

2020

Bill: Senate Bill 878 authored by Senator Jones.

Department of Consumer Affairs: license: application: processing timeframes

Introduced 1/22/2020 – CSRC Support

Chaptered 9/24/2020

Summary: This bill would require each board within the Department of Consumer Affairs that issues licenses, on at least a quarterly basis, to prominently display on its website either the current average timeframes for processing initial and renewal license applications or the combined current average timeframe for processing both initial and renewal license applications.

Advocacy: The CSRC worked with Senator Jones office to highlight the work of the RCB who later became the “poster child” for the expectation of timely processing.

Bill: Senate Bill 1159 authored by Senator Hill.

Workers’ compensation: COVID-19: critical workers

Introduced 2/20/2020 – CSRC Support with amendments

Chaptered 9/17/2020

Summary: Would define “injury” for an employee to include illness or death resulting from the 2019 novel coronavirus disease (COVID-19) under specified circumstances, until January 1, 2023. The bill would create a disputable presumption that the injury arose out of and in the course of the employment and is compensable. The bill would limit the applicability of the presumption under certain circumstances. The bill would also make a claim relating to a COVID-19 illness presumptively compensable after 30 days or 45 days, rather than 90 days.

Advocacy: The CSRC worked with the Senator Hill’s office to ensure the bill was amended to include respiratory therapists under those covered.

Bill: Assembly Bill 1850 authored by Assembly Member Gonzalez

Worker classification: employees and independent contractors

Introduced: 2/14/2020 – CSRC Support with amendments

Last Amended 5/12/2020

Summary: Bill that provides exemptions to the ABC Test for independent contracting, passed the Assembly and will next be considered by the Senate. This bill would protect Respiratory Care Practitioners who choose independent employment. The breadth of this bill may have impacted per diem work eventually.

Advocacy: The CSRC advocated to be included in an exemption and remained in communication with bill authors that protected the interest of respiratory therapists as independent contractors to ensure bill verbiage would cover the profession.

Bill: Assembly Bill 2293 authored by Assembly Member Mayes and Chiu
Chronic obstructive pulmonary disease (COPD): research, education and treatment.
Introduced 2/14/2020 – CSRC Support
Last Amended 8/12/2020

Summary: This bill would require the State Department of Public Health to conduct a Chronic Obstructive Pulmonary Disease (COPD) Provider Awareness Campaign to increase awareness of COPD, as specified, and to target the COPD Provider Awareness Campaign to, among others, primary care providers and family care providers. The bill would make related findings and declarations.

Advocacy: The CSRC will follow up with the bill as it was sent to the senate appropriations committee to determine cost to the state. The GA members intend to advise and support removing barriers related to passing this legislation.

Legislative Day 2020 - The CSRC met in person with legislators to discuss amendments within bills to Senate Bill 5 and requested they consider voting in our favor.

2019

Legislative Day 2019 - The CSRC met in person with legislators to discuss Senate Bill 5, it's infringement on the versatility of employment in the respiratory care profession and urged a legislator to amend the bill.

2018

Legislative Day 2018 - The CSRC met in person with legislators to discuss the implications of the Dynamex case and its potential impact on the versatility of employment in the respiratory care profession.

2015

Bill: Senate Bill 525 authored by Senator Nielsen
Respiratory care practice
Chaptered 9/2/2015 – CSRC support

Summary: This bill amended the Respiratory Care Act to include additional associated aspects of cardiopulmonary disease and treatment to include new technology, broadening the scope of inhaled gas administration, RCP administration of ECMO, and providing respiratory care education to students, health professionals and consumers.

Advocacy: CSRC supported bill author through drafting and amendment.

2014

Bill: Assembly Bill 1972 authored by Senator Jones

Respiratory care practitioners

Chaptered 7/23/2014 – CSRC support

Summary: Raise the minimum credential for applying for a California RCP license to the RRT credential.

Advocacy: The CSRC provided background information to the author and testified at a 2/2014 Respiratory Care Board meeting.

