-
Education, Experience & Records Validation	1	15	-	-	15	-
Identify Deficiencies, Requests Documents & Mail to Applicants	0.5	15	-	-	15	-
Data Entry IT Update - Applicant Entered Into System	1	10	-	-	10	-
Records Update (Eligibility, ATS transfers)	1	10	-	-	10	-
Respond to Inquiries (phone/email/front counter)	1	10	-	-	10	-
Filing	1	5	-	-	5	-
Minutes per Classification			**5**	**5**	**70**	**5**
Hours by Classification			**0.08**	**0.08**	**1.17**	**0.08**
Costs by Classification			**$7**	**$8**	**$109**	**$8**
PSI Exam Costs			**$37**			
Total Costs:			**$169**			

OA: Office Assistant @ $88/hr (includes DCA Distributed Administration)

OA: Office Technician @ $92/hr (includes DCA Distributed Administration)

PT: Program Technician @ $93/hr (includes DCA Distributed Administration)

SSA: Staff Services Analyst @ $99/hr (includes DCA Distributed Administration)

Structural Pest Control Board
Original License - BPC Sections 8674 (d), (i), (l)
Fiscal Impact - (Workload Costs)

Workload Tasks	Per Application	Minutes Per Application	OA	OT	PT	SSA	AGPA
Receive Application, Intake & Preliminary Check	1	10	10	-	-	-	-
Cashiering - Input Into IT Systems, Prepare Trial Balance & Adjustments	1	25	-	10	-	15	-
Initial Review of Application - Identify Eligibility & Deficiencies	1	30	-	-	15	-	15
Respond to Inquiries, Monitor Applications & Other Admin Duties	0.5	45	-	-	15	15	15
Contact Candidate - Request Documentation	0.5	30	-	-	15	-	15
Receive, Process & Analyze Documentation	1	75	-	-	30	-	45
Final Verification for Licensure, Fingerprint Verification, File Organization	1	35	-	-	10	-	25
Prepare & Issue License	1	25	-	-	10	-	15
Minutes per Classification			**10**	**10**	**95**	**30**	**130**
Hours by Classification			**0.17**	**0.17**	**1.58**	**0.50**	**2.17**
Costs by Classification			**$15**	**$15**	**$147**	**$50**	**$244**
Total Costs:			**$471**				

OA: Office Assistant @ $88/hr (includes DCA Distributed Administration)

OA: Office Technician @ $92/hr (includes DCA Distributed Administration)

PT: Program Technician @ $93/hr (includes DCA Distributed Administration)

SSA: Staff Services Analyst @ $99/hr (includes DCA Distributed Administration)

AGPA: Associate Governmental Program Analyst @$113/hr (includes DCA Distributed Administration)

Structural Pest Control Board
License Renewal - Business and Professions Code 8674 (e), (j), (m)
Fiscal Impact - (Workload Costs)

Workload Tasks	Per Application	Minutes Per Application	OA	OT	PT	SSA	AGPA
Receive Application, Intake & Preliminary Check	1	5	5	-	-	-	-
Cashiering - Input Into IT Systems, Prepare Trial Balance & Adjustments	1	15	-	15	-	-	-
Initial Review of Application & Identify Deficiencies	1	50	-	-	25	-	25
Deficiency Letter Prepared & Notice Mailed	0.5	20	-	-	10	-	10
Continuing Education (CE) Review & Audit	0.25	30	-	-	-	30	-
Communication - Email, Phone, Etc.	0.5	30	-	-	15	-	15
Filing	1	10	-	-	5	-	5
Prepare & Issue License Renewal	1	30	-	-	15	-	15
Minutes per Classification			**5**	**15**	**70**	**30**	**70**
Hours by Classification			**0.08**	**0.25**	**1.17**	**0.50**	**1.17**
Costs by Classification			**$7**	**$23**	**$109**	**$50**	**$132**
Total Costs:			**$320**				

OA: Office Assistant @ $88/hr (includes DCA Distributed Administration)

OA: Office Technician @ $92/hr (includes DCA Distributed Administration)

PT: Program Technician @ $93/hr (includes DCA Distributed Administration)

SSA: Staff Services Analyst @ $99/hr (includes DCA Distributed Administration)

AGPA: Associate Governmental Program Analyst @$113/hr (includes DCA Distributed Administration)

DEPARTMENT OF CONSUMER AFFAIRS
TITLE 16. STRUCTURAL PEST CONTROL BOARD

PROPOSED TEXT
Fee Increase

Legend: Added text is indicated with an underline.
Deleted text is indicated by ~~strikeout~~.

§ 1936. Form and Date for Filing Application for License.

(a) An application for an initial operator's or field representative's license shall be:

(1) Filed at the principal office of the board on Form 43L-1 (Rev. ~~7/20~~08/24) or Form 43L-14 (Rev. ~~7/20~~08/24), which are hereby incorporated by reference, and shall comply with every requirement shown thereon.

(2) Accompanied by the required license fee specified in section 1948, unless the applicant qualifies for a waiver in accordance with subsection (c) of this section.

(b) All documents filed in support of any application shall be retained by the board; provided, however, that the board may, at its discretion, permit such documents to be withdrawn upon substitution of a true copy.

(c) The license fee referenced in paragraph (2) of subsection (a) shall be waived and the application shall be expedited if the applicant supplies proof of holding a current license or comparable authority to act as an operator or field representative in another state, district, or territory of the United States, and their spouse or domestic partner is an active-duty member of the Armed Forces of the United States and was assigned to a duty station in California under official active-duty military orders. “Proof” shall include supplying the following documentation with the application to receive application expedite and an initial license fee waiver per 115.5 of the code:

(1) Certificate of marriage or certified declaration/registration of domestic partnership filed with the California Secretary of State or other documentary evidence of legal union with an active-duty member of the Armed Forces of the United States,
(2) A copy of the applicant’s current license to act as an operator or field representative in another state, district, or territory of the United States, and,
(3) A copy of the military orders establishing their spouse or partner’s duty station in California.

NOTE: Authority cited: Section 8525, Business and Professions Code. Reference: Sections 27, 30, 31, 114.5, 115.4, 115.5, 135.4, 480, 494.5, 8560-8566 and 8674, Business and Professions Code; and Sections 11361.5 and 11361.7, Health and Safety Code.

§ 1936.2. Form for Filing Application for Applicator's License.

(a) An application for an initial applicator's license shall be:

(1) Filed at the principal office of the board on Form 43L-21 (Rev. ~~7/20~~08/24), which is hereby incorporated by reference, and shall comply with every requirement shown thereon.

(2) Accompanied by the required license fee specified in section 1948, unless the applicant qualifies for a waiver in accordance with subsection (c) of this section.

(b) All documents filed in support of any application shall be retained by the board.

(c) The license fee referenced in paragraph (2) of subsection (a) shall be waived and the application shall be expedited if the applicant supplies proof of holding a current license or comparable authority to act as an applicator in another state, district, or territory of the United States, and their spouse or domestic partner is an active-duty member of the Armed Forces of the United States and was assigned to a duty station in California under official active-duty military orders. “Proof” shall include supplying the following documentation with the application to receive application expedite and an initial license fee waiver per 115.5 of the code:

(1) Certificate of marriage or certified declaration/registration of domestic partnership filed with the California Secretary of State or other documentary evidence of legal union with an active-duty member of the Armed Forces of the United States,
(2) A copy of the applicant’s current license to act as an applicator in another state, district, or territory of the United States, and,
(3) A copy of the military orders establishing their spouse or partner’s duty station in California.

NOTE: Authority cited: Section 8525, Business and Professions Code. Reference: Sections 27, 30, 31, 114.5, 115.4, 115.5, 135.4, 480, 494.5, 8564.5 and 8564.6, Business and Professions Code; and Sections 11361.5 and 11361.7, Health and Safety Code.

§ 1948. Fees.

(a) Pursuant to the provisions of section 8674 of the code, the following fees are established:

(1) Duplicate license	$ 2
(2) Change of licensee name	$ 2
(3) Operator's examination	$ ~~65~~100
(4) Operator's license	$~~120~~150
(5) Renewal operator's license	$~~120~~150
(6) Company office registration	$120
(7) Branch office registration	$ 60
(8) Field representative's examination	$ ~~50~~75
(9) Field representative's license	$ ~~30~~45
(10) Renewal field representative's license	$ ~~30~~45
(11) Change of registered company's name	$ 25
(12) Change of principal office address	$ 25
(13) Change of branch office address	$ 25
(14) Change of qualifying manager	$ 25
(15) Change of registered company's officers	$ 25
(16) Change of bond or insurance	$ 25
(17) Continuing education provider	$ 50
(18) Continuing education course approval	$ 25
(19) Pesticides use report filing	$ 6
(20) Applicator's License	

	$ ~~10~~35
(21) Renewal applicator's license	$ ~~10~~35

(b) Pursuant to section 8564.5 of the code, the fee for examination for licensure as an applicator is ~~$55.00~~ $60.00 for each branch in which an examination is taken.

(c) Pursuant to section 8593 of the code, the fee for the continuing education examination for operators is $65.00, for each branch in which an examination is taken.

(d) Pursuant to section 8593 of the code, the fee for the continuing education examination for field representatives is $50.00, for each branch in which an examination is taken.

NOTE: Authority cited: Section 8525, Business and Professions Code. Reference: Sections 8564.5, 8593 and 8674, Business and Professions Code.

§ 1997. WDO Inspection and Completion Activity Fee.

Pursuant to the provisions of section 8674 of the Business and Professions Code, the following fee is determined, set and established:

(~~1~~a) The Activity Reporting fee per Property Address is $~~4.00~~5.00.

NOTE: Authority cited: Sections 8525 and 8674, Business and Professions Code. Reference: Sections 8518 and 8674, Business and Professions Code.

ATTACHMENT C

BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
DEPARTMENT OF CONSUMER AFFAIRS • STRUCTURAL PEST CONTROL BOARD
2005 Evergreen St., Suite 1500, Sacramento, CA 95815
P (916) 561-8704 | F (916) 263-2469 | www.pestboard.ca.gov

APPLICATION FOR OPERATOR~~'S~~ LICENSE

LICENSE FEE $1~~2~~50 (unless waived, see question No. 27)

~~(Remit by money order, cashier's check or personal check payable to the Structural Pest Control Board)~~

~~FOR BOARD~~ SPCB USE ONLY	ATS No.	Cashiering No.	Checked By	
	Effective Date	License No.	Branch	Class Code

IMPORTANT: If you are already licensed as an Operator, it is only necessary to submit this form and your permanent wall license for upgrading. **There is no fee for upgrading.** Applicants applying for an original operator's license shall pass the SPCB's California Branch 1, 2, or 3 Operator Examination required by Business and Professions Code (BPC) section 8565 prior to submission of this application. Per BPC section 8561, you must apply to the SPCB for the issuance of an operator's license within one year of passing the examination. Failure to comply with these requirements will result in rejection of this application.

- Each question must be fully and truthfully answered. An application may be denied if an applicant knowingly makes a false statement of fact that is required to be revealed in the application for the license. (See BPC section 480(e).)
- Attach additional sheets to this application wherever so directed or when space provided is not sufficient.
- An incomplete application will be returned to the applicant.
- Failure to provide all information requested will also result in application review delays.
- A $150 License Fee is required. Submit the fee by money order, cashier's check, personal check, or certified check payable to the *Structural Pest Control Board* with this application to the address noted above.
- **Notice**: Under BPC sections 31 and 494.5, the State California Department of Tax and Fee Administration (CDTFA) and the Franchise Tax Board (FTB) may share taxpayer information with the SPCB. You are required to pay your state tax obligation. This application may be denied or your license may be suspended if you have a state tax obligation, the state tax obligation is not paid, and your name appears on the CDTFA or FTB certified list of 500 largest tax delinquencies ~~**ALL FIELDS MUST BE TYPED OR PRINTED**~~.

~~**Business & Professions Code Section 8562**~~

1. Check branch(es) you are applying for:
☐ Branch 1 – Fumigation ☐ Branch 2 – General Pest ☐ Branch 3 – Termite

2. Check the type of Operator's License to be issued:
☐ Inactive License ☐ Employee of a Company ~~☐ Qualifying Manager~~

~~6.~~3. Name of Applicant: (Full name as it appears on your government issued identification.)
(First) (Middle) (Last)

4.~~3.~~ Date of Birth: (MM/DD/YYYY)

5.~~4. Driver's License or California Identification No.:~~ SSN/ITIN:

~~**5. Social Security Number or Individual Tax Identification Number:**~~ _____

~~Disclosure of your Social Security Number (SSN) or Individual Tax Identification Number (ITIN) is mandatory. Section 30 of the Business and Professions Code and Public Law 94-455 (42 U.S.C.A. 405(c)(2)(C)) authorize collection of your SSN or ITIN. Your SSN or ITIN will be used exclusively for tax enforcement purposes, for purposes of compliance with any judgment or order for~~

~~family support in accordance with Family Code Section 17520, or for verification of licensure or examination status by a licensing or examination entity which utilizes a national examination and where licensure is reciprocal with the requesting state. If you fail to disclose your SSN or ITIN, your application for initial license will not be processed AND you will be reported to the Franchise Tax Board, which may assess a $100 penalty against you.~~

6. Residence Address: (Building Number) (Street Name) (Unit Number)		~~**Telephone Number:**~~ ~~( )~~
~~**(city)**~~**City:**	~~**(State)**~~**State:**	~~**(Zip)**~~**Zip:**
7. Mailing Address: (Note: This address will be made available to the public in accordance with BPC section 27. You may provide a P.O. Box or other alternate address in lieu of your residence address in response to this question.) (Building Number) (Street Name) (Unit Number)		
~~**(city)**~~**City:**	~~**(State)**~~**State:**	~~**(Zip)**~~**Zip:**
8. Telephone Number: ( )	**9. Email Address:**	
~~**7.**~~**10. Employer:**		**11. Employer Telephone Number:** ( )
12. Employer's Address: (Building Number) (Street Name) (Unit Number)		
~~**(city)**~~**City:**	~~**(State)**~~**State:**	~~**(Zip)**~~**Zip:**

13. Are you 18 years of age or older? (An individual must be 18 years of age or older to qualify for an operator license)	☐ YES ☐ NO
~~8.~~**14.** Are you presently licensed or have you previously been licensed as a structural pest control applicator, field representative, or operator in the State of California? If YES, ~~state~~provide license number(s): _____	☐ YES ☐ NO

~~9.~~**15.** Give the names and addresses of ~~the~~ individuals and businesses with whom you have been associated in the pest control business as a partner~~s~~ or business associate~~s~~ in the last five years (attach additional sheets if needed):

_____

_____

~~10.~~**16.** Are you now or have you ever been licensed to do structural pest control in another ~~S~~state? If YES, provide the ~~name of the State and your license number~~following: Name of the state(s) and your license number(s) _____ Type of license(s) _____ Name(s) license(s) issued under _____	☐ YES ☐ NO
~~11.~~**17.** Are you at the present time employed or engaged in the structural pest control business? If YES, by whom and in what capacity? _____	☐ YES ☐ NO

~~**12. Have you ever had a professional or vocational license refused, denied, suspended or revoked by this or any other State agency?**~~

~~☐ YES ☐ NO~~

~~If YES, attach a signed detailed statement.~~

~~**13. Do you have any pending disciplinary actions against you in regards to any professional or vocational licenses?**~~

~~☐ YES ☐ NO~~

~~If YES, attach a signed detailed statement.~~

~~**14. Have you ever been associated with any person, partnership or corporation, whose professional or vocational license was refused, denied, suspended or revoked by this or any other State agency?**~~

~~☐ YES ☐NO~~

~~If YES, attach a signed detailed statement.~~

~~**16. Have you ever served in the United States Military?**~~ ~~☐ YES ☐ NO~~

~~**17. Are you, or someone that you are either married, in a legal union or domestic partnership with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in California under official active duty military orders?**~~ ~~☐ YES ☐ NO~~

~~**18. Have you ever been found guilty of any violation or any provision of the Structural Pest Control Act?**~~ ~~☐ YES ☐ NO~~

~~If YES, attach a signed detailed statement.~~

~~19.~~**18. EXPERIENCE –** Submit all actual compensated structural pest control experience gained while in the employ of a company registered in the State of California. Experience must be certified on a CERTIFICATE OF EXPERIENCE FORM. Attach Certificate of Experience Form(s) to this application.

Time Period From	To	Employer and Address	Description of duties performed

~~20.~~**19. EQUIVALENT EXPERIENCE/TRAINING –** ~~Submit~~Provide details of all experience/training which you believe is equivalent to experience/training gained while in the employ of a pest control company. Such activities can include ~~but are not limited to~~ military service~~,~~ or structural pest control related occupations~~or any other related activity~~.

Time Period From	To	Employer and Address	Description of duties performed

~~21.~~**20. OUT OF STATE EXPERIENCE –** Out of state experience will be evaluated as to the equivalency of experience under a structural pest control company registered to do business in the State of California.

State in which you gained experience: _____

Do you hold a license issued by that State? If YES, you must have a certified license history sent to the California Structural Pest Control Board from that state's licensing agency as well as a copy of that State's Rules and Regulations.

List in chronological order all structural pest control experience gained out of state. Experience must be certified by employer.

Attach certification of experience to this application.

Time Period From	To	Employer and Address	Description of duties performed

21. Within the preceding seven (7) years from the date of the application and excluding actions based upon any criminal conviction history, have you ever had any professional or vocational license or certificate denied, suspended, revoked, or otherwise disciplined by the SPCB or any other governmental authority in this state or any other state, U.S. federal jurisdiction, or foreign country?	☐ YES ☐ NO
22. Within the preceding seven (7) years from the date of the application and excluding actions based upon any criminal conviction history, have you ever, acting as a partner, officer, managing employee, or qualifying manager of a firm, partnership, or corporation, had knowledge of and participated in the commission of any act resulting in the suspension or revocation of a license or company registration?	☐ YES ☐ NO
23. Excluding actions based upon any criminal conviction history, have you received notice of any pending disciplinary action(s) against you regarding any professional or vocational license or certificate issued by any other governmental authority in this state or any other state, U.S. federal jurisdiction, or foreign country?	☐ YES ☐ NO

24. If you answered YES to questions 21, 22, or 23, attach copies of the disciplinary decision taken by the licensing board, agency, or other governmental organization ("board") that contains the following information:

(A) the type of disciplinary action taken (e.g., revocation, suspension, probation),
(B) the effective date of the disciplinary action,
(C) the license type,
(D) the license number,
(E) the name and location of the licensing board, and
(F) an explanation of the violations found by the licensing board.

In addition, you may submit a statement or documents showing your rehabilitation efforts or any mitigating information that you would like the SPCB to consider.

~~15.~~25. Are you currently serving in, or have you previously served in, the United States Military?	☐ YES ☐ NO
26. Have you served as an active-duty member of the US Armed Forces and were you honorably discharged per BPC section 115.4(a)? If YES, attach a copy of your previous military service (DD214 – Certificate of Release or Discharge from Active Duty, or current military orders) for expedited review of your application.	☐ YES ☐ NO

27. Do you already hold a current, active license, or comparable authority, to act as an operator in another U.S. state or territory, and your spouse or domestic partner is an active-duty member of the Armed Forces of the United States and was assigned to a duty station in California under official orders? If YES, your application will receive an expedited review and a waiver of the license fee. Note: if you meet the military spouse or domestic partner requirement please attach copies of the following documentation to this application: (A) certificate of marriage or certified declaration/registration of domestic partnership filed with the Secretary of State or other documentary evidence of legal union with an active-duty member of the U.S. Armed Forces, (B) a copy of your current license in another state, district, or territory of the United States, and (C) a copy of the military orders establishing your spouse or partner's duty station in California.	☐ YES ☐ NO
28. Are you an active-duty member of a regular component of the United States Armed Forces and enrolled in the United States Department of Defense's SkillBridge program as authorized under Section 1143(e) of title 10 of the United States Code and requesting expedited processing of your application pursuant to BPC section 115.4, subdivision (b)? If YES, please provide the following with your application: a written approval document or letter from your respective United States Armed Forces Service branch (Army, Navy, Air Force, Marine Corps, Space Force, or Coast Guard), signed by your first field grade commanding officer that specifies your name, the approved SkillBridge opportunity, and the specified duration of your participation (i.e., start and end dates).	☐ YES ☐ NO
29. REFUGEE, ASYLEE, OR SPECIAL IMMIGRANT: BPC section 135.4 provides that the California Structural Pest Control Board shall expedite, and may assist, the initial licensure process for certain applicants described below. Do any of the following apply to you? • You were admitted to the United States as a refugee pursuant to section 1157 of title 8 of the United States Code; or • You were granted asylum by the Secretary of Homeland Security or the United States Attorney General pursuant to section 1158 of title 8 of the United States Code; or • You have a special immigrant visa and were granted a status pursuant to section 1244 of Public Law 110-181, Public Law 109-163, or section 602(b) of title VI of division F of Public Law 111-8, relating to Iraqi and Afghan translators/interpreters or those who worked for or on behalf of the United States government. **If YES, attach evidence of your status as a refugee, asylee, or special immigrant visa holder as follows:** • Form I-94, arrival/departure record, with an admission class code such as "re" (refugee) or "ay" (asylee) or other information designating the person a refugee or asylee; or • Special immigrant visa that includes the classification codes of "SI" or "SQ"; or • Permanent resident card (Form I-551), commonly known as a "green card," with a category designation indicating that the person was admitted as a refugee or asylee; or • An order from a court of competent jurisdiction or other documentary evidence that provides reasonable assurances to the SPCB that you qualify for expedited licensure per BPC section 135.4.	☐ YES ☐ NO

CERTIFIED TRUE STATEMENT

I certify under penalty of perjury under the laws of the State of California ~~to the truth and accuracy of~~that all statements and representations, including any attachments in support of this application, made and furnished in connection with this application~~, including all statements attached hereto~~ are true and correct. ~~I understand that falsifying information on this application may result in denial of this application.~~ I certify that I am the applicant whose signature appears below, ~~at least eighteen years of age~~ and have read and ~~understand~~received the "Notice on Collection of Personal Information~~.~~" section on the last page of this application form.

~~Original~~ **Signature:**	**Date:**

NOTICE ON COLLECTION OF PERSONAL INFORMATION

Disclosure of your Social Security Number (SSN) or Individual Taxpayer Identification Number (ITIN) is mandatory.
Sections 30, 31, and 494.5 of the BPC and Public Law 94-455 (42 U.S.C.A. 405(c)(2)(C)) authorize collection of your SSN or ITIN. Your SSN or ITIN shall be used exclusively for tax enforcement purposes, for purposes of compliance with any judgment or order for family support in accordance with Family Code Section 17520, or for verification of licensure or examination status by a licensing or examination entity which utilizes a national examination and where licensure is reciprocal with the requesting state. If you fail to disclose your SSN or ITIN, your application for initial license shall not be processed AND you shall be reported to the Franchise Tax Board, which may assess a $100 penalty against you.

Collection and Use of Personal Information
The Structural Pest Control Board of the Department of Consumer Affairs collects the personal information requested on this form as authorized by ~~Business and Professions Code~~BPC ~~S~~section 8562~~,~~ and Title 16, California Code of Regulations Section 1936~~ and the Information Practices Act~~. The Structural Pest Control Board uses this information principally to identify and evaluate applicants for licensure, issue and renew licenses, enforce licensing standards set by law and regulation, update and maintain current licensee information, and for mailing purposes.

Mandatory Submission
Submission of the requested information is mandatory. The Structural Pest Control Board cannot consider your application for licensure ~~or renewal~~ unless you provide all of the requested information.

Access to Personal Information
You may review the records maintained by the Structural Pest Control Board that contain your personal information, as permitted by the Information Practices Act. See below for contact information.

Possible Disclosure of Personal Information
We make every effort to protect the personal information you provide us. The information you provide, however, may be disclosed in the following circumstances:

- In response to a Public Records Act request (Government Code Section ~~6250~~7920.000 and following), as allowed by the Information Practices Act (Civil Code Section 1798 and following);
- To another government agency as required by State or Federal law; or~~,~~
- In response to a court or administrative order, a subpoena, or a search warrant.

Contact Information
For questions about this notice or access to your records, you may contact:
The Structural Pest Control Board's Executive Officer at 2005 Evergreen Street, Suite 1500, Sacramento, CA 95815, by phone at (916) 561-8704, or by email at pestboard@dca.ca.gov.

For questions about the Department's Privacy Policy, you may contact:
The Department of Consumer Affairs at 1625 North Market Boulevard, Sacramento, CA 95834, by phone at (800) 952-5210, or by email at dca@dca.ca.gov.

ATTACHMENT C

SPCB
STRUCTURAL PEST CONTROL BOARD

BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
DEPARTMENT OF CONSUMER AFFAIRS • STRUCTURAL PEST CONTROL BOARD
2005 Evergreen St., Suite 1500, Sacramento, CA 95815
P (916) 561-8700 | F (916) 263-2469 | www.pestboard.ca.gov

APPLICATION FOR FIELD REPRESENTATIVE~~'S~~ LICENSE

~~**Business & Professions Code Section 8564**~~

LICENSE FEE: $~~30~~45 (unless waived, see question No. 20)

~~FOR BOARD~~ SPCB USE ONLY	ATS No.	Cashiering No.	Checked By	
	Effective Date	License No.	Branch	Class Code

IMPORTANT: If you are already licensed as a field representative, it is only necessary to submit this form and your permanent wall license for upgrading. There is no fee for upgrading. Applicants applying for an original field representative's license shall pass the SPCB's California Branch 1, 2, or 3 Field Representative Examination required by Business and Professions Code (BPC) section 8566 prior to submission of this application. Per BPC section 8563, you must apply to the SPCB for the issuance of an operator's license within one year of passing the examination. Failure to comply with these requirements will result in rejection of this application.

- Each question must be fully and truthfully answered. An application may be denied if an applicant knowingly makes a false statement of fact that is required to be revealed in the application for the license. (See BPC section 480(e).)
- Attach additional sheets to this application wherever so directed or when space provided is not sufficient.
- An incomplete application will be returned to the applicant.
- Failure to provide all information requested will also result in application review delays.
- A $45 License Fee is required. Submit the fee by money order, cashier's check, personal check, or certified check payable to the *Structural Pest Control Board* with this application to the address noted above.
- **Notice**: Under BPC sections 31 and 494.5, the State California Department of Tax and Fee Administration (CDTFA) and the Franchise Tax Board (FTB) may share taxpayer information with the SPCB. You are required to pay your state tax obligation. This application may be denied or your license may be suspended if you have a state tax obligation, the state tax obligation is not paid, and your name appears on the CDTFA or FTB certified list of 500 largest tax delinquencies ~~**ALL FIELDS MUST BE TYPED OR PRINTED**~~.

1. Check the branch(es) you are applying for:
☐ Branch 1 – Fumigation ☐ Branch 2 – General Pest ☐ Branch 3 – Termite

2. Check the type of Field Representative's License to be issued:
☐ Inactive License ☐ Employee of a Company

~~**3. Date of Birth:**~~

~~**4. Driver's License or California Identification No.:**~~

~~**5. Social Security Number or Individual Tax Identification Number:**~~ _____

~~**Disclosure of your Social Security Number (SSN) or Individual Taxpayer Identification Number (ITIN) is mandatory. Section 30 of the Business and Professions Code and Public Law 94-455 (42 U.S.C.A. 405(c)(2)(C)) authorize collection of your SSN or ITIN. Your SSN or ITIN will be used exclusively for tax enforcement purposes, for purposes of compliance with any judgment or order for family support in accordance with Family Code Section 17520, or for verification of licensure or examination status by a licensing or examination entity which utilizes a national examination and where licensure is reciprocal with the requesting state. If you fail to disclose your SSN or ITIN, your application for initial license will not be processed AND you will be reported to the Franchise Tax Board, which may assess a $100 penalty against you.**~~

Proposal

~~6.~~ 3. **Name of Applicant:** (Full name as it appears on your government issued identification.)
(First) (Middle) (Last)

4. Date of Birth: (MM/DD/YYYY)	**5. SSN/ITIN:**

6. Residence Address: (Building Number) (Street Name) (Unit Number)			~~**Telephone Number:**~~ ~~( )~~
~~(city)~~**City:**	~~(State)~~**State:**	~~(Zip)~~**Zip:**	~~**Email Address** (optional):~~

7. Mailing Address: (Note: This address will be made available to the public in accordance with BPC section 27. You may provide a P.O. Box or other alternate address in lieu of your residence address in response to this question.)
(Building Number) (Street Name) (Unit Number)

~~(city)~~**City:**	~~(State)~~**State:**	~~(Zip)~~**Zip:**
8. Telephone Number: ( )	**9. Email Address:**	

~~7.~~**10.** **Employer:**	**11. Employer Telephone Number:** ( )
12. Employer's Address: (Building Number) (Street Name) (Unit Number)	~~**Telephone Number:**~~ ~~( )~~
~~(city)~~**City:** ~~(State)~~**State:**	~~(Zip)~~**Zip:**

~~**8. Previous Employer:**~~

~~**Previous Employer's Address:**~~	~~**Telephone Number:**~~ ~~Area Code ( )~~

13. Are you 18 years of age or older? (An individual must be 18 years of age or older to qualify for an operator license)	☐ YES ☐ NO
~~9.~~**14.** Are you presently licensed or have you previously been licensed as a structural pest control applicator, field representative, or operator in the State of California? If YES, ~~state~~ provide license number(s): _____	☐ YES ☐ NO

~~10.~~ **15.** Give the names and addresses of ~~the~~ individuals and businesses with whom you have been associated in the pest control business as a partner~~s~~ or business associate~~s~~ in the last five years (attach additional sheets if needed):

_____

_____

~~11~~**16.** Are you now or have you ever been licensed to do structural pest control in another ~~S~~state? If YES, provide the ~~name of the State and your license number~~ following: Name of the State(s) and your license number(s) _____ Type of license(s) _____	☐ YES ☐ NO

~~2~~

Proposed

Name(s) license(s) issued under _____

~~12.~~17. **Are you at the present time employed or engaged in the structural pest control business?** ☐ YES ☐ NO

If YES, by whom and in what capacity? _____

~~**13. Have you ever had a professional or vocational license refused, denied, suspended or revoked by this or any other State agency?**~~ ~~☐ YES ☐ NO~~

~~If YES, attach a signed detailed statement.~~

~~**14. Do you have any pending disciplinary action against you in regards to any professional or vocational license?**~~ ~~☐ YES ☐ NO~~

~~If YES, attach a signed detailed statement.~~

~~**15. Have you ever been connected with any person, partnership or corporation, whose professional or vocational license was refused, denied, suspended or revoked by this or any other State agency?**~~ ~~☐ YES ☐ NO~~

~~If YES, attach a signed detailed statement.~~

~~**16. Have you ever been found guilty of any violation or any provision of the Structural Pest Control Act?**~~ ~~☐ YES ☐ NO~~

~~If YES, attach a signed detailed statement.~~

~~17.~~18. **EXPERIENCE** -- Submit all actual compensated structural pest control experience gained while in the employ of a company registered in the State of California. Experience must be certified on a CERTIFICATE OF EXPERIENCE FORM. Attach Certificate of Experience Form(s) to this application.

Time Period From To	Employer and Address	Description of duties performed

~~18.~~19. **EQUIVALENT EXPERIENCE/TRAINING** - ~~Submit~~ Provide details of all experience/training which you believe is equivalent to experience/training gained while in the employ of a pest control company. Such activities can include~~, but are not limited to,~~ military service~~,~~ or structural pest control related occupations ~~or any other related activity~~.

Time Period From To	Employer and Address	Description of duties performed

Proposed

~~19.~~**20.** **OUT OF STATE EXPERIENCE --** Out of state experience will be evaluated as to the equivalency of experience under a structural pest control company registered to do business in the State of California.

State in which you gained experience: _____

Do you hold a license issued by that State? If YES, you must have a certified license history sent to the California Structural Pest Control Board from that state's licensing agency as well as a copy of that State's Rules and Regulations.

List in chronological order all structural pest control experience gained out of state. Experience must be certified by employer.

Attach certification of experience to this application.

Time Period From To	Employer and Address	Description of duties performed

~~**20. Are you currently in the United States Military?** ☐ YES ☐ NO~~

~~**21. Have you ever served in the United States Military?** ☐ YES ☐ NO~~

~~**22. Are you 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?** ☐ YES ☐ NO~~

21. Within the preceding seven (7) years from the date of the application and excluding actions based upon any criminal conviction history, have you ever had any professional or vocational license or certificate denied, suspended, revoked, or otherwise disciplined by the SPCB or any other governmental authority in this state or any other state, U.S. federal jurisdiction, or foreign country?	☐ YES ☐ NO
22. Within the preceding seven (7) years from the date of the application and excluding actions based upon any criminal conviction history, have you ever acting as a partner, officer, managing employee, or qualifying manager of a firm, partnership, or corporation, had knowledge of and participated in the commission of any act resulting in the suspension or revocation of a license or company registration?	☐ YES ☐ NO
23. Excluding actions based upon any criminal conviction history, have you received notice of any pending disciplinary action(s) against you regarding any professional or vocational license or certificate issued by any other governmental authority in this state or any other state, U.S. federal jurisdiction, or foreign country?	☐ YES ☐ NO

24. If you answered YES to questions 21, 22, or 23, attach copies of the disciplinary decision taken by the licensing board, agency, or other governmental organization ("board") that contains the following information:

(A) the type of disciplinary action taken (e.g., revocation, suspension, probation),
(B) the effective date of the disciplinary action,
(C) the license type,
(D) the license number,
(E) the name and location of the licensing board, and
(F) an explanation of the violations found by the licensing board.

In addition, you may submit a statement or documents showing your rehabilitation efforts or any mitigating information that you would like the SPCB to consider.

25. Are you currently serving in, or have you previously served in, the United States Military?	☐ YES ☐ NO

Proposed

26. Have you served as an active-duty member of the US Armed Forces and were you honorably discharged per BPC section 115.4(a)? *If YES, attach a copy of your previous military service (DD214 – Certificate of Release or Discharge from Active Duty, or current military orders) for expedited review of your application.	
27. Do you already hold a current, active license, or comparable authority, to act as an operator in another U.S. state or territory, and your spouse or domestic partner is an active-duty member of the Armed Forces of the United States and was assigned to a duty station in California under official orders? If yes, your application will receive an expedited review and a waiver of the license fee. Note: if you meet the military spouse or domestic partner requirement please attach copies of the following documentation to this application: (A) certificate of marriage or certified declaration/registration of domestic partnership filed with the Secretary of State or other documentary evidence of legal union with an active-duty member of the U.S. Armed Forces, (B) a copy of your current license in another state, district, or territory of the United States, and (C) a copy of the military orders establishing your spouse or partner's duty station in California.	☐ YES ☐ NO
28. Are you an active-duty member of a regular component of the United States Armed Forces and enrolled in the United States Department of Defense's SkillBridge program as authorized under Section 1143(e) of title 10 of the United States Code and requesting expedited processing of your application pursuant to BPC section 115.4, subdivision (b)? If YES, please provide the following with your application: a written approval document or letter from your respective United States Armed Forces Service branch (Army, Navy, Air Force, Marine Corps, Space Force or Coast Guard), signed by your first field grade commanding officer that specifies your name, the approved SkillBridge opportunity, and the specified duration of your participation (i.e., start and end dates).	☐ YES ☐ NO
29. REFUGEE, ASYLEE, OR SPECIAL IMMIGRANT: BPC section 135.4 provides that the California Structural Pest Control Board shall expedite, and may assist, the initial licensure process for certain applicants described below. Do any of the following apply to you? • You were admitted to the United States as a refugee pursuant to section 1157 of title 8 of the United States Code; or • You were granted asylum by the Secretary of Homeland Security or the United States Attorney General pursuant to section 1158 of title 8 of the United States Code; or • You have a special immigrant visa and were granted a status pursuant to section 1244 of Public Law 110-181, Public Law 109-163, or section 602(b) of title VI of division F of Public Law 111-8, relating to Iraqi and Afghan translators/interpreters or those who worked for or on behalf of the United States government. **If YES, attach evidence of your status as a refugee, asylee, or special immigrant visa holder as follows:** • Form I-94, arrival/departure record, with an admission class code such as "re" (refugee) or "ay" (asylee) or other information designating the person a refugee or asylee; or • Special immigrant visa that includes the classification codes of "SI" or "SQ"; or • Permanent resident card (Form I-551), commonly known as a "green card," with a category designation indicating that the person was admitted as a refugee or asylee; or • An order from a court of competent jurisdiction or other documentary evidence that provides reasonable assurances to the SPCB that you qualify for expedited licensure per BPC section 135.4.	☐ YES ☐ NO

Proposed

CERTIFIED TRUE STATEMENT

I certify under penalty of perjury under the laws of the State of California ~~to the truth and accuracy of~~that all statements and representations, including any attachments in support of this application, made and furnished in connection with this application~~, including all statements attached hereto~~ are true and correct. ~~I understand that falsifying information on this application may result in denial of this application.~~ I certify that I am the applicant whose signature appears below, ~~at least eighteen years of age~~ and have read and ~~understand~~received the "Notice on Collection of Personal Information~~.~~" section on the last page of this application form.

~~Original~~ Signature	Date

NOTICE ON COLLECTION OF PERSONAL INFORMATION

Disclosure of your Social Security Number (SSN) or Individual Taxpayer Identification Number (ITIN) is mandatory.
Sections 30, 31, and 494.5 of the BPC and Public Law 94-455 (42 U.S.C.A. 405(c)(2)(C)) authorize collection of your SSN or ITIN. Your SSN or ITIN shall be used exclusively for tax enforcement purposes, for purposes of compliance with any judgment or order for family support in accordance with Family Code Section 17520, or for verification of licensure or examination status by a licensing or examination entity which utilizes a national examination and where licensure is reciprocal with the requesting state. If you fail to disclose your SSN or ITIN, your application for initial license shall not be processed AND you shall be reported to the Franchise Tax Board, which may assess a $100 penalty against you.

Collection and Use of Personal Information
The Structural Pest Control Board of the Department of Consumer Affairs collects the personal information requested on this form as authorized by ~~Business and Professions Code~~BPC ~~S~~section 8562~~,~~ and Title 16, California Code of Regulations Section 1936~~ and the Information Practices Act~~. The Structural Pest Control Board uses this information principally to identify and evaluate applicants for licensure, issue and renew licenses, enforce licensing standards set by law and regulation, update and maintain current licensee information, and for mailing purposes.

Mandatory Submission
Submission of the requested information is mandatory. The Structural Pest Control Board cannot consider your application for licensure ~~or renewal~~ unless you provide all of the requested information.

Access to Personal Information
You may review the records maintained by the Structural Pest Control Board that contain your personal information, as permitted by the Information Practices Act. See below for contact information.

Possible Disclosure of Personal Information
We make every effort to protect the personal information you provide us. The information you provide, however, may be disclosed in the following circumstances:

- In response to a Public Records Act request (Government Code Section ~~6250~~7920.000 and following), as allowed by the Information Practices Act (Civil Code Section 1798 and following);
- To another government agency as required by State or Federal law; or~~,~~
- In response to a court or administrative order, a subpoena, or a search warrant.

Contact Information
For questions about this notice or access to your records, you may contact:
The Structural Pest Control Board's Executive Officer at 2005 Evergreen Street, Suite 1500, Sacramento, CA 95815, by phone at (916) 561-8704, or by email at pestboard@dca.ca.gov.

Proposed

For questions about the Department's Privacy Policy, you may contact:
The Department of Consumer Affairs at 1625 North Market Boulevard, Sacramento, CA 95834, by phone at (800) 952-5210, or by email at dca@dca.ca.gov.

Proposed

ATTACHMENT C

BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
DEPARTMENT OF CONSUMER AFFAIRS • STRUCTURAL PEST CONTROL BOARD
2005 Evergreen St., Suite 1500, Sacramento, CA 95815
P (916) 561-8704 | F (916) 263-2469 | www.pestboard.ca.gov

APPLICATION FOR APPLICATOR'~~S~~ LICENSE

LICENSE FEE $~~10~~35 (unless waived, see question No. 20)

~~(Remit by money order, cashier's check or personal check payable to the Structural Pest Control Board)~~

~~FOR BOARD~~ SPCB USE ONLY	ATS No.	Cashiering No.	Checked By	
	Effective Date	License No.	Branch	Class Code

IMPORTANT: Applicants applying for an original operator's license shall pass the SPCB'S California Branch 2 or 3 Applicator Examination required by Business and Professions Code (BPC) section 8564.5 prior to submission of this application. Failure to comply with these requirements will result in rejection of this application.

- Each question must be fully and truthfully answered. An application may be denied if an applicant knowingly makes a false statement of fact that is required to be revealed in the application for the license. (See BPC section 480(e).)
- Attach additional sheets to this application wherever so directed or when space provided is not sufficient.
- An incomplete application will be returned to the applicant.
- A $35 License Fee is required. Submit by money order, cashier's check, personal check, or certified check payable to the *Structural Pest Control Board* with this application to the address noted above.
- **Notice**: Under BPC sections 31 and 494.5, the State California Department of Tax and Fee Administration (CDTFA) and the Franchise Tax Board (FTB) may share taxpayer information with the SPCB. You are required to pay your state tax obligation. This application may be denied or your license may be suspended if you have a state tax obligation, the state tax obligation is not paid, and your name appears on the CDTFA or FTB certified list of 500 largest tax delinquencies. **~~ALL FIELDS MUST BE TYPED OR PRINTED.~~**

~~BUSINESS AND PROFESSIONS CODE SECTION 8564.6~~

1. Name of Applicant: (Full name as it appears on your government issued identification.) (First) (Middle) (Last)	
~~**2. Residence Address:** (Building Number) (Street Name) (Unit Number)~~	~~**Telephone Number:** ( )~~
~~(city) (State) (Zip)~~	~~**Email Address** (optional):~~
~~**Mailing Address:** (Building Number) (Street Name) (Unit Number)~~ ~~city) (State) (Zip)~~	
2. Date of Birth: (MM/DD/YYYY)	**3. SSN/ITIN:**
4. Residence Address: (Building Number) (Street Name) (Unit Number)	

Proposed

City:	State:	Zip:
5. Mailing Address: (Building Number) (Street Name) (Unit Number)		
City:	State:	Zip:
6. Telephone Number: ( )	**7. Email Address:**	
8. Employer:		**9. Employer's Telephone Number:** ( )
10. Employer's Address: (Building Number) (Street Name) (Unit Number)		~~**Telephone Number:** ( )~~
~~(City)~~**City:**	~~(State)~~ **State:**	~~(Zip)~~ **Zip:**
~~**4. Date of Birth:**~~	~~**5. Driver's License No.:**~~	

~~**6. Social Security Number or Individual Tax Identification Number:**~~

~~**Disclosure of your Social Security Number (SSN) or Individual Tax Identification Number (ITIN) is mandatory. Section 30 of the Business and Professions Code and Public Law 94-455 (42 U.S.C.A. 405(c)(2)(C)) authorize collection of your SSN or ITIN. Your SSN or ITIN will be used exclusively for tax enforcement purposes, for purposes of compliance with any judgment or order for family support in accordance with Family Code Section 17520, or for verification of licensure or examination status by a licensing or examination entity which utilizes a national examination and where licensure is reciprocal with the requesting state. If you fail to disclose your SSN or ITIN, your application for initial license will not be processed AND you will be reported to the Franchise Tax Board, which may assess a $100 penalty against you.**~~

~~7.~~**11.** Are you 18 years of age or older? (An individual must be 18 years of age or older to apply for an applicator license)	☐ YES ☐ NO
~~8.~~**12.** Are you presently licensed or have you previously been licensed as a structural pest control applicator, field representative, or operator ~~or equivalent~~ in the State of California? ~~this or any other state?~~ If YES, ~~state~~ provide license number(s): _____	☐ YES ☐ NO

~~9.~~**13.** Give the names and addresses of the individuals and businesses with whom you have been associated in the pest control business as a partner~~s~~ or business associate~~s~~ in the last five years (attach additional sheets if needed): _____

~~10.~~**14.** Are you at the present time employed or engaged in the structural pest control business? If YES, by whom and in what capacity? _____	☐ YES ☐ NO
~~**11.** Have you ever had any professional or vocational license refused, denied, suspended or revoked by this or any other State agency? If YES, attach a signed detailed statement.~~	~~☐ YES ☐ NO~~
~~**12.** Do you have any pending disciplinary actions against you in regards to any professional or vocational licenses? If YES, attach a signed detailed statement.~~	~~☐ YES ☐ NO~~
~~**13.** Have you ever been connected with any person, partnership or corporation, whose professional or vocational license was refused, denied, suspended or revoked by this or any other State agency? If YES, attach a signed detailed statement.~~	

Proposed

~~**14.** Are you currently in the United States Military?~~	~~☐ YES ☐ NO~~
~~**15.** Are you 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?~~	~~☐ YES ☐ NO~~
~~**16.** Have you ever served in the United States Military?~~	~~☐ YES ☐ NO~~
~~**17.** Have you ever been found guilty of any violation or any provision of the Structural Pest Control Act?~~ ~~If YES, attach a signed detailed statement.~~	~~☐ YES ☐ NO~~
15. Within the preceding seven (7) years from the date of the application and excluding actions based upon any criminal conviction history, have you ever had any professional or vocational license or certificate denied, suspended, revoked, or otherwise disciplined by the SPCB or any other governmental authority in this state or any other state, U.S. federal jurisdiction, or foreign country?	☐ YES ☐ NO
16. Within the preceding seven (7) years from the date of the application and excluding actions based upon any criminal conviction history, have you ever acting as a partner, officer, managing employee, or qualifying manager of a firm, partnership, or corporation, had knowledge of and participated in the commission of any act resulting in the suspension or revocation of a license or company registration?	☐ YES ☐ NO
17. Excluding actions based upon any criminal conviction history, have you received notice of any pending disciplinary action(s) against you regarding any professional or vocational license or certificate issued by any other governmental authority in this state or any other state, U.S. federal jurisdiction, or foreign country?	☐ YES ☐ NO
18. If you answered YES to questions 15, 16, or 17, attach copies of the disciplinary decision taken by the licensing board, agency, or other governmental organization ("board") that contains the following information: (A) the type of disciplinary action taken (e.g., revocation, suspension, probation), (B) the effective date of the disciplinary action, (C) the license type, (D) the license number, (E) the name and location of the licensing board, and (F) an explanation of the violations found by the licensing board. In addition, you may submit a statement or documents showing your rehabilitation efforts or any mitigating information that you would like the SPCB to consider.	
18. Are you currently serving in, or have you previously served in, the United States Military?	☐ YES ☐ NO
19. Have you served as an active-duty member of the US Armed Forces and were you honorably discharged per BPC section 115.4(a)? *If YES, attach a copy of your previous military service (DD214 – Certificate of Release or Discharge from Active Duty, or current military orders) for expedited review of your application.	☐ YES ☐ NO
20. Do you already hold a current, active license, or comparable authority, to act as an operator in another U.S. state or territory, and your spouse or domestic partner is an active-duty member of the Armed Forces of the United States and was assigned to a duty station in California under official orders? If YES, your application will receive an expedited review and a waiver of the license fee. Note: if you meet the military spouse or domestic partner requirement please scan and attach copies of the following documentation to this application: (A) certificate of marriage or certified declaration/registration of domestic partnership filed with the Secretary of State or other documentary evidence of legal union with an active-duty member of the U.S. Armed Forces, (B) a copy of your current license in another state, district, or territory of the United States, and	☐ YES ☐ NO

Proposed

a copy of the military orders establishing your spouse or partner's duty station in California.	
21. Are you an active-duty member of a regular component of the United States Armed Forces and enrolled in the United States Department of Defense's SkillBridge program as authorized under Section 1143(e) of title 10 of the United States Code and requesting expedited processing of your application pursuant to BPC section 115.4, subdivision (b)? If YES, please provide the following with your application: a written approval document or letter from your respective United States Armed Forces Service branch (Army, Navy, Air Force, Marine Corps, Space Force or Coast Guard), signed by your first field grade commanding officer that specifies your name, the approved SkillBridge opportunity, and the specified duration of your participation (i.e., start and end dates).	☐ YES ☐ NO
22. REFUGEE, ASYLEE, OR SPECIAL IMMIGRANT: BPC section 135.4 provides that the California Structural Pest Control Board shall expedite, and may assist, the initial licensure process for certain applicants described below. Do any of the following apply to you? • You were admitted to the United States as a refugee pursuant to section 1157 of title 8 of the United States Code; or • You were granted asylum by the Secretary of Homeland Security or the United States Attorney General pursuant to section 1158 of title 8 of the United States Code; or • You have a special immigrant visa and were granted a status pursuant to section 1244 of Public Law 110-181, Public Law 109-163, or section 602(b) of title VI of division F of Public Law 111-8, relating to Iraqi and Afghan translators/interpreters or those who worked for or on behalf of the United States government. **If YES, attach evidence of your status as a refugee, asylee, or special immigrant visa holder as follows:** • Form I-94, arrival/departure record, with an admission class code such as "re" (refugee) or "ay" (asylee) or other information designating the person a refugee or asylee; or • Special immigrant visa that includes the classification codes of "SI" or "SQ"; or • Permanent resident card (Form I-551), commonly known as a "green card," with a category designation indicating that the person was admitted as a refugee or asylee; or An order from a court of competent jurisdiction or other documentary evidence that provides reasonable assurances to the SPCB that you qualify for expedited licensure per BPC section 135.4.	☐ YES ☐ NO

CERTIFIED TRUE STATEMENT

I certify under penalty of perjury under the laws of the State of California ~~to the truth and accuracy of~~that all statements and representations, including any attachments in support of this application, made and furnished in connection with this application~~, including all statements attached hereto~~ are true and correct. ~~I understand that falsifying information on this application may result in denial of this application.~~ I certify that I am the applicant whose signature appears below, ~~at least eighteen years of age~~ and have read and ~~understand~~received the "Notice on Collection of Personal Information~~.~~" section on the last page of this application form.

~~Original~~ **Signature:**	**Date:**

Proposed

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- To another government agency as required by State or Federal law; or~~,~~
- In response to a court or administrative order, a subpoena, or a search warrant.

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For questions about the Department's Privacy Policy, you may contact:
The Department of Consumer Affairs at 1625 North Market Boulevard, Sacramento, CA 95834, by phone at (800) 952-5210, or by email at dca@dca.ca.gov.

Proposed

SPCB
STRUCTURAL PEST CONTROL BOARD

AGENDA ITEM 12

UPDATE ON BOARD MONITORED LEGISLATION

a. SB 1451 (Ashby) Professions and Vocations

BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
DEPARTMENT OF CONSUMER AFFAIRS • STRUCTURAL PEST CONTROL BOARD
2005 Evergreen St., Suite 1500, Sacramento, CA 95815
P (916) 561-8750 | F (916) 263-2469 | www.pestboard.ca.gov

MEMORANDUM

DATE	August 26, 2024
TO	Members of the Structural Pest Control Board
FROM	Sophia Azar, Executive Officer Structural Pest Control Board
SUBJECT	**Agenda Item #14: Legislative Update**

There is one bill this year that impacts the Structural Pest Control Board (Board). SB 1451 introduces various changes to the operations of programs governed by practice acts in the Business and Professions Code and various professions regulated by these programs. For the Board, the bill replaces gendered language in the Structural Pest Control Act and eliminates the option for SPCB licensees to take challenge examinations in lieu of completing continuing education (CE) requirements.

BACKGROUND

Currently, BPC sections 8593 and 8593.1 mandate the Board to offer licensees the option of taking CE examinations ("challenge examinations") instead of completing CE requirements. On March 6, 2017, the United States Environmental Protection Agency (U.S. EPA) revised the federal rule for certification and recertification of applicators of restricted use pesticides (40 CFR 171), specifying that if recertification is based on written examination, the State must ensure the examination is adequately developed to demonstrate competencies required by federal law.

In the past, Board staff and Specialists developed and administered these examinations in-house. However, to be defensible and a valid alternative to CE courses, examinations must be frequently updated by expert consultants. Without such experts on staff, the Board lacks the necessary resources to ensure these examinations are adequately developed and administered. Additionally, the cost to contract with the Department of Consumer Affairs' (DCA) Office of Professional Examination Services (OPES) for developing and updating these examinations is substantial and impractical.

On April 17, 2019, the Board authorized the Executive Officer to pursue legislative changes to BPC 8593 and 8593.1 to eliminate the CE challenge examination. The prior Executive Officer submitted legislative proposals in the 2020, 2021, and 2022 legislative sessions but did not secure an author.

In December 2023, I submitted a new legislative proposal to the Senate Business, Professions, and Economic Development Committee (BPED) to include in their committee bill. On February 16, 2024, BPED Committee bill (SB 1451) was introduced by Senator Angelique Ashby.

Attachment

A. Bill Text – SB 1451

SB-1451 Professions and vocations. (2023-2024)

SHARE THIS:

Date Published: 06/19/2024 09:00 PM

AMENDED IN ASSEMBLY JUNE 19, 2024

AMENDED IN SENATE APRIL 17, 2024

CALIFORNIA LEGISLATURE— 2023–2024 REGULAR SESSION

SENATE BILL NO. 1451

Introduced by Senator Ashby

February 16, 2024

An act to amend Sections 1926, 2054, 2837.101, 2837.103, 2837.104, 2837.105, 3765, 7423, 8593, and 8593.1 ~~of~~ *of, and to add Section 4069 to,* the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

SB 1451, as amended, Ashby. Professions and vocations.

(1) Existing law, the Dental Practice Act, establishes the Dental Hygiene Board of California to license and regulate dental hygienists. Existing law authorizes a registered dental hygienist in alternative practice to perform specified duties in dental health professional shortage areas, as certified by the Department of Health Care Access and Information, in accordance with specified guidelines.

This bill would authorize a registered dental hygienist in alternative practice with an existing practice in a dental health professional shortage area to continue to provide dental hygiene services if certification by the department is ~~removed.~~ *removed and the registered dental hygienist in alternative practice annually provides specified information to certain patients.*

(2) Existing law, the Medical Practice Act, establishes the Medical Board of California for the licensure and regulation of physicians and surgeons. Existing law makes it a misdemeanor for a person who is not licensed as a physician and surgeon under the act, except as specified, to use certain words, letters, and phrases or any other terms that imply that the person is authorized to practice medicine as a physician and surgeon.

This bill would add the initials "D.O." to the list of prohibited terms under that provision. The bill would also prohibit a person from using the words "doctor" or "physician," the letters or prefix "Dr.," the initials "M.D." or "D.O.," or any other terms or letters indicating or implying that the person is a physician and surgeon, physician, surgeon, or practitioner in a health care setting that would lead a reasonable patient to determine that the

person is a licensed "M.D." or ~~"D.O.".~~ *"D.O."* By expanding the scope of a crime, this bill would impose a state-mandated local program. *The bill would also authorize certain persons to use the words "doctor" or "physician," the letters or prefix "Dr.," or the initials "M.D." or "D.O."*

(3) Existing law, the Nursing Practice Act, provides for the licensure and certification of nurse practitioners by the Board of Registered Nursing. Existing law requires the Office of Professional Examination Services in the Department of Consumer Affairs, or an equivalent organization, to perform an occupational analysis of nurse practitioners performing specified functions, and requires the board and the office to assess the alignment of competencies tested in the national nurse practitioner certification examination with the occupational analysis.

This bill would make the provision requiring the assessment of the alignment of competencies inapplicable to a national nurse practitioner certification examination discontinued before January 1, 2017.

(4) Existing law establishes the Nurse Practitioner Advisory Committee to advise and give recommendations to the board on matters relating to ~~Nurse Practitioners.~~ *nurse practitioners.* Existing law requires the board, by regulation, to define minimum standards for transition to practice, as defined, and provides that clinical experience may include experience obtained before January 1, 2021, if the experience meets requirements established by the board.

This bill would specify that, for purposes of transition to practice, clinical experience shall not be limited to experience in a single category in which a nurse practitioner may practice, as specified, and would prohibit experience obtained before a person is certified as a nurse practitioner from being considered clinical experience for purposes of transition to practice requirements.

Existing law authorizes a nurse practitioner to perform specified functions without standardized procedures if the nurse practitioner satisfies certain requirements, including having completed a transition to practice in California of 3 full-time equivalent years of practice, or 4,600 hours.

This bill would deem a nurse practitioner who has been practicing as a nurse practitioner *in direct patient care* for 3 full-time equivalent years or 4,600 hours within the last 5 years, as of January 1, 2023, to have satisfied this requirement. The bill would require proof of completion of ~~a~~ *one* transition to practice to be provided to the board as an attestation from either a licensed physician and surgeon or a nurse practitioner. The bill would prohibit the board from requiring a nurse practitioner *practicing under those provisions* to tell a patient that the patient has a right to see a physician and surgeon, and would delete a provision requiring ~~a~~ *the* nurse practitioner to use a certain phrase to inform Spanish language speakers that the nurse practitioner is not a physician and surgeon.
(5) Existing law, the Pharmacy Law, establishes the California State Board of Pharmacy to license and regulate the practice of pharmacy. Existing law authorizes a pharmacist to provide consultation to a patient about, among other things, drug therapy, disease management, and disease prevention.

This bill would require a pharmacist who dispenses or furnishes a dangerous drug pursuant to a veterinary prescription to include, as part of the consultation, the option for a representative of an animal patient to also receive drug documentation specifically designed for veterinary drugs.

~~(5)~~

(6) Existing law, the Respiratory Care Practice Act, establishes the Respiratory Care Board of California to license and regulate the practice of respiratory care. Existing law authorizes a licensed vocational nurse who is employed by a home health agency to perform respiratory tasks and services identified by the board if, on or before January 1, 2025, the licensed vocational nurse has completed patient-specific training satisfactory to their employer, and, on and after January 1, 2025, the licensed vocational nurse has completed that training in accordance with guidelines promulgated by the Respiratory Care Board of California, in collaboration with the Board of Vocational Nursing and Psychiatric Technicians of the State of California.

This bill would extend those dates to January 1, 2028. The bill, on and after January 1, 2028, would also authorize a licensed vocational nurse to perform respiratory care services identified by the board while practicing in certain settings identified in the bill if the ~~license~~ *licensed* vocational nurse has completed patient-specific training satisfactory to their employer and holds a current and valid certification of competency for each respiratory task to be performed, as specified.

~~(6)~~

(7) Existing law, the Barbering and Cosmetology Act, establishes the State Board of Barbering and Cosmetology to license and regulate barbering and cosmetology, and establishes a hairstylist application and examination fee

of $50 or a fee determined by the board, not to exceed the reasonable cost of developing, purchasing, grading, and administering the examination.

This bill would instead require the hairstylist application and examination fee to be the actual cost to the board for developing, purchasing, grading, and administering the examination, and would establish that an initial licensee fee for a hairstylist shall be not more than $50.

~~(7)~~

(8) Existing law establishes the Structural Pest Control Board in the Department of Consumer Affairs to license and regulate structural pest control operators, structural pest control field representatives, and structural pest control applicators. Existing law requires those licensees, as a condition of license renewal, to submit proof to the board that they have informed themselves of the developments in the field of pest control by completing continuing education courses or equivalent activity approved by the board, or taking and completing an examination given by the board, as specified.

This bill would delete the authorization for a licenseholder to take and complete an examination given by the board to satisfy that requirement.

~~(8)~~

(9) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.
Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 1926 of the Business and Professions Code is amended to read:

1926. In addition to practices authorized in Section 1925, a registered dental hygienist in alternative practice may perform the duties authorized pursuant to subdivision (a) of Section 1907, subdivision (a) of Section 1908, and subdivisions (a) and (b) of Section 1910 in the following settings:

(a) Residences of the homebound.

(b) Schools.

(c) Residential facilities and other institutions and medical settings that a residential facility patient has been transferred to for outpatient services.

(d) Dental health professional shortage areas, as certified by the Department of Health Care Access and Information in accordance with existing office guidelines. If the dental health professional shortage area certification is removed, a registered dental hygienist in alternative practice with an existing practice in the area may continue to provide dental hygiene ~~services.~~ *services, and shall annually provide patients treated at an existing practice with a list of dentists in the previous dental health professional shortage area who may be able to see the patient for comprehensive services.*

(e) Dental offices.

SEC. 2. Section 2054 of the Business and Professions Code is amended to read:

2054. (a) Any person who uses in any sign, business card, or letterhead, or, in an advertisement, the words "doctor" or "physician," the letters or prefix "Dr.," the initials "M.D." or "D.O.," or any other terms or letters indicating or implying that the person is a physician and surgeon, physician, surgeon, or practitioner under the terms of this or any other law, or that the person is entitled to practice hereunder, or who represents or holds themselves out as a physician and surgeon, physician, surgeon, or practitioner under the terms of this or any other law, without having at the time of so doing a valid, unrevoked, and unsuspended certificate as a physician and surgeon under this chapter, is guilty of a misdemeanor. No person shall use the words "doctor" or "physician," the letters or prefix "Dr.," the initials "M.D." or "D.O.," or any other terms or letters indicating or implying that the person is a physician and surgeon, physician, surgeon, or practitioner in a health care setting that would lead a reasonable patient to determine that person is a licensed "M.D." or ~~"D.O.",~~ *"D.O."*

(b) Notwithstanding subdivision (a), any of the following persons may use the words "doctor" or "physician," the letters or prefix "Dr.," or the initials "M.D." or "D.O.":

(1) A graduate of a medical or an osteopathic medical school approved or recognized by the medical or osteopathic medical board while enrolled in a postgraduate training program approved by the board.

(2) A graduate of a medical or an osteopathic medical school who does not have a certificate as a physician and surgeon under this chapter if the individual meets all of the following requirements:

(A) If issued a license to practice medicine in any jurisdiction, has not had that license revoked or suspended by that jurisdiction.

(B) Does not otherwise hold themselves out as a physician and surgeon entitled to practice medicine in this state except to the extent authorized by this chapter.

(C) Does not engage in any of the acts prohibited by Section 2060.

(3) A person authorized to practice medicine under Section 2111 or 2113 subject to the limitations set forth in those sections.

(4) A person holding a current and active license under another chapter of this division or any initiative act referred to in this division, to the extent the use of the title is consistent with the act governing the practice of that license.

(5) A person whose use of the word "doctor" or the prefix "Dr." is not associated with any claim of entitlement to practice medicine or any other professional service for which the use of the title would be untrue or misleading pursuant to Section 17500.

SEC. 3. Section 2837.101 of the Business and Professions Code is amended to read:

2837.101. For purposes of this article, the following terms have the following meanings:

(a) "Committee" means the Nurse Practitioner Advisory Committee.

(b) "Standardized procedures" has the same meaning as that term is defined in Section 2725.

(c) "Transition to practice" means additional clinical experience and mentorship provided to prepare a nurse practitioner to practice independently. "Transition to practice" includes, but is not limited to, managing a panel of patients, working in a complex health care setting, interpersonal communication, interpersonal collaboration and team-based care, professionalism, and business management of a practice. The board shall, by regulation, define minimum standards for transition to practice. For purposes of the transition to practice:

(1) Clinical experience shall not be limited to experience in a single category that a nurse practitioner may practice in pursuant to Section 2836.

(2) Clinical experience may include experience obtained before January 1, 2021, but clinical experience obtained before a person is certified by the board as a nurse practitioner shall not be included.

SEC. 4. Section 2837.103 of the Business and Professions Code is amended to read:

2837.103. (a) (1) Notwithstanding any other law, a nurse practitioner may perform the functions specified in subdivision (c) pursuant to that subdivision, in a setting or organization specified in paragraph (2) pursuant to that paragraph, if the nurse practitioner has successfully satisfied the following requirements:

(A) Passed a national nurse practitioner board certification examination and, if applicable, any supplemental examination developed pursuant to paragraph (4) of subdivision (a) of Section 2837.105.

(B) Holds a certification as a nurse practitioner from a national certifying body accredited by the National Commission for Certifying Agencies or the American Board of Nursing Specialties and recognized by the board.

(C) Provides documentation that educational training was consistent with standards established by the board pursuant to Section 2836 and any applicable regulations as they specifically relate to requirements for clinical practice hours. Online educational programs that do not include mandatory clinical hours shall not meet this requirement.

(D) Has completed a transition to practice in California or another state of a minimum of three full-time equivalent years of practice or 4600 hours. A nurse practitioner who has been practicing as a nurse practitioner *in direct patient care* for a minimum of three full-time equivalent years or 4,600 hours within the last ~~5~~ *five* years, as of January 1, 2023, may be deemed to have satisfied this requirement. For purposes of this subparagraph:

(i) Proof of completion of ~~a~~ *one* transition to practice shall be provided to the board, on a form prescribed by the board, as an attestation from either a licensed physician and surgeon, a certified nurse practitioner practicing pursuant to this section, or a certified nurse practitioner practicing pursuant to Section 2837.104.

(ii) A licensed physician and surgeon or a certified nurse practitioner who attests to the completion of a transition to practice is not required to specialize in the same category as the applicant pursuant to Section 2836.

(iii) A licensed physician and surgeon or a certified nurse practitioner practicing pursuant to this section or Section 2837.104 who attests to the completion of a transition to practice is not required to verify competence, clinical expertise, or any other standards related to the practice of the applicant and shall only attest to the completion of the transition to practice, as defined in Section 2837.101.

(iv) A licensed physician and surgeon or a certified nurse practitioner practicing pursuant to this section or Section 2837.104 who attests to the completion of a transition to practice shall not ~~be liable for any civil damages and shall not be subject to an administrative action, sanction, or penalty for attesting only to the completion of a transition to practice.~~ *be subject to civil, criminal, administrative, disciplinary, employment, credentialing, professional discipline, contractual liability, or medical staff action, sanction, or penalty or other liability for providing an attestation or refusing to provide an attestation pursuant to this section.*

(2) A nurse practitioner who meets all of the requirements of paragraph (1) may practice, including, but not limited to, performing the functions authorized pursuant to subdivision (c), in one of the following settings or organizations in which one or more physicians and surgeons practice with the nurse practitioner without standardized procedures:

(A) A clinic, as defined in Section 1200 of the Health and Safety Code.

(B) A health facility, as defined in Section 1250 of the Health and Safety Code, except for the following:

(i) A correctional treatment center, as defined in paragraph (1) of subdivision (j) of Section 1250 of the Health and Safety Code.

(ii) A state hospital, as defined in Section 4100 of the Welfare and Institutions Code.

(C) A facility described in Chapter 2.5 (commencing with Section 1440) of Division 2 of the Health and Safety Code.

(D) A medical group practice, including a professional medical corporation, as defined in Section 2406, another form of corporation controlled by physicians and surgeons, a medical partnership, a medical foundation exempt from licensure, or another lawfully organized group of physicians and surgeons that provides health care services.

(E) A home health agency, as defined in Section 1727 of the Health and Safety Code.

(F) A hospice facility licensed pursuant to Chapter 8.5 (commencing with Section 1745) of Division 2 of the Health and Safety Code.

(3) In health care agencies that have governing bodies, as defined in Division 5 of Title 22 of the California Code of Regulations, including, but not limited to, Sections 70701 and 70703 of Title 22 of the California Code of Regulations, the following apply:

(A) A nurse practitioner shall adhere to all applicable bylaws.

(B) A nurse practitioner shall be eligible to serve on medical staff and hospital committees.

(C) A nurse practitioner shall be eligible to attend meetings of the department to which the nurse practitioner is assigned. A nurse practitioner shall not vote at department, division, or other meetings unless

the vote is regarding the determination of nurse practitioner privileges with the organization, peer review of nurse practitioner clinical practice, whether a licensee's employment is in the best interest of the communities served by a hospital pursuant to Section 2401, or the vote is otherwise allowed by the applicable bylaws.

(b) An entity described in subparagraphs (A) to (F), inclusive, of paragraph (2) of subdivision (a) shall not interfere with, control, or otherwise direct the professional judgment of a nurse practitioner functioning pursuant to this section in a manner prohibited by Section 2400 or any other law.

(c) In addition to any other practices authorized by law, a nurse practitioner who meets the requirements of paragraph (1) of subdivision (a) may perform the following functions without standardized procedures in accordance with their education and training:

(1) Conduct an advanced assessment.

(2) (A) Order, perform, and interpret diagnostic procedures.

(B) For radiologic procedures, a nurse practitioner can order diagnostic procedures and utilize the findings or results in treating the patient. A nurse practitioner may perform or interpret clinical laboratory procedures that they are permitted to perform under Section 1206 and under the federal Clinical Laboratory Improvement Act (CLIA).

(3) Establish primary and differential diagnoses.

(4) Prescribe, order, administer, dispense, procure, and furnish therapeutic measures, including, but not limited to, the following:

(A) Diagnose, prescribe, and institute therapy or referrals of patients to health care agencies, health care providers, and community resources.

(B) Prescribe, administer, dispense, and furnish pharmacological agents, including over-the-counter, legend, and controlled substances.

(C) Plan and initiate a therapeutic regimen that includes ordering and prescribing nonpharmacological interventions, including, but not limited to, durable medical equipment, medical devices, nutrition, blood and blood products, and diagnostic and supportive services, including, but not limited to, home health care, hospice, and physical and occupational therapy.

(5) After performing a physical examination, certify disability pursuant to Section 2708 of the Unemployment Insurance Code.

(6) Delegate tasks to a medical assistant pursuant to Sections 1206.5, 2069, 2070, and 2071, and Article 2 (commencing with Section 1366) of Chapter 3 of Division 13 of Title 16 of the California Code of Regulations.

(d) A nurse practitioner *practicing under this section and not working under standardized procedures* shall inform all new patients in a language understandable to the patient that a nurse practitioner is not a physician and surgeon.

(e) A nurse practitioner shall not be required to tell a patient the patient has a right to see a physician and surgeon.

(f) A nurse practitioner *practicing under this section and not working under standardized procedures* shall post a notice in a conspicuous location accessible to public view that the nurse practitioner is regulated by the Board of Registered Nursing. The notice shall include the board's telephone number and the internet website where the nurse practitioner's license may be checked and complaints against the nurse practitioner may be made.

(g) A nurse practitioner shall refer a patient to a physician and surgeon or other licensed health care provider if a situation or condition of a patient is beyond the scope of the education and training of the nurse practitioner.

(h) A nurse practitioner practicing under this section shall have professional liability insurance appropriate for the practice setting.

(i) Any health care setting operated by the Department of Corrections and Rehabilitation is exempt from this section.

SEC. 5. Section 2837.104 of the Business and Professions Code is amended to read:

2837.104. (a) Beginning January 1, 2023, notwithstanding any other law, the following apply to a nurse practitioner who holds an active certification issued by the board pursuant to subdivision (b):

(1) The nurse practitioner may perform the functions specified in subdivision (c) of Section 2837.103 pursuant to that subdivision outside of the settings or organizations specified under subparagraphs (A) to (F), inclusive, of paragraph (2) of subdivision (a) of Section 2837.103.

(2) Subject to subdivision ~~(f)~~ *(g)* and any applicable conflict of interest policies of the bylaws, the nurse practitioner shall be eligible for membership of an organized medical staff.

(3) Subject to subdivision ~~(f)~~ *(g)* and any applicable conflict of interest policies of the bylaws, a nurse practitioner member may vote at meetings of the department to which nurse practitioners are assigned.

(b) The board shall issue a certificate to perform the functions specified in subdivision (c) of Section 2837.103 pursuant to that subdivision outside of the settings and organizations specified under subparagraphs (A) to (F), inclusive, of paragraph (2) of subdivision (a) of Section 2837.103, if the nurse practitioner satisfies all of the following requirements:

(1) Meets all of the requirements specified in paragraph (1) of subdivision (a) of Section 2837.103.

(2) Holds a valid and active license as a registered nurse in California and a master's degree in nursing or in a clinical field related to nursing or a doctoral degree in nursing.

(3) Has practiced as a nurse practitioner in good standing for at least three years, not inclusive of the transition to practice required pursuant to subparagraph (D) of paragraph (1) of subdivision (a) of Section 2837.103. The board may, at its discretion, lower this requirement for a nurse practitioner holding a Doctorate of Nursing Practice degree (DNP) based on practice experience gained in the course of doctoral education experience.

(c) A nurse practitioner authorized to practice pursuant to this section shall comply with all of the following:

(1) The nurse practitioner, consistent with applicable standards of care, shall not practice beyond the scope of their clinical and professional education and training, including specific areas of concentration and shall only practice within the limits of their knowledge and experience and national certification.

(2) The nurse practitioner shall consult and collaborate with other healing arts providers based on the clinical condition of the patient to whom health care is provided. Physician consultation shall be obtained as specified in the individual protocols and under the following circumstances:

(A) Emergent conditions requiring prompt medical intervention after initial stabilizing care has been started.

(B) Problem which is not resolving as anticipated after an ongoing evaluation and management of the situation.

(C) History, physical, or lab findings inconsistent with the clinical perspective.

(D) Upon request of patient.

(3) Nurse practitioner consultation with a physician and surgeon alone shall not create a physician-patient relationship. The nurse practitioner shall be solely responsible for the services they provide.

(4) The nurse practitioner shall establish a plan for referral of complex medical cases and emergencies to a physician and surgeon or other appropriate healing arts providers. The nurse practitioner shall have an identified referral plan specific to the practice area, that includes specific referral criteria. The referral plan shall address the following:

(A) Whenever situations arise which go beyond the competence, scope of practice, or experience of the nurse practitioner.

(B) Whenever patient conditions fail to respond or the patient is acutely decompensating in a manner that is not consistent with the progression of the disease and corresponding treatment plan.

(C) Any patient with a rare condition.

(D) Any patient conditions that do not fit the commonly accepted diagnostic pattern for a disease or disorder.

(E) All emergency situations after initial stabilizing care has been started.

(d) A nurse practitioner *practicing under this section and not working under standardized procedures* shall inform all new patients in a language understandable to the patient that a nurse practitioner is not a physician and surgeon.

(e) A nurse practitioner *practicing under this section and not working under standardized procedures* shall not be required by the board to tell a patient that the patient has a right to see a physician and surgeon.

(f) A nurse practitioner *practicing under this section and not working under standardized procedures* shall post a notice in a conspicuous location accessible to public view that the nurse practitioner is regulated by the Board of Registered Nursing. The notice shall include the board's telephone number and internet website where the nurse practitioner's license may be checked and complaints against the nurse practitioner may be made.

(g) A nurse practitioner practicing pursuant to this section shall maintain professional liability insurance appropriate for the practice setting.

(h) For purposes of this section, corporations and other artificial legal entities shall have no professional rights, privileges, or powers.

(i) Subdivision (h) shall not apply to a nurse practitioner if either of the following ~~apply:~~ *applies:*

(1) The certificate issued pursuant to this section is inactive, surrendered, revoked, or otherwise restricted by the board.

(2) The nurse practitioner is employed pursuant to the exemptions under Section 2401.

SEC. 6. Section 2837.105 of the Business and Professions Code is amended to read:

2837.105. (a) (1) The board shall request the department's Office of Professional Examination Services, or an equivalent organization, to perform an occupational analysis of nurse practitioners performing the functions specified in subdivision (c) of Section 2837.103 pursuant to that subdivision.

(2) The board, together with the Office of Professional Examination Services, shall assess the alignment of the competencies tested in the national nurse practitioner certification examination required by subparagraph (A) of paragraph (1) of subdivision (a) of Section 2837.103 with the occupational analysis performed according to paragraph (1). This paragraph shall not apply to a national nurse practitioner certification examination discontinued before January 1, 2017.

(3) The occupational analysis shall be completed by January 1, 2023.

(4) If the assessment performed according to paragraph (2) identifies additional competencies necessary to perform the functions specified in subdivision (c) of Section 2837.103 pursuant to that subdivision that are not sufficiently validated by the national nurse practitioner board certification examination required by subparagraph (A) of paragraph (1) of subdivision (a) of Section 2837.103, the board shall identify and develop a supplemental exam that properly validates identified competencies.

(b) The examination process shall be regularly reviewed pursuant to Section 139.

SEC. 7. Section 3765 of the Business and Professions Code is amended to read:

3765. This act does not prohibit any of the following activities:

(a) The performance of respiratory care that is an integral part of the program of study by students enrolled in approved respiratory therapy training programs.

(b) Self-care by the patient or the gratuitous care by a friend or member of the family who does not represent or hold themselves out to be a respiratory care practitioner licensed under the provisions of this chapter.

(c) The respiratory care practitioner from performing advances in the art and techniques of respiratory care learned through formal or specialized training.

(d) The performance of respiratory care in an emergency situation by paramedical personnel who have been formally trained in these modalities and are duly licensed under the provisions of an act pertaining to their specialty.

(e) Temporary performance, by other health care personnel, students, or groups, of respiratory care services, as identified and authorized by the board, in the event of an epidemic, pandemic, public disaster, or emergency.

(f) Persons from engaging in cardiopulmonary research.

(g) Formally trained licensees and staff of child day care facilities from administering to a child inhaled medication as defined in Section 1596.798 of the Health and Safety Code.

(h) The performance by a person employed by a home medical device retail facility or by a home health agency licensed by the State Department of Public Health of specific, limited, and basic respiratory care or respiratory ~~care related~~ *care-related* services that have been authorized by the board.

(i) The performance, by a vocational nurse licensed by the Board of Vocational Nursing and Psychiatric Technicians of the State of California who is employed by a home health agency licensed by the State Department of Public Health, of respiratory tasks and services identified by the board, if the licensed vocational nurse complies with the following:

(1) Before January 1, 2028, the licensed vocational nurse has completed patient-specific training satisfactory to their employer.

(2) On or after January 1, 2028, the licensed vocational nurse has completed patient-specific training by the employer in accordance with guidelines that shall be promulgated by the board no later than January 1, 2028, in collaboration with the Board of Vocational Nursing and Psychiatric Technicians of the State of California.

(j) The performance of respiratory care services identified by the board by a licensed vocational nurse who satisfies the requirements in paragraph (1) in the settings listed in paragraph (2).

(1) (A) The licensed vocational nurse is licensed pursuant to Chapter 6.5 (commencing with Section 2840).

(B) The licensed vocational nurse has completed patient-specific training satisfactory to their employer.

(C) The licensed vocational nurse holds a current and valid certification of competency for each respiratory task to be performed from the California Association of Medical Product Suppliers, the California Society for Respiratory Care, or another organization identified by the board.

(2) A licensed vocational nurse may perform the respiratory care services identified by the board pursuant to this subdivision in the following settings:

(A) At a congregate living health facility licensed by the State Department of Public Health that is designated as six beds or fewer.

(B) At an intermediate care facility licensed by the State Department of Public Health that is designated as six beds or fewer.

(C) At an adult day health care center licensed by the State Department of Public Health.

(D) As an employee of a home health agency licensed by the State Department of Public Health or an individual nurse provider working in a residential home.

(E) At a pediatric day health and respite care facility licensed by the State Department of Public Health.

(F) At a small family home licensed by the *State* Department of Social Services that is designated as six beds or fewer.

(G) As a private duty nurse as part of daily transportation and activities outside a patient's residence or family respite for home- and community-based patients.

(3) This subdivision is operative on January 1, 2028.

(k) The performance of pulmonary function testing by persons who are currently employed by Los Angeles County hospitals and have performed pulmonary function testing for at least 15 years.

SEC. 8. *Section 4069 is added to the Business and Professions Code, to read:*

4069. *A pharmacist who dispenses or furnishes a dangerous drug, as defined in Section 4022, pursuant to a veterinary prescription shall include, as part of the consultation, the option for a representative of an animal patient to also receive drug documentation specifically designed for veterinary drugs.*

~~**SEC. 8.**~~***SEC. 9.*** Section 7423 of the Business and Professions Code is amended to read:

7423. The amounts of the fees required by this chapter relating to licenses for individual practitioners are as follows:

(a) (1) Cosmetologist application and examination fee shall be the actual cost to the board for developing, purchasing, grading, and administering the examination.

(2) A cosmetologist initial license fee shall not be more than fifty dollars ($50).

(b) (1) An esthetician application and examination fee shall be the actual cost to the board for developing, purchasing, grading, and administering the examination.

(2) An esthetician initial license fee shall not be more than forty dollars ($40).

(c) (1) A manicurist application and examination fee shall be the actual cost to the board for developing, purchasing, grading, and administering the examination.

(2) A manicurist initial license fee shall not be more than thirty-five dollars ($35).

(d) (1) A barber application and examination fee shall be the actual cost to the board for developing, purchasing, grading, and administering the examination.

(2) A barber initial license fee shall be not more than fifty dollars ($50).

(e) (1) An electrologist application and examination fee shall be the actual cost to the board for developing, purchasing, grading, and administering the examination.

(2) An electrologist initial license fee shall be not more than fifty dollars ($50).

(f) An apprentice application and license fee shall be not more than twenty-five dollars ($25).

(g) The license renewal fee for individual practitioner licenses that are subject to renewal shall be not more than fifty dollars ($50).

(h) A hairstylist application and examination fee shall be the actual cost to the board for developing, purchasing, grading, and administering the examination.

(i) A hairstylist's initial license fee shall be no more than fifty dollars ($50).

(j) Notwithstanding Section 163.5 the license renewal delinquency fee shall be 50 percent of the renewal fee in effect on the date of renewal.

~~**SEC. 9.**~~***SEC. 10.*** Section 8593 of the Business and Professions Code is amended to read:

8593. (a) The board shall require as a condition to the renewal of each operator's and field representative's license that the holder submit proof satisfactory to the board that they have informed themselves of developments in the field of pest control either by completion of courses of continuing education in pest control approved by the board or equivalent activity approved by the board.

(b) The board shall develop a correspondence course or courses with any educational institution or institutions as it deems appropriate. This course may be used to fulfill the requirements of this section. The institution may charge a reasonable fee for each course.

~~**SEC. 10.**~~***SEC. 11.*** Section 8593.1 of the Business and Professions Code is amended to read:

8593.1. The board shall require as a condition to the renewal of each applicator's license that the holder thereof submit proof satisfactory to the board that they have completed courses of continuing education in pesticide application and use approved by the board or equivalent activity approved by the board.

~~**SEC. 11.**~~***SEC. 12.*** No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

SPCB
STRUCTURAL PEST CONTROL BOARD

AGENDA ITEM 13

EXECUTIVE OFFICER'S REPORT

a. Budget Update

b. 2023-2028 Strategic Plan Update

c. Research Advisory Panel Update

d. Technical Advisory Committee Update

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MEMORANDUM

DATE	August 26, 2024
TO	Members of the Structural Pest Control Board
FROM	Sophia Azar, Executive Officer Structural Pest Control Board
SUBJECT	**Agenda Item #13: Executive Officer's Report**

a. Budget Update – Presentation by Department of Consumer Affairs, Budget Office.

b. Strategic Plan Update

The Strategic Plan Status Report (Attachment A) includes a chart for each strategic goal and the status of each related objective. Additionally, the attachment contains the Board's Action Plan. The table on page two of this memo provides a quick snapshot of our progress over the past year.

Considering that the strategic plan extends through 2028, our progress is further along than expected. This accelerated progress is a testament to my team's exceptional dedication and their strong commitment to our strategic goals. Their hard work and collaborative efforts have been instrumental in achieving these advancements.

Strategic Plan Goals	June 2023	October 2023	August 2024
Goal 1: Licensing, Examinations, and Continuing Education	14%	33%	42%
Goal 2: Enforcement	34%	39%	65%
Goal 3: Legislation, Regulations and Policy	15%	23%	51%
Goal 4: Outreach and Communication	16%	35%	88%
Goal 5: Organizational Effectiveness	30%	49%	81%

c. Research Advisory Panel

In accordance with Business and Professions Code Section 8674(t)(3), the Board is required to establish a five -member Research Advisory Panel (RAP) to establish criteria that research proposals must meet, consider topics for soliciting requests for proposals for research contracts funded by the Board, evaluate and score research proposals received, and recommend research proposals to the Board.

Board President Anderson approved the RAP and staff is scheduling the first RAP meeting in September 2024.

d. Technical Advisory Committee Update

At our last Board Meeting, the members of the Board approved establishing a Technical Advisory Committee (TAC) to research Termite Bait Stations/Termite Monitoring Devices and potential conflicts or concerns for proper enforcement. This Committee will solicit stakeholder input and deliver a recommendation to the Board at a future meeting on how to best resolve.

Board President Anderson approved the TAC Committee and staff is scheduling the first TAC meeting in September 2024.

Attachment(s)

A. Strategic Plan Status Report

Department of Consumer Affairs

Revenue Projection Report

Reporting Structure(s): 11113210 Support
Fiscal Month: 12
Fiscal Year: 2023 - 2024

Revenue

Fiscal Code	Budget	July	August	September	October	November	December	January	February	March	April	May	June	Year to Date
Delinquent Fees	$6,000	$4,640	$1,625	$2,025	$1,240	$90	($75)	$0	$0	($60)	$0	$0	$0	$9,485
Other Regulatory Fees	$4,922,000	$258,153	$500,293	$336,530	$355,792	$380,306	$344,273	$259,612	$324,840	$298,669	$512,576	$403,782	$489,315	$4,464,141
Other Regulatory License and Permits	$666,000	$56,547	$53,303	$48,635	$42,610	$45,921	$42,797	$46,632	$58,359	$70,510	$68,328	$65,308	$80,085	$679,033
Other Revenue	$21,000	$765	$448	$1,091	$33,035	$368	$294	$35,022	$1,489	$134	$33,912	$397	$555	$107,511
Renewal Fees	$243,000	$122,385	$6,220	$4,095	$114,612	$583	($250)	$75	$65	$58	($95)	$430	$1,580	$249,758
Revenue	$5,858,000	$442,490	$561,889	$392,376	$547,289	$427,268	$387,039	$341,341	$384,753	$369,310	$614,720	$469,917	$571,535	$5,509,927

Reimbursements

Fiscal Code	Budget	July	August	September	October	November	December	January	February	March	April	May	June	Year to Date
Scheduled Reimbursements	$0	$245	$0	($49)	$0	$0	$98	$98	$49	$0	$49	$245	$0	$735
Unscheduled Reimbursements	$0	$2,066	$2,543	$3,390	$2,038	$10,482	$8,618	$2,802	$5,520	$7,749	$7,397	$1,666	$2,222	$56,493
Reimbursements	$0	$2,311	$2,543	$3,341	$2,038	$10,482	$8,716	$2,900	$5,569	$7,749	$7,446	$1,911	$2,222	$57,228

Department of Consumer Affairs

Expenditure Projection Report

Structural Pest Control Board
Reporting Structure(s): 11113210 Support
Fiscal Month: 12
Fiscal Year: 2023 - 2024

PERSONAL SERVICES

Fiscal Code	PY Budget	PY FM13	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Projections to Year End	Balance
5100 PERMANENT POSITIONS	$2,101,000	$1,855,407	$2,175,000	$161,967	$1,851,386	$0	$1,851,386	$1,848,565	$326,435
5100 TEMPORARY POSITIONS	$23,000	$18,608	$23,000	$2,260	$22,329	$0	$22,329	$24,220	-$1,220
5105-5108 PER DIEM, OVERTIME, & LUMP SUM	$9,000	$2,285	$9,000	$0	$24,383	$0	$24,383	$24,983	-$15,983
5150 STAFF BENEFITS	$1,097,000	$1,084,916	$1,158,000	$93,529	$1,128,301	$0	$1,128,301	$1,127,742	$30,258
PERSONAL SERVICES	$3,230,000	$2,961,216	$3,365,000	$257,757	$3,026,399	$0	$3,026,399	$3,025,511	$339,489

OPERATING EXPENSES & EQUIPMENT

Fiscal Code	PY Budget	PY FM13	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Projections to Year End	Balance
5301 GENERAL EXPENSE	$181,000	$23,398	$181,000	$601	$15,077	$1,273	$16,349	$37,208	$143,792
5302 PRINTING	$70,000	$38,765	$70,000	$1,383	$24,647	$43,724	$68,372	$69,270	$730
5304 COMMUNICATIONS	$42,000	$16,906	$42,000	$651	$11,782	$0	$11,782	$18,360	$23,640
5306 POSTAGE	$62,000	$24,958	$62,000	$0	$14,460	$0	$14,460	$32,800	$29,200
5308 INSURANCE	$2,000	$4,811	$2,000	$0	$7,712	$0	$7,712	$7,712	-$5,712
53202-204 IN STATE TRAVEL	$103,000	$21,676	$103,000	$0	$14,691	$0	$14,691	$28,002	$74,998
53206-208 OUT OF STATE TRAVEL	$1,000	$0	$1,000	$0	$0	$0	$0	$0	$1,000
5322 TRAINING	$5,000	$3,781	$5,000	$0	$2,000	$0	$2,000	$2,000	$3,000
5324 FACILITIES	$205,000	$196,803	$205,000	$16,529	$203,451	$0	$203,451	$203,972	$1,028
53402-53403 C/P SERVICES (INTERNAL)	$902,000	$240,382	$873,000	$19,556	$238,045	$8,199	$246,244	$278,409	$594,591
53404-53405 C/P SERVICES (EXTERNAL)	$668,000	$735,964	$580,000	$24,780	$431,778	$81,411	$513,189	$531,230	$48,770
5342 DEPARTMENT PRORATA	$1,258,000	$1,061,500	$1,346,000	-$68,133	$1,237,867	$0	$1,237,867	$1,346,000	$0
5342 DEPARTMENTAL SERVICES	$127,000	$52,361	$127,000	$17,054	$52,191	$0	$52,191	$96,052	$30,948
5344 CONSOLIDATED DATA CENTERS	$23,000	$33,713	$23,000	$85	$1,287	$0	$1,287	$61,538	-$38,538
5346 INFORMATION TECHNOLOGY	$215,000	$33,918	$211,000	$23,239	$54,268	$111,545	$165,812	$165,822	$45,178
5362-5368 EQUIPMENT	$0	$64,179	$23,000	$0	$27,360	$0	$27,360	$53,167	-$30,167
5390 OTHER ITEMS OF EXPENSE	$15,000	$13,800	$15,000	$2,171	$20,429	$0	$20,429	$23,301	-$8,301
54 SPECIAL ITEMS OF EXPENSE	$0	$2,166	$0	$60	$1,726	$0	$1,726	$3,500	-$3,500
OPERATING EXPENSES & EQUIPMENT	$3,879,000	$2,569,079	$3,869,000	$37,975	$2,358,770	$246,152	$2,604,922	$2,958,344	$910,656

OVERALL TOTALS	$7,109,000	$5,530,296	$7,234,000	$295,731	$5,385,169	$246,152	$5,631,321	$5,983,854	$1,250,146
									17.28%

0775 - Structural Pest Control Fund Analysis of Fund Condition
(Dollars in Thousands)

Prepared 8.8.2024

2024 Budget Act (W_FM12 Projections)	Actual 2022-23	PY 2023-24	CY 2024-25	BY 2025-26
BEGINNING BALANCE	$ 3,529	$ 3,201	$ 2,217	$ 628
Prior Year Adjustment	$ 55	$ -	$ -	$ -
Adjusted Beginning Balance	$ 3,584	$ 3,201	$ 2,217	$ 628
REVENUES, TRANSFERS AND OTHER ADJUSTMENTS				
Revenues				
4121200 - Delinquent fees	$ 7	$ 9	$ 6	$ 6
4127400 - Renewal fees	$ 233	$ 250	$ 243	$ 243
4129200 - Other regulatory fees	$ 4,533	$ 4,464	$ 4,922	$ 4,922
4129400 - Other regulatory licenses and permits	$ 665	$ 679	$ 666	$ 666
4141200 - Sales of Documents	$ 1	$ 1	$ -	$ -
4143500 - Miscellaneous Services to the Public	$ 1	$ 1	$ 1	$ 1
4163000 - Income from surplus money investments	$ 85	$ 101	$ 7	$ -
4171400 - Escheat of unclaimed checks and warrants	$ 4	$ 5	$ -	$ -
Totals, Revenues	$ 5,529	$ 5,510	$ 5,844	$ 5,838
TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS	$ 5,529	$ 5,510	$ 5,844	$ 5,838
TOTAL RESOURCES	$ 9,113	$ 8,711	$ 8,061	$ 6,466
Expenditures:				
1111 Department of Consumer Affairs Regulatory Boards, Bureaus, Divisions (State Operations)	$ 5,444	$ 5,927	$ 6,862	$ 7,068
9999 Statewide Pro Rata	$ 367	$ 466	$ 499	$ 499
9892 Supplemental Pension Payments (State Operations)	$ 101	$ 101	$ 72	$ -
TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS	$ 5,912	$ 6,494	$ 7,433	$ 7,568
FUND BALANCE				
Reserve for economic uncertainties	$ 3,201	$ 2,217	$ 628	$ -1,102
Months in Reserve	5.9	3.6	1.0	-1.7

NOTES:
1. Assumes workload and revenue projections are realized in CY and ongoing.
2. Expenditure growth projected at 3% beginning BY.
3. PY: Pre-Year End Closing (FM 12)

Department of Consumer Affairs

Revenue Projection Report

Reporting Structure(s): 11113230 Research
Fiscal Month: 12
Fiscal Year: 2023 - 2024

Revenue

Fiscal Code	Budget	July	August	September	October	November	December	January	February	March	April	May	June	Year to Date	Projection To Year End
Other Regulatory Fees	$158,000	$12,940	$14,288	$13,004	$13,580	$14,980	$12,180	$16,900	$13,560	$14,588	$11,920	$12,980	$12,758	$163,678	$163,678
Other Revenue	$17,000	$0	$0	$0	$10,294	$0	$0	$11,494	$0	$80	$12,773	$0	$0	$34,641	$34,561
Revenue	$175,000	$12,940	$14,288	$13,004	$23,874	$14,980	$12,180	$28,394	$13,560	$14,668	$24,693	$12,980	$12,758	$198,319	$198,239

Department of Consumer Affairs

Expenditure Projection Report

Structural Pest Control Board
Reporting Structure(s): 11113230 Research
Fiscal Month: 12
Fiscal Year: 2023 - 2024

OPERATING EXPENSES & EQUIPMENT

Fiscal Code	PY Budget	PY FM13	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Projections to Year End	Balance
5301 GENERAL EXPENSE	**$3,000**	**$0**	**$3,000**	**$0**	**$0**	**$0**	**$0**	**$0**	**$3,000**
53404-53405 C/P SERVICES (EXTERNAL)	**$0**	**$0**	**$0**	**$0**	**$0**	**$244,499**	**$244,499**	**$87,838**	**-$87,838**
OPERATING EXPENSES & EQUIPMENT	**$3,000**	**$0**	**$3,000**	**$0**	**$0**	**$0**	**$0**	**$87,838**	**-$84,838**
OVERALL TOTALS	**$3,000**	**$0**	**$3,000**	**$0**	**$0**	**$0**	**$0**	**$87,838**	**-$84,838**

0168 - Structural Pest Control Reseach Fund Analysis of Fund Condition
(Dollars in Thousands)

Prepared on 8.9.2024

2024 Budget Act (W_FM12 Projections)	Actual 2022-23	PY 2023-24	CY 2024-25	BY 2025-26
BEGINNING BALANCE	$ 1,117	$ 983	$ 1,093	$ 1,268
Prior Year Adjustment	$ -	$ -	$ -	$ -
Adjusted Beginning Balance	$ 1,117	$ 983	$ 1,093	$ 1,268
REVENUES, TRANSFERS AND OTHER ADJUSTMENTS				
Revenues				
4129200 - Other regulatory fees	$ 159	$ 164	$ 158	$ 158
4163000 - Income from surplus money investments	$ 25	$ 34	$ 20	$ 21
Totals, Revenues	$ 184	$ 198	$ 178	$ 179
TOTAL RESOURCES	$ 1,301	$ 1,181	$ 1,271	$ 1,447
Expenditures:				
1111 Department of Consumer Affairs Regulatory Boards, Bureaus, Divisions (State Operations)	$ 318	$ 88	$ 3	$ 3
TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS	$ 318	$ 88	$ 3	$ 3
FUND BALANCE				
Reserve for economic uncertainties	$ 983	$ 1,093	$ 1,268	$ 1,444

NOTES:
1- Assumes workload and revenue projections are realized in BY +1 and ongoing.
2- Expenditure growth projected at 3% beginning BY +1.

Department of Consumer Affairs

Revenue Projection Report

Reporting Structure(s): 11113220 Education & Enforcement
Fiscal Month: 12
Fiscal Year: 2023 - 2024

Revenue

Fiscal Code	Budget	July	August	September	October	November	December	January	February	March	April	May	June	Year to Date
Other Regulatory Fees	$441,000	$35,730	$33,276	$30,308	$37,885	$36,860	$32,809	$44,562	$33,282	$36,638	$32,327	$37,522	$33,582	$424,781
Other Revenue	$27,000	$0	$0	$0	$16,863	$0	$0	$19,777	$0	$160	$22,226	$0	$0	$59,026
Revenue	$468,000	$35,730	$33,276	$30,308	$54,748	$36,860	$32,809	$64,339	$33,282	$36,798	$54,553	$37,522	$33,582	$483,807

Department of Consumer Affairs

Expenditure Projection Report

Structural Pest Control Board
Reporting Structure(s): 11113220 Education & Enforcement
Fiscal Month: 12
Fiscal Year: 2023 - 2024

PERSONAL SERVICES

Fiscal Code	PY Budget	PY FM13	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Projections to Year End	Balance
5100 PERMANENT POSITIONS	$0	$0	$0	$0	$0	$0	$0	$0	$0
5150 STAFF BENEFITS	$0	$0	$0	$0	$0	$0	$0	$0	$0
PERSONAL SERVICES	$0	$0	$0	$0	$0	$0	$0	$0	$0

OPERATING EXPENSES & EQUIPMENT

Fiscal Code	PY Budget	PY FM13	Budget	Current Month	YTD	Encumbrance	YTD + Encumbrance	Projections to Year End	Balance
5301 GENERAL EXPENSE	$17,000	$0	$17,000	$0	$0	$0	$0	$0	$17,000
53202-204 IN STATE TRAVEL	$6,000	$0	$6,000	$0	$0	$0	$0	$0	$6,000
5322 TRAINING	$1,000	$0	$1,000	$0	$0	$0	$0	$0	$1,000
5324 FACILITIES	$2,000	$0	$2,000	$0	$0	$0	$0	$0	$2,000
53402-53403 C/P SERVICES (INTERNAL)	$275,000	$314,000	$275,000	$0	$37,944	$276,056	$314,000	$314,000	-$39,000
5342 DEPARTMENTAL SERVICES	$13,000	$0	$13,000	$0	$0	$0	$0	$0	$13,000
OPERATING EXPENSES & EQUIPMENT	$314,000	$314,000	$314,000	$0	$37,944	$276,056	$314,000	$314,000	$0

OVERALL TOTALS	$314,000	$314,000	$314,000	$0	$37,944	$276,056	$314,000	$314,000	$0

0.00%

0399 - Structural Pest Control Education and Enforcement Fund Analysis of Fund Condition
(Dollars in Thousands)

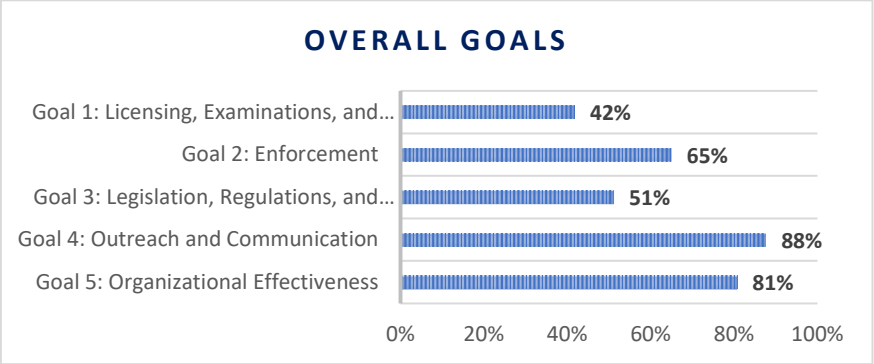
Prepared on 8.9.2024

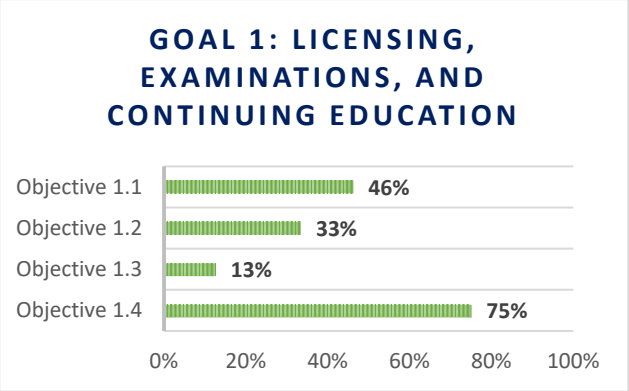
2024 Budget Act (W_FM12 Projections)	Actual 2022-23	PY 2023-24	CY 2024-25	BY 2025-26
BEGINNING BALANCE	$ 1,437	$ 1,714	$ 1,867	$ 2,007
Prior Year Adjustment	$ 168	$ -	$ -	$ -
Adjusted Beginning Balance	$ 1,605	$ 1,714	$ 1,867	$ 2,007
REVENUES, TRANSFERS AND OTHER ADJUSTMENTS				
Revenues				
4129200 - Other regulatory fees	$ 412	$ 425	$ 441	$ 441
4163000 - Income from surplus money investments	$ 41	$ 59	$ 29	$ 32
Totals, Revenues	$ 453	$ 484	$ 470	$ 473
TOTAL RESOURCES	$ 2,058	$ 2,198	$ 2,337	$ 2,480
Expenditures:				
1111 Department of Consumer Affairs Regulatory Boards, Bureaus, Divisions (State Operations)	$ 314	$ 314	$ 314	$ 323
9892 Supplemental Pension Payments (State Operations)	$ 4	$ 4	$ 3	$ -
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	$ 26	$ 13	$ 13	$ 13
TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS	$ 344	$ 331	$ 330	$ 336
FUND BALANCE				
Reserve for economic uncertainties	$ 1,714	$ 1,867	$ 2,007	$ 2,144
Months in Reserve	62.1	67.9	71.6	74.3

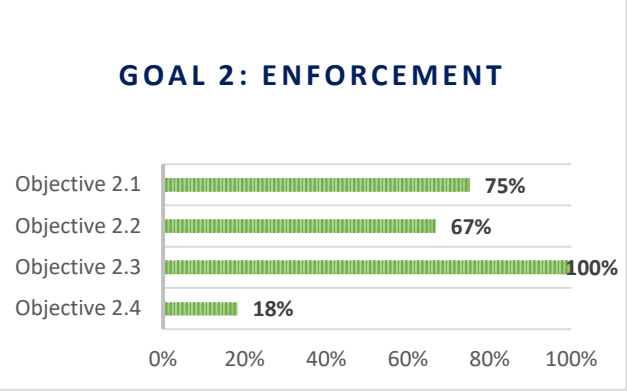
NOTES:
Assumes workload and revenue projections are realized in BY +1 and ongoing.
Expenditure growth projected at 3% beginning BY +1.

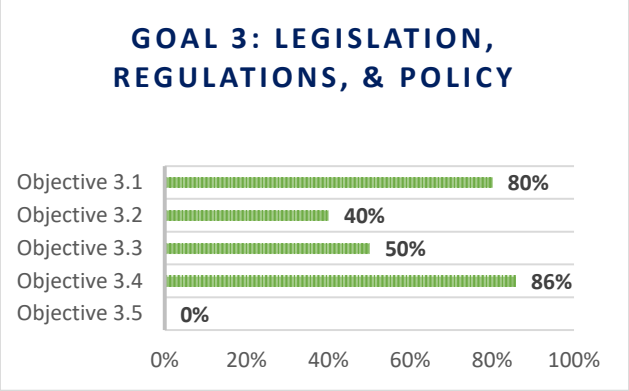
Structural Pest Control Board

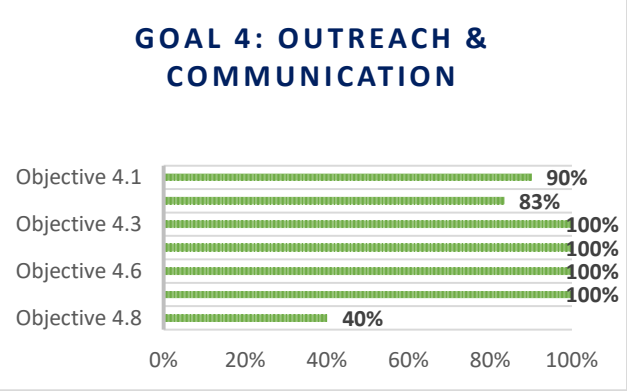
Strategic Plan Progress Report (as of July 1, 2024)











	SPCB 2023-2028 Action Plan	Responsibility	Planned Start*	Due Date*	Current Status
Goal 1: Licensing, Examinations, and Continuing Education					
1.1	**Implement the Connect system to improve transparency, customer experience, and efficiency of the examination and licensing processes.**				
Success Measure:	**Examination and licensing processes are online.**		**Q4 2022**	**Q1 2024**	**46%**
1.1.1	Identify projected timelines for completion of licensing implementation.	Product Owners	Q1 2023	Q1 2023	Completed
1.1.2	Review legislation and regulations to reflect new platform processes.	Leg/Reg	Q1 2024	Q4 2024	Completed
1.1.3	Identify SMEs to work internally with OIS.	Licensing	Q1 2023	Q2 2023	Completed
1.1.4	Identify internal contacts to cite on website.	Product Owners	Q4 2023	Q1 2024	Completed
1.1.5	Identify internal processes for help with Connect.	Product Owners	Q4 2023	Q1 2024	Completed
1.1.6	Ensure that development is addressing board specific needs.	Product Owners	Q4 2022	Q4 2025	In Progress
1.1.7	Identify/map different business processes.	Product Owners	Q4 2022	Q4 2025	In Progress
1.1.8	Create procedures for the new Connect platform.	Product Owners	Q4 2022	Q1 2025	In Progress
1.1.9	Create training plans for internal users.	Product Owners	Q4 2023	Q1 2025	In Progress
1.1.10	Create training plans for external users.	Product Owners	Q4 2023	Q1 2025	In Progress
1.1.11	Participate in continued testing and adjustment as needed.	Product Owners and SMEs	Q3 2023	Q4 2025	In Progress
1.1.12	Partner with PCOC (Pest Control Operators of California) and other interested parties to notify of changes of new platform. (See 4.7)	Licensing Manager and Outreach	Q1 2023	Q4 2023	Completed
1.1.13	Update board website to include FAQs.	Outreach	Q4 2023	Q1 2024	In Progress
1.2	**Evaluate the process of auditing licensees' continuing education.**				
Success Measure:	**Decrease in audit processing time and increase in number of audits completed.**		**Q1 2023**	**Q1 2026**	**33%**
1.2.1	Review current processes.	Management	Q1 2023	Q1 2023	Completed
1.2.2	Identify problematic auditing processes (including contact information).	Management	Q1 2023	Q1 2023	Completed
1.2.3	Explore new or existing auditing processes to determine efficacy.	CE Desk	Q1 2023	Q1 2025	In Progress
1.2.4	Collaborate with Organizational Improvement Office (OIO) on processes.	Admin/Licensing Manager	Q1 2023	Q1 2025	In Progress

	SPCB 2023-2028 Action Plan	Responsibility	Planned Start*	Due Date*	Current Status
1.2.5	Explore automated options in Connect for the submission and confirmation of CE certificates and rosters.	Product Owners	Q2 2023	Q4 2023	Completed
1.2.6	Recommend new auditing processes, if needed.	Mangement	Q3 2023	Q2 2025	Not Started
1.2.7	Create/update auditing procedures to reflect new process.	Education Program Coordinator (EPC)	Q3 2023	Q2 2025	Not Started
1.2.8	Provide training for internal staff, providers, and licensees.	Admin/Licensing Manager	Q3 2023	Q2 2025	Not Started
~~1.2.9~~	~~Provide outreach on new EPA standards.~~	~~Outreach~~	~~Q2 2024~~	~~Q4 2024~~	
1.3	**Evaluate and restructure the continuing education approval process of providers and course materials to ensure quality continuing education is provided to licensees.**				
Success Measure:	**Decrease in violations.**		**Q4 2023**	**Q4 2026**	**13%**
1.3.1	Review current processes.	Admin/Licensing Manager and EPC	Q4 2024	Q4 2025	Not Started
1.3.2	Identify problematic approval processes (including contact information).	Admin/Licensing Manager and EPC	Q4 2024	Q4 2025	Not Started
1.3.3	Review course materials standards.	Admin/Licensing Manager and EPC	Q4 2024	Q4 2025	Not Started
1.3.4	Evaluate how EPA changes will affect the approval process and standards. (check DPR also)	Enforcement and Admin/Licensing Managers	Q3 2023	Q4 2023	Completed
1.3.5	Explore new or existing approval processes among other boards and other agencies to determine efficacy.	EPC	Q4 2024	Q2 2025	Not Started
1.3.6	Collaborate with Organizational Improvement Office (OIO) on processes.	Admin/Licensing Manager	Q4 2024	Q4 2025	Not Started
1.3.7	Recommend new approval processes, if needed.	Admin/Licensing Manager	Q1 2026	Q2 2026	Not Started
1.3.8	Educate the providers on the approval process.	EPC	Q2 2026	Q4 2026	Not Started
1.4	**Research the feasibility of separating the branch 2 and branch 3 applicator examination and licenses to make applicator licenses more relevant to each trade.**				
Success Measure:	**Recommendation made to the Board.**		**Q1 2023**	**Q4 2024**	**75%**
1.4.1	Collaborate with OPES on potential process of separating the two branches.	Admin	Q2 2023	Q1 2024	Completed
1.4.2	Identify costs and barriers of separating.	Admin	Q2 2023	Q2 2024	Completed
1.4.3	Identify ways to provide assistance for exam takers.	Admin Manager / EPC	Q2 2023	Q3 2024	In Progress

	SPCB 2023-2028 Action Plan	Responsibility	Planned Start*	Due Date*	Current Status
1.4.4	Make a recommendation to the Board (include other possible options if separating is not feasible, such as taking only field rep exam?).	EO	Q2 2023	Q4 2024	Completed
Goal 2: Enforcement					
2.1	**Increase positive proactive education and enforcement to improve the integrity and relationship with the industry.**				
Success Measure:	**Have events scheduled ongoing (at least three events per year).**		**Q2 2023**	**Q4 2027**	**75%**
2.1.1	Work with PCOC to attend their events in different regions of California – send specialist and perhaps staff (districts looking for speakers). One coming March 2023.	Enforcement	Q2 2023	Q2 2024	Completed
2.1.2	Create meet and greet events in regions, invite companies, take questions – maybe include licensing & enforcement staff (monthly meet and greet?).	Enforcement/Outreach	Q3 2023	Q1 2025	In Progress
2.1.3	Generate a report of new companies (monthly, quarterly), have a specialist introduce themselves; Look into the idea of inside staff doing this with field offices, give contact info – identify who needs extra support (those would go to a specialist).	Enforcement	Q3 2023	Q3 2024	Completed
2.1.4	Incorporate meet and greets aligned with board meetings when board meets in person.	Outreach	Q4 2023	Q1 2025	Not Started
2.1.5	Follow up on new regs via field staff and internal staff (email blasts?).	Leg/Reg	Q4 2023	Q4 2024	Completed
2.1.6	Find ways to elicit feedback from companies.	Enforcement/Outreach	Q2 2023	Q4 2025	Completed
2.1.7	Comment cards/surveys – also send to companies – for general satisfaction.	Enforcement/Outreach	Q2 2023	Q4 2026	Completed
2.1.8	Develop and offer virtual workshop.	Enforcement	Q3 2023	Q4 2027	Completed
2.2	**Increase the working relationships with county agricultural commissioners and the Department of Pesticide Regulations (DPR) to reduce incidents of unlawful pest control services.**				
Success Measure:	**Have meetings scheduled ongoing with county ags and/or DPR; internal training created and scheduled.**		**Q3 2023**	**Q1 2026**	**67%**
2.2.1	Reaching out to DPR - to help drive Structural Civil Penalties (SCP) participation (update enforcement letter?), establish contacts, share ideas.	Enforcement	Q3 2023	Q1 2025	Completed
2.2.2	CAC (county ag commissioner) has five area groups– attend virtual meetings, introduce collaboration tone and ideas, sharing contacts.	Enforcement	Q2 2023	Q1 2025	Completed
2.2.3	Create meetings or ways to introduce all parties across SPCB and DPR.	Enforcement	Q2 2024	Q2 2025	Not Started
2.2.4	Meet with county ags to get an idea of what they do, meet to find ways to work together, establish contacts, set tone (SCP for more counties?).	Enforcement	Q3 2024	Q1 2025	Not Started
2.2.5	Clarify roles of DPR and county ags and Board (an internal training for CSRs, attend annual structural training at least once).	Enforcement Manager	Q2 2024	Q4 2025	Completed

	SPCB 2023-2028 Action Plan	Responsibility	Planned Start*	Due Date*	Current Status
2.2.6	Create an internal training for CSRs about roles, ask/encourage/require them to attend annual structural training at least once.	Enforcement Manager	Q2 2024	Q4 2025	Completed
2.3	**Seek authority to suspend and/or (with cause) revoke a license for non-compliance of a citation (unpaid citation or fine) to accelerate compliance and reduce outstanding fines.**				
Success Measure:	**Legislative proposal submitted to legislature.**		**Q2 2023**	**Q1 2024**	**100%**
2.3.1	Develop draft language.	Leg/Reg	Q2 2023	Q2 2023	Completed
2.3.2	Work with Leg Council, DCA Leg office and leg committee staff to seek an author for the legislative proposal.	Leg/Reg	Q2 2023	Q4 2023	Completed
2.3.3	Determine fiscal impact to the legislative proposal.	Leg/Reg / Management	Q2 2023	Q3 2023	Completed
2.3.4	Include in Sunset Review as a new issue (in 2026).	Management	Q2 2023	Q1 2024	Completed
2.3.5	Seek approval from Board for legislative proposal.	EO	Q2 2023	Q3 2023	Completed
2.4	**Implement the Connect system to improve transparency, customer experience, and efficiency of the enforcement processes.**				
Success Measure:	**Enforcement processes are online.**		**Q4 2023**	**Q3 2026**	**18%**
2.4.1	Ensure that development is addressing board specific needs.	Product Owners	Q1 2024	Q3 2026	In Progress
2.4.2	Identify SMEs to work internally with OIS.	Product Owners	Q1 2024	Q3 2024	Completed
2.4.3	Create procedures for the new Connect platform.	Product Owners	Q2 2024	Q1 2025	Not Started
2.4.4	Create training plans for external users.	Product Owners/Leads	Q3 2024	Q1 2025	Not Started
2.4.5	Create training plans for internal users.	Product Owners/Leads	Q3 2024	Q1 2025	Not Started
2.4.6	Partner with DPR and CACs and other interested parties to notify of changes of new platform.	Enforcement Manager	Q1 2026	Q3 2026	Not Started
2.4.7	Participate in continued testing and adjustment as needed.	Product Owners	Q1 2025	Q3 2026	Not Started
2.4.8	Update board website to include new process for complaint submission and FAQs.	Admin	Q3 2024	Q3 2026	Not Started
2.4.9	Identify internal contacts to cite on website.	Enforcement Manager	Q2 2024	Q3 2026	Not Started
2.4.10	Identify internal processes for help with Connect.	Product Owners	Q4 2023	Q4 2025	Not Started
2.4.11	Review legislation and regulations to reflect new platform processes (see also 3.5).	Leg/Reg	Q1 2024	Q1 2025	Completed
Goal 3: Legislation, Regulations, and Policy					
3.1	**Incorporate new EPA required standards into regulation to comply with federal standards.**				
Success Measure:	**Regulations are finalized, communicated to licensees, and all Branch 1 licensees have been tested.**		**Q1 2023**	**Q2 2027**	**80%**
3.1.1	Continue to work with DPR staff and DCA Legal Counsel regarding the Board's Certification & Training regulation package to meet EPA standards.	Leg/Reg	Q1 2023	Q3 2024	Completed
3.1.2	Continue the rulemaking process to finalize the Board's Certification & Training regulation package to meet EPA standards.	Leg/Reg	Q1 2023	Q3 2024	In Progress

	SPCB 2023-2028 Action Plan	Responsibility	Planned Start*	Due Date*	Current Status
3.1.3	Coordinate with the Office of Professional Examination Services (OPES) to revise examinations to meet the new C&T requirements.	Admin	Q2 2023	Q1 2024	Completed
3.1.4	SPCB conducts outreach and provides guidance to SPCB licensing population and CE providers.	Leg/Reg & Outreach	Q2 2024	Q4 2025	Completed
~~3.1.5~~	~~SPCB re-tests existing Branch 1 (fumigation) licensees using new examinations reflecting revised competency standards.~~	~~Licensing Manager~~	~~Q4 2024~~	~~Q2 2025~~	Completed
3.2	**Provide legislative and regulatory updates in the Board's newsletter to improve communication and awareness to consumers and licensees.**				
Success Measure:	**Newsletter is relaunched with leg/reg updates.**		**Q1 2023**	**Q1 2024**	**40%**
3.2.1	Create new Act Review Committee (see 3.5).	EO	ON HOLD	Q4 2025	Not Started
3.2.2	Address suggested changes from previous Act Review Committee (see also 3.5).	Act Review Committee (ARC)/ EO	ON HOLD	Q4 2025	Not Started
3.2.3	Relaunch Board's newsletter (see 4.5).	Outreach / Admin	Q2 2023	Q1 2024	Completed
3.2.4	Board staff to work with Act Review Committee on possible Leg/Reg updates that can be included in the newsletter.	Leg/Reg	ON HOLD	Q4 2025	Not Started
3.2.5	Assign staff member to coordinate the newsletter column.	Outreach	Q1 2023	Q1 2023	Completed
3.3	**Re-examine the fee structure to ensure a consistent and balanced revenue stream.**				
Success Measure:	**Recommendation made to the Board.**		**Q3 2023**	**Q1 2025**	**50%**
3.3.1	Research feasibility of contracting with outside vendor instead of DCA Budget Office to conduct a fee study.	Admin	Q3 2023	Q2 2024	Completed
3.3.2	Conduct fee study (if outside vendor, obtain contract).	Admin	Q3 2023	Q4 2024	Completed
3.3.3	Develop recommendation to the Board based on results of fee study.	Admin Manager	Q4 2024	Q1 2025	In Progress
3.3.4	Recommend to the Board possible changes to the Board's fee structure.	EO	Q4 2024	Q1 2025	In Progress
3.4	**Explore alternatives to foster improved communication with other agencies and the legislature to improve timely tracking of sensitive or competing legislation.**				
Success Measure:	**Contacts established and monthly EO report sent.**		**Q1 2023**	**Q1 2025**	**86%**
3.4.1	Collaborate with CSLB to assist with answering questions regarding home inspectors.	Enforcement	Q2 2023	Q1 2025	Completed

	SPCB 2023-2028 Action Plan	Responsibility	Planned Start*	Due Date*	Current Status
3.4.2	Identify who (DPR, Fish & Wildlife, CSLB, SOS, FTB. etc.) to communicate and collaborate with.	Enforcement	Q2 2023	Q1 2025	In Progress
3.4.3	Ensure that board meeting recordings are highlighted on the Board's social media accounts (see 5.4).	Outreach	Q2 2023	Q2 2024	Completed
3.4.4	Ensure board staff is properly identifying and tracking leg proposals and outside rulemaking that effect the board and providing updates.	Leg/Reg	Q2 2023	Q2 2023	Completed
3.4.5	Ensure board staff is regularly updating the board's website to reflect updates to legislation and regulations.	Outreach/ Leg/Reg	Q1 2023	Q3 2023	Completed
3.4.6	Catch Legislative Supplement publication up to date.	Leg/Reg	Q2 2023	Q2 2023	Completed
3.4.7	Ensure monthly EO report reflects updates to legislation and regulation.	EO/ Leg/Reg	Q3 2023	Q4 2023	Completed
3.5	**Review, and revise as necessary, language in the [Board's act and regulations] to improve clarity.**				
Success Measure:	**Act Review Committee re-established, and regulations updated as needed.**		**Q2 2023**	**Q1 2026**	**0%**
3.5.1	Ask the Board President to establish new Act Review Committee.	EO	ON HOLD	Q1 2026	Not Started
3.5.2	Address suggested changes from previous Act Review Committee.	Leg/Reg	ON HOLD	Q3 2024	Not Started
3.5.3	Board staff work closely with the Act Review Committee to determine updates needed to the BPC and CCRs.	Leg/Reg	ON HOLD	Q3 2024	Not Started
3.5.4	Leg/Reg Specialist to work closely with SMEs on minor clean-up regulation package.	Leg/Reg	Q2 2023	Q4 2024	In Progress
3.5.5	Recommend to the Board, as needed, possible CCR changes for approval to begin the rulemaking process.	Leg/Reg	Q3 2024	Q4 2024	Not Started
Goal 4: Outreach and Communication					
4.1	**Continue to communicate and further educate consumers (including such topics as controlled chemicals and general education of the Board's role) to help with health, safety, and consumer protection.**				
Success Measure:	**Website and ListServ refreshed, and newsletter relaunched.**		**Q1 2023**	**Q4 2024**	**90%**
4.1.1	Visit at in-person events (see 4.6).	Management/SMEs	Q1 2023	Q4 2024	Completed
4.1.2	Relaunch the Board's newsletter (see 4.5).	Outreach	Q2 2023	Q1 2024	Completed
4.1.3	Continue to work closely with DCA Communications (OPA) team on social media campaign.	Admin/Outreach	Q2 2023	Q1 2024	Completed
4.1.4	Review and refresh the digital brochures on website.	Outreach	Q4 2023	Q2 2025	In Progress
4.1.5	Review and refresh links on website to studies being done.	Outreach	Q2 2023	Q1 2024	Completed
4.1.6	Incorporate external agency contact list with roles on website (including such topics as pesticides).	Enforcement	Q2 2023	Q2 2024	Completed

	SPCB 2023-2028 Action Plan	Responsibility	Planned Start*	Due Date*	Current Status
4.1.7	Selecting information from outside websites to link to on Board's website.	Leg/Reg	Q2 2023	Q4 2024	Completed
4.1.8	Update the consumer information tab on website (see 5.4).	Enforcement/Outreach	Q2 2023	Q3 2024	Completed
4.1.9	Work with OIS to break out separate topics via ListServ for consumers.	Outreach	Q3 2023	Q2 2024	Completed
4.1.10	Promote ListServ.	Outreach	Q2 2023	Q4 2023	Completed
4.2	**Set expectations for license applicants to improve success rate and reduce the number of unlicensed practitioners.**				
Success Measure:	**Website continuously updated to reflect updated resources for applicants.**		**Q1 2023**	**Q1 2026**	**83%**
4.2.1	Outline process for updates to materials of all kinds including notifying of suggested materials.	Admin	Q1 2024	Q3 2024	Completed
4.2.2	Review and refresh newly issued company registration packets (PR introduction package).	Admin Manager/SMEs	Q2 2023	Q4 2024	Completed
4.2.3	Work with OPES to keep exam resources list up to date.	Admin	Q3 2023	Q1 2026	Completed
4.2.4	Ensure that staff update website to reflect changes OPES made to candidate handbook.	Outreach	Q2 2023	Q1 2026	Completed
4.2.5	Bulletin or highlight on main webpage about Branch 1 EPA changes.	Outreach/ Leg/Reg	Q1 2024	Q4 2024	In Progress
4.2.6	Update website on how to start a company with timeframes (licensing performance measures, etc.).	Management/Outreach	Q4 2023	Q2 2024	Completed
4.3	**Expand communication channels and opportunities for the exam subject matter expert (SME) pool (including incentivizing participation) to raise awareness of SME opportunities.**				
Success Measure:	**Increased pool of SMEs.**		**Q2 2023**	**Q4 2027**	**100%**
4.3.1	Explore options to incentivize participation (higher pay, additional CE hours, etc.).	Management	Q3 2024	Q4 2025	Completed
4.3.2	Begin social media posts and increase email blasts regarding SME opportunities.	Outreach	Q2 2023	Q4 2025	Completed
4.3.3	Research best practices from other Boards/Bureaus.	Admin	Q2 2023	Q4 2023	Completed
4.3.4	Include information in Board's Newsletter regarding SME opportunities.	Admin	Q3 2023	Q1 2024	Completed
4.3.5	Send information regarding SME opportunities directly to individual licensees.	Admin	Q2 2023	Q4 2023	Completed
4.3.6	Collaborate with trade associations (PCOC) on opportunities to raise awareness of SME opportunities including networking.	Admin	Q2 2023	Q4 2024	Completed
4.3.7	Include this as a part of the new company calls that inside staff will be making include SME opportunities to new PR calls.	Admin Manager/Enforcement	Q2 2023	Q4 2027	Completed
4.3.8	Explore options for reducing the number of days for exam development to reduce travel burden and explore virtual options.	Admin	Q2 2025	Q4 2025	Completed
4.3.9	Coordinate with OPES to schedule around the busy season.	Admin	Q2 2023	Q4 2024	Completed
4.3.10	Explore options of having OPES travel to SoCal.	Admin	Q2 2023	Q4 2025	Completed

	SPCB 2023-2028 Action Plan	Responsibility	Planned Start*	Due Date*	Current Status
4.4	Proactively distribute educational materials about enforcement to registered companies and licensees to encourage positive interactions with the Board.				
Success Measure:	Objective omitted , will be completed through objective 2.1 - Increase positive proactive education and enforcement to improve the integrity and relationship with the industry.				
4.5	**Design and implement a quarterly newsletter program to increase communication and strengthen the relationship between the Board and the industry.**				
Success Measure:	**First newsletter distributed.**		**Q1 2023**	**Q1 2024**	**100%**
4.5.1	Designate staff to relaunch and implement newsletter.	EO	Q1 2023	Q1 2023	Completed
4.5.2	Review newsletters from other DCA entities.	Admin/Outreach	Q1 2023	Q2 2023	Completed
4.5.3	Explore topics to be written (i.e., staff intros, standing items, Q&As, Do's & Don'ts, Consumer focus, disciplinary actions, new/updated rules & regulations, SME recruitment, Board stats, etc.).	Admin/Outreach	Q2 2023	Q3 2023	Completed
4.5.4	Set schedule for newsletter.	Admin/Outreach	Q2 2023	Q3 2023	Completed
4.5.5	Work with Office of Publications, Design & Editing.	Admin	Q3 2023	Q4 2023	Completed
4.5.6	Distribute on multiple platforms (social media, website, etc.).	Outreach	Q2 2024	Q1 2024	Completed
4.5.7	Add newsletter as a topic of interest for email blasts.	Admin	Q2 2024	Q3 2024	Completed
4.6	**Increase participation at in-person events to create positive awareness of the Board and establish relationships.**				
Success Measure:	**Outreach calendar established, and first in-person event attended.**		**Q2 2023**	**Q4 2024**	**100%**
4.6.1	Explore logistics and feasibility of in-person event attendance.	Outreach	Q2 2023	Q1 2024	Completed
4.6.2	Collaborate with outside entities to create partnerships (include trainings).	Management/SMEs	Q2 2023	Q1 2024	Completed
4.6.3	Create outreach calendar for all in-person meetings.	Outreach	Q2 2023	Q3 2023	Completed
4.6.4	Collaborate with DCA entities to create partnerships.	Management/SMEs	Q4 2023	Q1 2024	Completed
4.7	**Create a strategy to educate licensees and consumers on the new Connect system to ease the transition to an online platform.**				
Success Measure:	**Creation of communication plan.**		**Q1 2023**	**Q2 2024**	**100%**
4.7.1	Review best practices from other Boards/Bureaus.	Admin	Q1 2023	Q4 2023	Completed

	SPCB 2023-2028 Action Plan	Responsibility	Planned Start*	Due Date*	Current Status
4.7.2	Explore options for visual demonstrations of processes (YouTube videos linked from website).	Admin	Q2 2023	Q2 2024	Completed
4.7.3	Partner with PCOC (Pest Control Operators of California), county ag, and other interested parties to notify of changes of new platform.	Management/SMEs	Q1 2023	Q1 2024	Completed
4.7.4	Create materials.	Admin	Q2 2023	Q1 2024	Completed
4.7.5	Utilize all outreach methods (social media, newsletter, website, email, etc.) to inform about new online platform.	Outreach	Q4 2023	Q1 2024	Completed
4.8	**Establish relationships with realtor associations to educate realtors on the role of the Wood Destroying Organism (WDO) reports.**				
Success Measure:	**Contacts made and materials developed.**		**Q3 2023**	**Q4 2025**	**40%**
4.8.1	Collaborate with Department of Real Estate for better enforcement with both entities and to clarify authority.	Enforcement/Outreach	Q3 2023	Q3 2025	In Progress
4.8.2	Identify common/important issues and processes to be addressed.	Enforcement/Admin Manager	Q4 2024	Q1 2025	Not Started
4.8.3	Provide education to licensees on real estate related matters (NPMA-33 form, WDO report).	Admin Manager/EO	Q3 2023	Q4 2025	Completed
4.8.4	Identify associations for potential partnership.	Enforcement	Q4 2024	Q2 2025	Not Started
4.8.5	Develop and distribute materials for licensees.	Enforcement/Admin Manager	Q2 2024	Q4 2025	Completed
Goal 5: Organizational Effectiveness					
5.1	**Continue to monitor, and adjust if necessary, staffing levels to achieve the Board's mandated goals and objectives.**				
Success Measure:	**Vacancy rate lower; workload analysis and cross-training completed.**		**Q1 2023**	**Q4 2027**	**75%**
5.1.1	Conduct a Workload Analysis to determine optimal staffing levels for the Board.	Management	Q4 2024	Q4 2025	Completed
5.1.2	If Workload Analysis identifies an increase in staffing levels is needed, complete a Budget Change Proposal.	Admin	Q4 2024	Q4 2026	Not Started
5.1.3	Conduct cross-training.	Mangement	Q2 2023	Q4 2023	Completed
5.1.4	Designate a communications/social media staff position.	EO	Q1 2023	Q1 2023	Completed

	SPCB 2023-2028 Action Plan	Responsibility	Planned Start*	Due Date*	Current Status
5.2	**Collaborate with DCA's Human Resources division to reclassify the Structural Pest Control Specialist positions to increase recruitment and retention.**				
Success Measure:	**Positions are re-classified (if feasable).**		**Q1 2023**	**Q4 2027**	**100%**
5.2.1	Explore/determine feasibility in re-classing the SPCB Specialists.	Admin	Q2 2023	Q4 2023	Completed
5.2.2	Collaborate with other DCA entities that have similar classification issues/specialized classifications.	Admin	Q2 2023	Q4 2023	Completed
5.2.3	Review the reclass proposal that was submitted to HR by prior management and work with HR to determine why it was denied.	Admin	Q1 2023	Q4 2023	Completed
5.2.4	Explore current Minimum Qualification (MQ) of being licensed by the Board (change to Desirable Q not MQ?).	Management	Q3 2023	Q4 2023	Completed
5.2.5	Work with HR on classification options for the SPCB Specialists.	Admin	Q1 2024	Q4 2024	Completed
5.2.6	Submit a new request to HR to reclass the SPCB Specialists.	Admin	Q1 2025	Q4 2026	Completed
5.2.7	Do outreach on exams for vacant positions. (if specialist re-classed)	Enforcement	Q1 2027	Q4 2027	Completed
5.3	**Create a succession plan to retain institutional knowledge within the Board.**				
Success Measure:	**Succession plan has been created; policies and procedures updated.**		**Q2 2023**	**Q4 2027**	**29%**
5.3.1	Document processes, create/update procedure manuals.	Management	Q3 2023	Q4 2027	In Progress
5.3.2	Identify key positions that are critical to business continuity.	Management	Q2 2023	Q4 2025	In Progress
5.3.3	Evaluate and determine what competencies are needed to be successful in the key positions.	Management	Q2 2024	Q4 2026	Not Started
5.3.4	Document the knowledge that key position individuals possess before they leave the Board.	Management	Q2 2024	Q4 2027	Not Started
5.3.5	Conduct cross-training.	Management	Q1 2023	Q4 2027	Completed
5.3.6	Consider annual one-on-one staff meeting or encourage IDPs.	Management	Q2 2023	Q4 2023	Completed
5.3.7	Create a succession plan.	Management	Q4 2026	Q4 2027	Not Started
5.4	**Update and maintain content on the website to effectively communicate to consumers, licensees, and applicants.**				
Success Measure:	**Website is consistently updated.**		**Q1 2023**	**Q2 2024**	**100%**
5.4.1	Explore other DCA entity websites for ideas.	Outreach/Admin	Q1 2023	Q2 2023	Completed
5.4.2	Ensure all pages, forms, brochures are up to date and loading without errors - Update the consumer information tab on website.	Outreach/Admin	Q3 2023	Q4 2024	Completed
5.4.3	Highlight hot topics and key items on website (including new videos and educational material, board meeting recordings & notices).	Outreach/Admin	Q2 2023	Q4 2024	Completed

	SPCB 2023-2028 Action Plan	Responsibility	Planned Start*	Due Date*	Current Status
5.4.4	Explore a chat feature on the website.	Admin	Q2 2023	Q1 2024	Completed
5.4.5	Establish and roll out social media accounts.	Outreach/Admin	Q1 2023	Q1 2023	Completed
5.4.6	Implement Connect system via links from website.	Outreach/Admin	Q4 2023	Q1 2024	Completed
5.4.7	Create and maintain tracking mechanism to make sure updates are being made as needed.	Outreach	Q1 2023	Q1 2023	Completed
5.4.8	Ensure accessibility and ADA compliance.	Outreach	Q1 2023	Q2 2023	Completed
5.4.9	Add processing time estimates where appropriate.	Admin	Q3 2023	Q3 2023	Completed
5.5	**Develop and maintain communication between board members and staff to create a collaborative and shared partnership.**				
Success Measure:	**Creation of monthly EO report.**		**Q1 2023**	**Q4 2023**	**100%**
5.5.1	Encourage staff to read Board member admin manual, board member roles and guidelines. (send to staff to inform them)	Admin	Q1 2023	Q1 2023	Completed
5.5.2	Create a monthly EO Report to all Board Members (licensing, enforcement, admin, staff updates, etc.).	EO	Q3 2023	Q3 2023	Completed
5.5.3	Encourage and provide opportunities for staff to attend Board and Committee Meetings.	Management	Q1 2023	Q4 2023	Completed
5.5.4	Increase staff participation at Board and Committee Meetings (rather than EO providing all updates).	Management	Q2 2023	Q4 2023	Completed
5.5.5	Explore holding a meet and greet with Board members and staff.	EO	Q2 2023	Q3 2023	Completed
5.5.6	Maintain a board roster for staff, and one for management - encourage staff to review website info about Board members.	Admin	Q1 2023	Q2 2023	Completed

SPCB
STRUCTURAL PEST CONTROL BOARD

AGENDA ITEM 14
LICENSING UPDATE

a. Statistical Report

b. Connect Implementation

MEMORANDUM

DATE	August 26, 2024
TO	Members of the Structural Pest Control Board
FROM	Melissa Zanetta, Chief of Licensing and Administration Structural Pest Control Board
SUBJECT	**Agenda Item #14: Licensing Update**

a. Statistical Reports

The Licensing/Examinations Statistics Report included in the materials provides licensing and examination statistical data for the current fiscal year (FY 2023/2024) and the previous fiscal year (FY 2022/2023).

The Licensing Unit Satisfaction Survey conducted by the Structural Pest Control Board from April 1 to June 30, 2024, received 125 responses. The survey revealed that 88.71% of respondents were either "Very Satisfied" or "Satisfied" with their interactions during the licensing process, while 11.29% expressed dissatisfaction. Many praised specific staff members, highlighting their helpfulness and professionalism. Some common areas for improvement included the need for faster processing times, better phone support, and more online capabilities, such as digital submissions and payments. Additionally, 90.08% of participants found the guidance and assistance provided by the Licensing Unit to be effective. The survey suggests that while overall satisfaction is high, there is room for improvement in efficiency and communication.

b. Connect Implementation

In our ongoing effort to provide more efficient services to licensees and the public, the Board has initiated the rollout of a new online licensing system as of May 21, 2024. In this initial phase, the system enables the online submission of Examination, Re-Examination, Company Registration, and Branch Office Registration Applications. This early stage of digital transition enhances accessibility and streamlines the application process, reflecting our commitment to modernizing Board services and improving user experience.

While this new system already offers significant benefits, including faster processing times and more efficient workflows, it is just the beginning. Applicants no longer need to submit physical paperwork or wait for manual processing for the processes currently online, significantly speeding up approval and reducing waiting times.

A key feature of this initial rollout is the integration of online payments, allowing users to complete transactions conveniently and securely. This simplifies the application process, reduces processing times, and minimizes administrative burdens. Moreover, digital records enhance accuracy and reduce the likelihood of errors, leading to more reliable service for all stakeholders.

Our efforts are part of a broader initiative to expand online functionality across all Board operations. As we continue to develop this system, future phases will bring additional processes and features online, ensuring that all interactions with the Board can be conducted digitally. This ongoing transition is designed to provide greater convenience, reduce processing times, and increase transparency for both licensees and the public. By continually investing in technological advancements, the Board is dedicated to delivering high-quality, efficient, and user-friendly services.

Additionally, the shift to digital services supports environmental sustainability by reducing paper usage and the carbon footprint associated with traditional mail services. This aligns with global trends toward eco-friendly practices and demonstrates the Board's commitment to sustainable operations. Ultimately, the modernization of our services is a strategic move to foster innovation, adaptability, and excellence in public service.

Structural Pest Control Board
Fiscal Year 2023/24

Licensing/Examinations Statistics Report

	CURRENT *FY 2023/24*					PREVIOUS *FY 2022/23*
EXAMINATIONS						
	Q1	**Q2**	**Q3**	**Q4**	**YTD**	**FY 2022/23**
Field Representatives Registered	1,441	1,051	1,831	1,443	*5,766*	5,750
Field Representatives Examined	1,056	855	1,176	1,353	*4,440*	4,233
Field Representatives Passed	742	592	865	1,019	*3,218*	2,476
Field Representatives Failed	314	263	311	334	*1,222*	1,757
Field Representatives Pass Rate	**70%**	**69%**	**74%**	**75%**	**72%**	**58%**
Operators Registered	136	108	146	111	*501*	668
Operators Examined	117	124	129	124	*494*	607
Operators Passed	64	61	108	99	*332*	307
Operators Failed	53	63	21	25	*162*	300
Operator Pass Rate	**55%**	**49%**	**84%**	**80%**	**67%**	**51%**
Applicators Registered	841	650	683	803	*2,977*	3,201
Applicators Examined	629	536	496	679	*2,340*	2,472
Applicators Passed	355	336	333	453	*1,477*	1,460
Applicators Failed	274	200	163	226	*863*	1,012
Applicators Pass Rate	**56%**	**63%**	**67%**	**67%**	**63%**	**59%**

LICENSING						
	Q1	**Q2**	**Q3**	**Q4**	**YTD**	**FY 2022/23**
Field Rep Licenses Issued	666	446	555	906	*2,573*	2,061
Operator Licenses Issued	60	41	57	88	*246*	220
Applicator Licenses Issued	372	320	295	370	*1,357*	1,460
Company Registrations Issued	66	53	65	72	*256*	274
Branch Office Registrations Issued	7	4	15	5	*31*	40
Total	**1,171**	**864**	**987**	**1,441**	**4,463**	**4,055**

LICENSES RENEWED						
	Q1	**Q2**	**Q3**	**Q4**	**YTD**	**FY 2022/23**
Operator	573	10	0	868	*1,451*	885
Field Representative	1,587	26	2	2,001	*3,616*	2,215
Applicator	514	10	0	443	*967*	580
Total	**2,674**	**46**	**2**	**3,312**	***6,034***	**3,680**

LICENSES/REGISTRATIONS IN EFFECT						
	Q1	**Q2**	**Q3**	**Q4**		**FY 2022/23**
Field Representative	15,332	14,295	14,782	15,409		15,866
Operator	4,245	4,158	4,201	4,225		4,544
Company Registration	3,344	3,366	3,402	3,445		3,319
Branch Office	484	486	498	502		486
Licensed Applicator	7,095	6,069	6,288	6,549		7,766

SPCB
STRUCTURAL PEST CONTROL BOARD

AGENDA ITEM 15

ENFORCEMENT UPDATE

a. Statistical Report

MEMORANDUM

DATE	August 26, 2024
TO	Members of the Structural Pest Control Board
FROM	Sophia Azar, Executive Officer Structural Pest Control Board
SUBJECT	**Agenda Item #15: Enforcement Update**

The Enforcement Statistics Report is included in the materials (Attachment A). Between Fiscal Year (FY) 2022/23 and FY 2023/24, there were significant changes in several areas:

- Complaints received increased from 327 to 427 (26.5% increase).
- Investigations closed rose from 299 to 640 (73% increase).
- Citations issued went up from 165 to 435 (90% increase).

The average days to close various processes also improved significantly:

- Investigations: from 160 to 82 days (64% decrease).
- Transmittals to the Attorney General: from 420 to 189 days (76% decrease).
- Final citations: from 87 to 48 days (58% decrease).

These improvements can be attributed to several factors, including enhanced workflow processes, changes to data tracking for case management, and increased management oversight. Additionally, the focus on training and development for staff has streamlined operations and improved efficiency.

Furthermore, the number of licensee subsequent arrest reports and applicant convictions received decreased from 672 to 497 (30% decrease).

The Enforcement Unit has implemented new procedures for desk investigations. As of July 1, 2024, all desk investigations are paperless. Procedures are in place to ensure all items gathered during the desk investigation process are saved properly in the enforcement-only shared drive and retained under the Board's retention policy. If a case needs to be escalated into the field, a case folder will be established and sent to the Board Special Investigator. This change will help save the Board printing costs as well as make desk case files accessible to all enforcement staff.

The Wood Destroying Pest and Organisms (WDO) Statistics Report (Attachment B) provides the number of WDO activities filed each month. WDO filings decreased by approximately 3.5% from FY 2022/23 (1,128,600 filings) to FY 2023/2024 (1,090,200 filings). This decrease may be related to trends in the California housing market.

Attachments:

A. Enforcement Statistics Report
B. Wood Destroying Pests and Organisms (WDO) Statistics Report

Structural Pest Control Board
Fiscal Year 2023/24

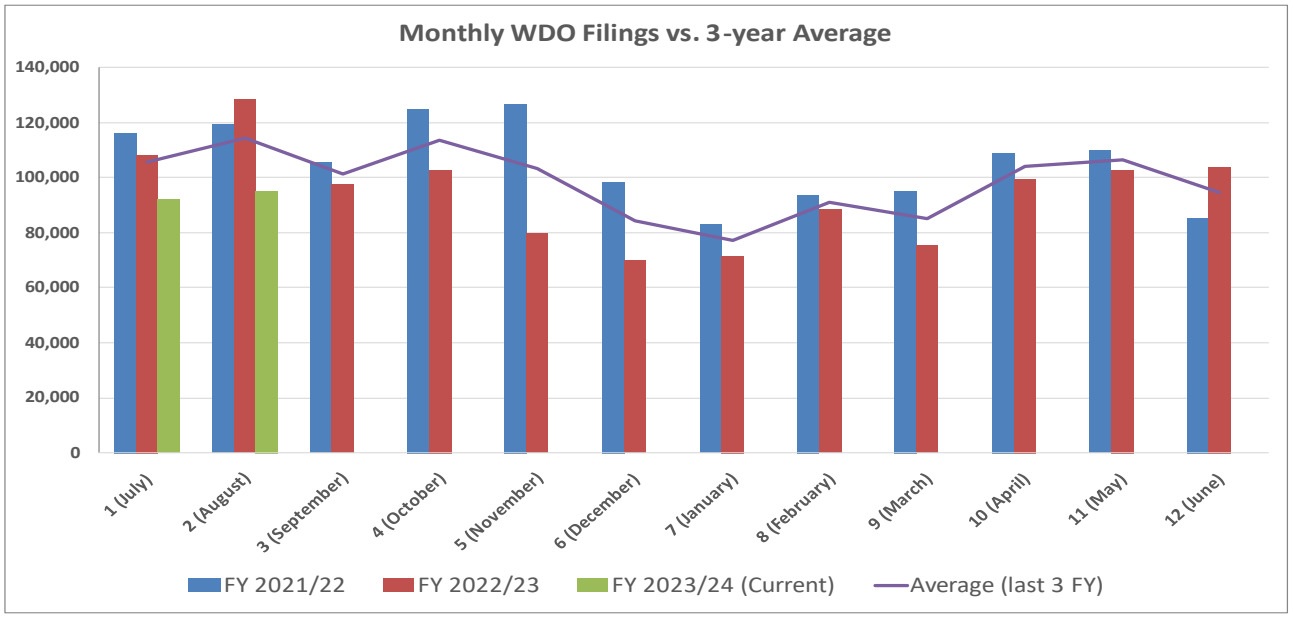
Enforcement Statistics Report

	CURRENT FY 2023/24					PREVIOUS FY 2022/23
COMPLAINT INTAKE						
	Q1	**Q2**	**Q3**	**Q4**	**YTD**	**Total**
Complaints Received	103	104	100	120	**427**	327
Convictions/Arrest Received	161	97	126	113	**497**	672
Total Received	**264**	**201**	**226**	**236**	**927**	**999**
Average Days to Close/Assign	*2*	*4*	*9*	*3*	***5***	*4*
INVESTIGATIONS CLOSED						
Target: 180 days	**Q1**	**Q2**	**Q3**	**Q4**	**YTD**	**Total**
Volume	142	115	191	192	**640**	299
Average Days to Close	*75*	*89*	*96*	*67*	***82***	*160*
TRANSMITTALS TO ATTORNEY GENERAL (AG)						
Target: 540 days	**Q1**	**Q2**	**Q3**	**Q4**	**YTD**	**Total**
AG Cases	5	11	9	0	**25**	23
Average Days to Close	*143*	*231*	*194*	*0*	***189***	*420*
CITATIONS						
	Q1	**Q2**	**Q3**	**Q4**	**YTD**	**Total**
Final Citations	61	119	129	126	**435**	165
Average Days to Close	*25*	*44*	*79*	*45*	***48***	*87*
FINES ASSESSED						
	Q1	**Q2**	**Q3**	**Q4**	**YTD**	**Total**
Board Fines Issued	$26,110	$27,200	$55,455	$69,540	**$178,305**	$145,177
Civil Penalties	$0	$0	$0	$0	**$0**	$12,307
County Fines Issued	$17,950	$30,225	$23,500	$21,350	**$93,025**	$102,475
Total Fines Processed	**$44,060**	**$57,425**	**$78,955**	**$90,890**	**$271,330**	**$259,959**

Structural Pest Control Board
Fiscal Year 2023/24

Wood Destroying Organisms (WDO) Statistics Report

	CURRENT *FY 2023/24*		PREVIOUS *FY 2022/23*
WDO ACTIVITIES FILED			
FM1 (July)	92,200	*-15%*	108,300
FM2 (August)	95,000	*-26%*	128,400
FM3 (September)	90,000	*-8%*	97,600
FM4 (October)	100,000	*-3%*	102,800
FM5 (November)	88,000	*10%*	79,700
FM6 (December)	74,500	*6%*	70,000
FM7 (January)	68,500	*-4%*	71,600
FM8 (February)	79,000	*-11%*	88,400
FM9 (March)	88,700	*17%*	75,500
FM10 (April)	101,000	*2%*	99,500
FM11 (May)	110,500	*7%*	102,800
FM12 (June)	102,800	*-1%*	104,000
YTD Total	**1,090,200**	*-2%*	**1,128,600**



SPCB
STRUCTURAL PEST CONTROL BOARD

AGENDA ITEM 16

OUTREACH AND COMMUNICATION UPDATE

MEMORANDUM

DATE	July 23, 2024
TO	Members of the Structural Pest Control Board
FROM	Kristina Jackson-Duran, Administrative Analyst Structural Pest Control Board
SUBJECT	**Agenda Item #16: Outreach and Communication Update**

Email Communications

The Email Notification List (ListServ) continues to serve as a tool for Board staff to deliver large-scale e-mail communications to licensees and stakeholders. Interested parties can autonomously subscribe/unsubscribe for this tool on the Email Notification List page of the Board's website.

Since the last Board meeting in October 2023, the Board's general ListServ email has 82 new subscribers, bringing us to 794 subscribers in total. Staff continues to highlight this feature by advertising through email, social media posts, during speaking engagements, and interactions with consumers and licensees.

Social Media

The Social Media Account and Content Statistics Report (Attachment 1) utilizes information collected directly from Meta reporting system insights and include details for each post, including the image, its topic, target audience, reach, performance, and engagements.

Below are a few highlighted posts since the last board meeting:

- Link to the Executive Officer's industry advisory regarding the use of Form NPMA-33.
- Announcement of new online platform, Connect.
- The passing of staff member, Frank Munoz.
- Links to access the Board's newly relaunched newsletter.
- Board Member Vacancy.

Social Media – Paid Promotions

At a previous Board Meeting, a question was raised regarding the implementation of paid promotions for content across our social media platforms. Following discussion with the DCA, it has been determined that social media advertising can proceed depending on that specific platform.

SPIN – Quarterly Newsletter

After 20 years, the Board's newsletter was successfully relaunched in February 2024. This project came to fruition by the Board's Newsletter Committee, comprised of Board staff representing all units. In collaboration with DCA – Publications, Design, and Editing Unit, the Board now has a web-based newsletter that allows readers the ability to access information at their fingertips.

- SPIN – Winter 2024 reintroduced the newsletter as a new communication tool to the industry and the content focused on Winter Pests, Licensee Scope of Work, and the Enforcement Unit's Role for Consumers and Licensees.
- SPIN – Spring 2024 heavily focused on license renewals including reminders for updating licensee personal information prior to renewal and continuing education requirements. Additionally, this publication focused on Wood Destroying Organism (WDO) Reporting and ensuring compliance by introducing the WDO Task Force.

Live Events/Speaking Engagements

- *Sacramento Valley Deputy Agricultural Commissioners Association (Yuba City, CA) – April 11, 2024*
  Board Specialists, Jeff Marang provided a Regulations update for Title 16, California Code of Regulations section 1970, 1970.4, 1970.42, 1970.43.

- *Termite Academy (Berkeley, CA) – March 6-7, 2024*
  The Pest Control Operators of California (PCOC) in partnership with University of California Berkeley, offered a unique, industry specific educational event which included lectures from leading industry experts, a comprehensive review of wood destroying organisms (WDO) in urban environments, and hands-on activities specifically related to termite control and identification. Specialists, Tom Ineichen and Jeff Marang spoke to attendees regarding common enforcement violations and the importance of proper report writing.

- *PCOC, Big Valley District Meeting (Roseville, CA) – February 21, 2024*
  Lead Special Investigator, Tom Ineichen, offered a continuing education course to PCOC members on Branch 3 WDO activities.

- *Sacramento Valley Deputy Agricultural Commissioners Association (Virtual) – February 8, 2024*
  Lead Special Investigator, Tom Ineichen attended this meeting with multiple other county agricultural offices updating and discussing regulatory issues.

- *Department of Pesticide Regulations Sustainable Pest Management (SMP) (Virtual) – January 31, 2024*
  Lead Special Investigator, Tom Ineichen, continues to partner with the SMP focus group discussing pesticide issues related to DPRs legislative mandate for pesticide reform.

- *Costal Area Pesticide Enforcement Group (Alameda, CA) – January 18, 2024*
  Special Investigator, Tom Ineichen and Board Specialist, Jeff Marang provided a Regulations update for Title 16, California Code of Regulations section 1970, 1970.4, 1970.42, 1970.43.

- *Pest Control Operators of California (PCOC) (Alameda, CA) – January 10, 2024*
  Lead Special Investigator, Tom Ineichen, offered a continuing education course to PCOC members on Branch 3 WDO activities.

Attachment(s)

1. Social Media Account and Content Statistics

Facebook Account Statistics

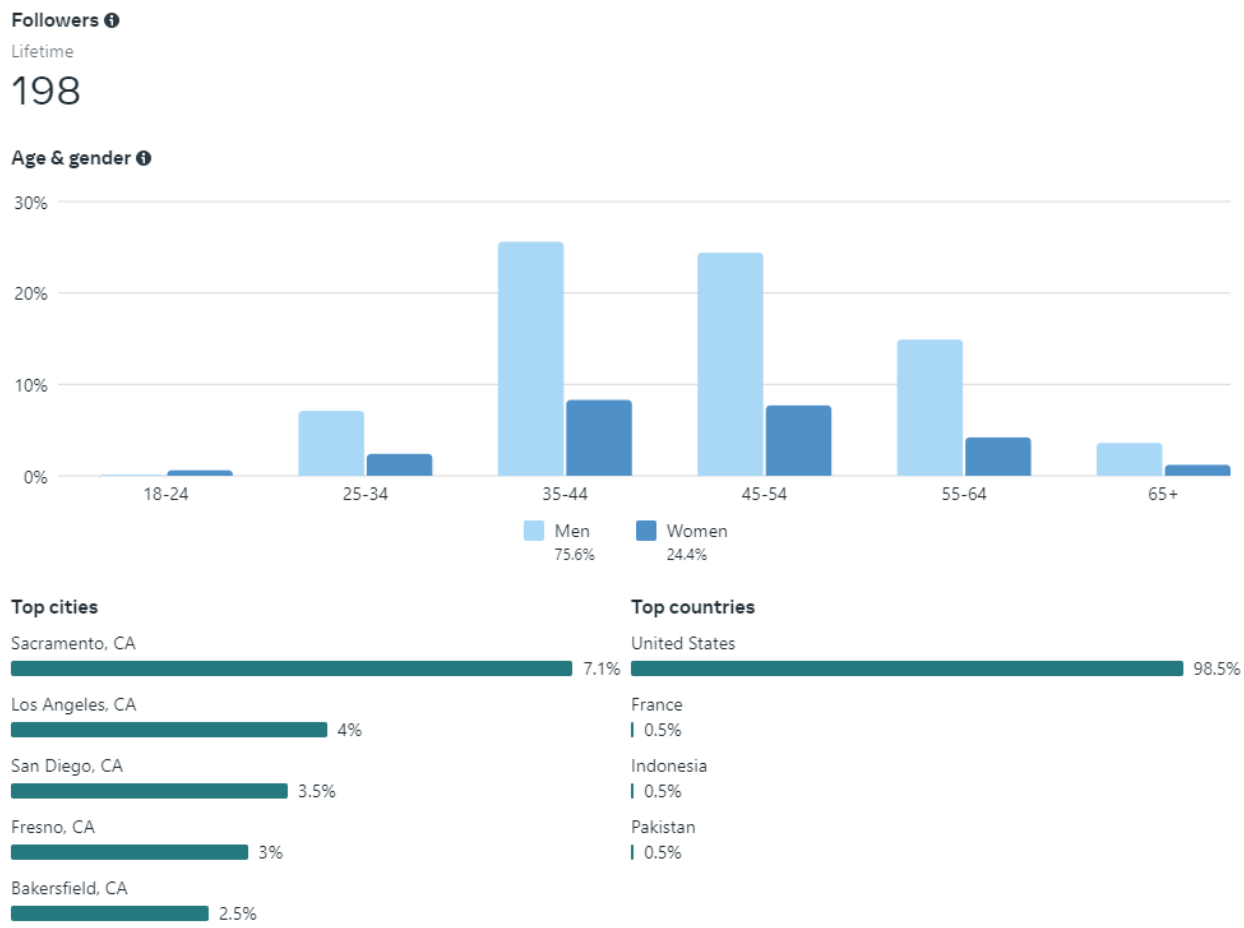
Structural Pest Control Board

Cumulative: 1/26/2023 6/30/2024

Link to SPCB Facebook Page

PAGE LIKES* A like is a person who has chosen to support the page and want to see content from it.	122
PAGE FOLLOWS* A follower is a person who has chosen to receive the updates that we post in their news feed.	198
REACH The number of accounts that saw a post at least once.	3, 900
PAGE VISITS The number of times our page or profile was visited.	4,600

DEMOGRAPHICS (Based on Followers)



*The difference between a like and a follow is people who like our page can choose to unfollow your page. This means that posts and updates will no longer appear in their news feed, however, their name will show up as part of our page's audience.

Instagram Account Statistics

Structural Pest Control Board

Cumulative: 1/26/2023 6/30/2024

Link to SPCB Instagram Page

PAGE LIKES A like is a person who has chosen to support the page and want to see content from it.	197
REACH The number of accounts that saw a post at least once.	465
PAGE VISITS The number of times our page or profile was visited.	731

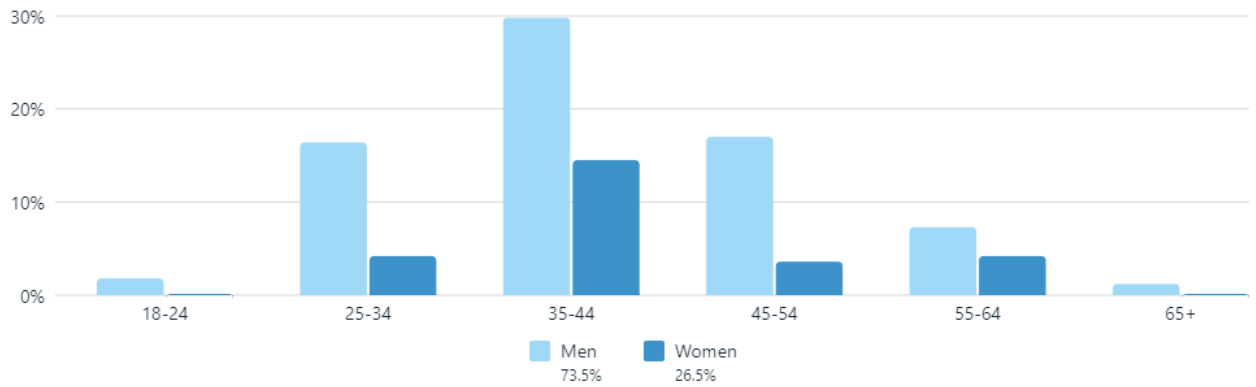
DEMOGRAPHICS (Based on Followers)

Followers

Lifetime

197

Age & gender



Top cities

Los Angeles, CA	6.1%
Carmichael, CA	2.5%
El Dorado Hills, CA	2%
Rocklin, CA	2%
San Diego, CA	2%

Top countries

United States	98%
Ghana	0.5%
Guatemala	0.5%
Mexico	0.5%
Netherlands	0.5%

Date Posted	Post Topic	Target Audience
5/27/2024	Office Closure	Licensees & Consumers

Message: In honor of Memorial Day, the SPCB will be closed and will resume normal business hours on Tuesday, May 28, 2024.

Performance

	Reach	Likes	Reactions	Comments	Shares	Link Clicks or Other Clicks	Impressions	Engagements	Retweets
Facebook	58		1	0	0		69	1	
Instagram	33	3		0	0	0	36	3	
Twitter		0		0		0	8	0	0

Date Posted	Post Topic	Target Audience
5/23/2024	Licensing/Renewals	Licensees

Message: If you are no longer working in the industry or DO NOT anticipate renewing your license, consider canceling your license with the Board.

Performance

	Reach	Likes	Reactions	Comments	Shares	Link Clicks or Other Clicks	Impressions	Engagements	Retweets
Facebook	88		2	0	0		98	2	
Instagram	59	2		0	0	0	61	2	
Twitter		0		0		0	8	1	0

Date Posted	Post Topic	Target Audience
5/22/2024	Newsletter/Outreach	Licensees & Consumers

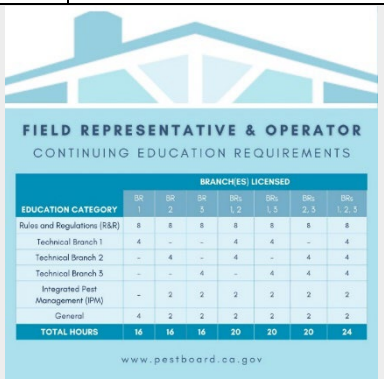
Message: The SPIN Spring newsletter is out now! In this quarter, we focused on being prepared for a successful renewal season and the importance of WDO filing.

[SPRING 2024 STRUCTURAL PEST INFORMATION NEWSLETTER (ca.gov)]

Performance

	Reach	Likes	Reactions	Comments	Shares	Link Clicks or Other Clicks	Impressions	Engagements	Retweets
Facebook	45		0	0	0		52	0	
Instagram	77	2		0	0	0	98	2	
Twitter		0		0		0	5	0	0

Date Posted	Post Topic	Target Audience
5/21/2024	Continuing Education	Licensees



Message: Does your license renew June 30, 2024? Section 1950 of the SPCB Act, requires all licensees to complete continuing education hours as a condition of renewal. For more information, visit our website at the link below.
[Link to Continuing Education Information]

Performance

	Reach	Likes	Reactions	Comments	Shares	Link Clicks	Impressions	Engagements	Retweets
Facebook	66		2	0	0	1	76	2	
Instagram	116	16		0	0	0	135	16	
Twitter		0		0		0	19	2	0

Date Posted	Post Topic	Target Audience
4/4/2024	Board Member Recruitment	Licensees & Consumers

Message: Are you a dedicated professional eager to shape the future of the structural pest control industry in California? Become a board member of the Structural Pest Control Board (SPCB) and help safeguard public health and safety!

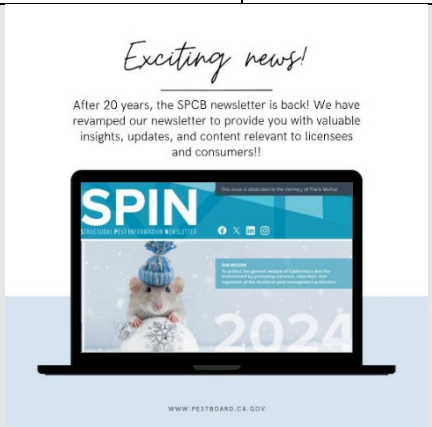
Current Vacancies
- Governor, Industry Member (licensee)
- Senate Rules Committee, Public Member (non-licensee)

Ready to make a difference?
Apply today and be part of shaping the pest control industry. Click the link below to access appointment information.

Performance

	Reach	Likes	Reactions	Comments	Shares	Link Clicks or Other Clicks	Impressions	Engagements	Retweets
Facebook	101		3	0	0		123	3	
Instagram	98	2		0	1	0	106	4	
Twitter		0		0		0	24	0	0

Date Posted	Post Topic	Target Audience
2/8/2024	Newsletter/Outreach	Licensees & Consumers



Message: After two decades, the Structural Pest Information Newsletter, easily referred to as SPIN, is a brand-new communication platform designed to provide you with valuable information relevant to licensees and consumers. We hope you enjoy this new resource, and we look forward to receiving your feedback. Please follow the link below to read the first publication.

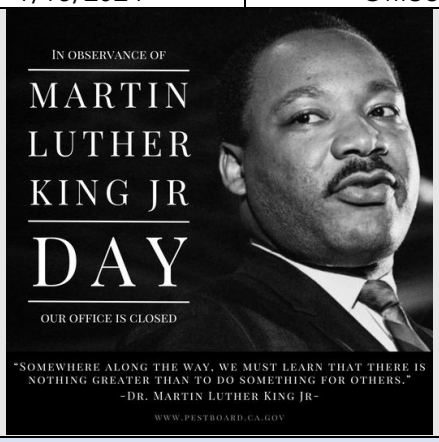
The SPIN - Winter 2024 (ca.gov)

#pestboardca #pestcontrol #pestmanagement #SPCB #ConsumerAffairs #SPIN

Performance

	Reach	Likes	Reactions	Comments	Shares	Link Clicks or Other Clicks	Impressions	Engagements	Retweets
Facebook	112		7	0	0	10	154	7	
Instagram	88	7		0	0	0	103	7	
Twitter		0		0		0	34	1	0

Date Posted	Post Topic	Target Audience
1/15/2024	Office Closure	Licensees & Consumers



Message: Our office will be closed Monday, January 15, 2024 to honor the life of Dr. Martin Luther King Jr. We will reopen tomorrow January 16, 2024.

#pestboardca #MLKDay

Performance

	Reach	Likes	Reactions	Comments	Shares	Link Clicks or Other Clicks	Impressions	Engagements	Retweets
Facebook	101		0	0	0		157	0	
Instagram	76	4		0	0	0	96	4	
Twitter		0		0		0	35	0	0

Date Posted	Post Topic	Target Audience
1/4/2024	Staff Update	Licensees & Stakeholders

Message: It is with heavy hearts and profound sadness that we share the news of the sudden passing of our dear colleague and friend, Frank Munoz. Frank embodied the essence of professionalism, kindness, and dedication throughout his time with us and his absence will be deeply felt.

Performance

	Reach	Likes	Reactions	Comments	Shares	Link Clicks or Other Clicks	Impressions	Engagements	Retweets
Facebook	2,745		36	18	3	0	2,888	57	
Instagram	315	53		17	7	0	394	79	
Twitter		2		0		0	57	6	0

Comments are on the following page

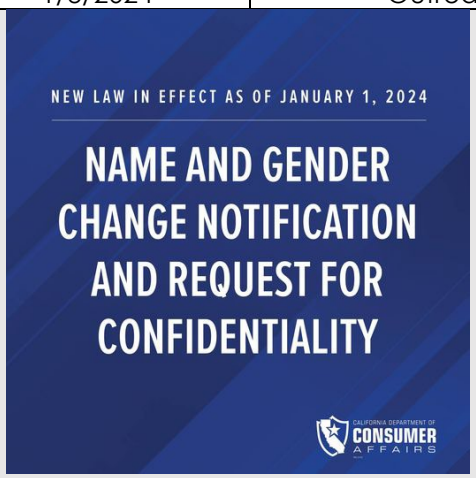
Facebook Comments regarding Frank Munoz:

- That is heartbreaking he was so easy to work with. Rest peacefully Frank.
- Frank always was very helpful to me over many years. Good man.
- Always looked forward to seeing him. He was the man with the answers. Rest in peace.
- Incredibly sad. Frank was the epitome public servant, RIP.
- RIP Frank. You helped a lot back in 2013. RIP sir.
- A very helpful and responsive public servant.
- RIP Frank!!! Thank you for all your help over the years.
- Thoughts and prayers to family. Our friend will be truly missed!
- You will be missed. A very cool guy.
- RIP Frank, thank you for all your help over the years.
- Thanks for all you did for so many people, Frank.
- Frank always took care of me whenever I needed. He was MY guy; he was THE guy. He will be greatly missed. RIP Frank Munoz.
- RIP Frank. You help a lot of us in 2019. You will be greatly missed. RIP Frank Munoz.
- You will be missed Frank. Thank you for always taking the time to go above and beyond.
- Wow, just saw this. RIP Frank! You were always so kind and a pleasure to speak with.
- RIP Frank!! Thank you for all your help over the years!
- Just heard! RIP, he was very helpful.
- Frank was always very helpful to me. Thank you for all you did.

Instagram Comments regarding Frank Munoz:

- Frank, you will be missed. We only spoke on the phone and communicated through emails at a professional level. But I can tell that you were a dedicated professional. Seeing the love from all the other posts, I can also see you were surrounded by love and admired by others in the community and your personal life. Frank, thank you for helping my company, Long Beach Termite & Pest Control get started. I really couldn't have done it without you. My deepest condolences to the family. Frank you will be missed.
- Rest in Peace
- Such a nice man, always very helpful. RIP
- RIP Frank! Super helpful guy! What a loss for our industry. Prayers for his family and friends.
- Frank was always so helpful and patient. What a loss for his friends, family, and our industry.
- So sad to hear this!! Frank was always the most helpful and kind person.
- RIP Frank!
- So sorry for his family's loss. Our condolences. Frank was very kind and patient with all our questions. RIP.
- Our deepest condolences to the family. Thank you for your service.
- RIP brother.
- RIP
- Sorry to hear this. He was always super helpful.
- I am shocked and saddened to read this news. Anyone who has ever been licensed in CA has probably spoken with or emailed Frank. He was always kind and patient with questions. Our team at Green Dog sends our deepest and most sincere sympathies to his family, friends, and coworkers.
- Terrible loss, prayers for his family. He's helped in so many ways over the years.
- Thoughts and prayers to his family. Our friend will be missed.
- Aww man Frank was super helpful. RIP.
- So Sorry to hear such a patient and kind helpful man. I pray for God's peace for his family, friends, and work colleagues. Tremendous loss. God bless all.

Date Posted	Post Topic	Target Audience
1/3/2024	Outreach	Licensees



Message: NEW: Name and Gender Change Notification and Request for Confidentiality (SB 372, 2023). Learn more about the new law that went into effect on Jan. 1, 2024, by visiting: https://pestboard.ca.gov/forms/namechange_sb372.shtml

Performance

	Reach	Likes	Reactions	Comments	Shares	Link Clicks or Other Clicks	Impressions	Engagements	Retweets
Facebook	129		0	0	0	4	183	0	
Instagram	125	2		0	0	0	184	2	
Twitter		0		0		1	37	3	0

Date Posted	Post Topic	Target Audience
1/1/24	Office Closure	Licensees & Consumers

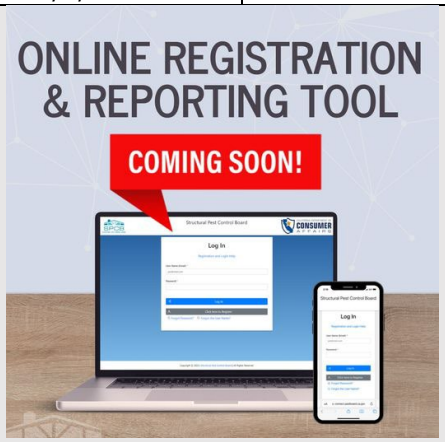
Message: From everyone at SPCB, we wish you a Happy New Year!! Our office will be closed Monday, January 1, 2024. We will resume normal business hours on Tuesday, January 2, 2024.

#pestboardca #newyears

Performance

	Reach	Likes	Reactions	Comments	Shares	Link Clicks or Other Clicks	Impressions	Engagements	Retweets
Facebook	128		1	0	0	0	173	1	
Instagram	68	3		0	0	0	86	3	
Twitter		0		0		0	36	0	0

Date Posted	Post Topic	Target Audience
12/6/2023	Outreach	Licensees



Message: Coming soon! In 2024, the SPCB will launch a new online registration and reporting tool called, SPCB Connect. This online platform will allow users to access a new WDO filing system, make electronic WDO account deposits, register a company, apply to take an exam, and will soon be a one stop shop for all your needs. Please watch for important details to come!

#structuralpestcontrol #pestmanagement #ConsumerAffairs #comingsoon

Performance

	Reach	Likes	Reactions	Comments	Shares	Link Clicks or Other Clicks	Impressions	Engagements	Retweets
Facebook	148		8	0	0	0	200	8	
Instagram	82	11		1	1	0	97	15	
Twitter		0		0		0	44	4	0

Date Posted	Post Topic	Target Audience
12/4/2023	Outreach	Military Licensees

Message: The federal Servicemembers Civil Relief Act authorizes servicemembers or their spouses who currently hold a valid out-of-state license in good standing to practice in California if they relocate to California due to military orders. Learn more at https://dca.ca.gov/military/federal.shtml .

Performance

	Reach	Likes	Reactions	Comments	Shares	Link Clicks or Other Clicks	Impressions	Engagements	Retweets
Facebook	79		1	0	0	1	122	0	
Instagram	97	1		0	0	1	111	1	
Twitter		0		0		0	28	0	0

Date Posted	Post Topic	Target Audience
9/25/2023	Industry Advisory	Licensees

Message: The Board's Executive Officer has issued an advisory which provides guidance regarding the use of the National Pest Management Association's Wood Destroying Insect Inspection Form (Form NPMA-33) by registered Branch 3 companies in California.

The bulletin can be found on the Board's website: https://pestboard.ca.gov/forms/npma33.pdf

Performance

	Reach	Likes	Reactions	Comments	Shares	Link Clicks or Other Clicks	Impressions	Engagements	Retweets
Facebook	106		0	0	0	3	170	0	
Instagram	114	4		0	0	0	139	4	
Twitter		0		0		0	38	0	0

Date Posted	Post Topic	Target Audience
9/22/23	Notice – Public Meeting	Consumers & Licensees

Message: Join us on October 10, 2023, for a Meeting of the Structural Pest Control Board in Sacramento, CA. The meeting will be held at DCA's Hearing Room and start at 9:00am. The agenda is available on the Board's website at: https://pestboard.ca.gov/about/meetings.shtml This is an in-person meeting and will have not have options for remote participation. To view the meeting webcast, please visit: https://thedcapage.blog/webcasts/

#structuralpestcontrol #pestmanagement #boardmeeting #departmentofconsumeraffairs #SPCB #pestboardca

Performance

	Reach	Likes	Reactions	Comments	Shares	Link Clicks or Other Clicks	Impressions	Engagements	Retweets
Facebook	89		0	0	0	1	141	0	
Instagram	97	2		0	0	2	150	2	
Twitter		0		0		0	44	0	0