Bill: Senate Bill 850 authored by Senators Block and Hill

Public postsecondary education: community college districts: baccalaureate degree pilot programs

Chaptered 9/28/14 – CSRC support

Summary: Gave authority for a pilot program allowing two-year colleges (under qualifying conditions) to offer baccalaureate degree programs for certain allied health professions to include Respiratory Care.

2009

Bill: Senate Bill 132 authored by Senator Denham

Polysomnographic technologists: sleep and wake disorders

Chaptered 10/23/09 – CSRC support

Summary: Unregistered personnel performing polysomnography will be required to be registered with the medical board of CA. Personnel are required to meet education requirements, pass a competency exam, and undergo criminal background checks. California RCPs are exempt from meeting any additional requirements.

Advocacy: The CSRC worked on this bill and advocacy with the author beginning in 2002.

1996

Bill: Senate Bill 113 authored by Senator Maddy

Clinical laboratories

Chaptered 11/96

Summary: Changed CA laws on the licensure and regulations of clinical laboratories (including blood gas labs) and determined that point of care testing and using point of care testing are within the scope of practice of licensed RCPs.

Advocacy: The CSRC helped move this decision along after inquiry from the authors team. Work on this legislation began in 1991.

1994

Bill: Assembly Bill 1639 authored by Assembly Member Tucker
Blood Gas and Electrolytes

Became Senate Bill 113 – opposed by pathologists, clinical lab technologists, etc.

Summary: Allowed RCPs to analyze and report blood gas and electrolyte values from the same specimen.

1992

Bill: Assembly Bill 566 authored by Assembly Members Hunger and Filante
ECMO Scope of Practice

CSRC opposed – bill amended to not infringe on RCP scope of practice

Summary: This bill would threaten RCP participation in ECMO under RCP scope of practice

1991

Bill: Assembly Bill 798 authored by Assembly Member Tucker – Drafted by CSRC
Blood gas and electrolytes

Became Senate Bill 113 – opposed by pathologists, clinical lab technologists, etc.

Summary: Allowed RCPs to analyze and report blood gas and electrolyte values from the same specimen.

Bill: Senate Bill 956 authored by Senator Torres
12-hour shift work

CSRC opposed bill – bill did not pass into law.

Summary: This bill would have prevented 12-hour shift work.

1990

Bill: Assembly Bill 2425 authored by Assembly Member Polanco
Insurance Reimbursement

Summary: Adds respiratory care to the insurance code so private insurance call bill for respiratory care procedures.

Bill: Assembly Bill 224 authored by Assembly Member Vasconcellos
Medi-Cal Reimbursement

Summary: Authorized reimbursement for respiratory care services performed by RCPs in home care settings, skilled nursing facilities, clinics and physician offices.

Advocacy: The CSRC drafted this bill in 1987 after attempts to amend other related bills. The bill was introduced originally as AB 1242 authored by Assembly Member Tucker.

1989

Bill: Assembly Bill 1355 authored by Assembly Member Brown
ECMO Scope of Practice
Chaptered 1989

Summary: This bill included ECMO in RCP scope of practice.

Bill: Assembly Bill 1150 authored by Tucker
Amendments to Respiratory Care Practice Act

Summary: Amendments to improve the respiratory care act passed in 1982.

1987

CSRC testimony at National Labor Relations Board hearing for a bargaining unit beginning established in the Sacramento area resulted in RCP's being included in the Professional Labor Bargaining unit (with RNs and PTs) rather than the technical unit. This was the first occurrence of its kind in the country.

1982

Bill: Senate Bill 1287 authored by Senator Tucker
Respiratory Care Practice Act
Chaptered 9/1982

Summary: Roles would be clearly defined instead of being relegated to the "other professions" category. Reimbursement would be withheld due to lack of licensure.

Respiratory Care Examining Committee (now the RCB was formed on CSRC nominees)

Advocacy: The CSRC drafted the bill in 1980 and worked with many professional organizations to advocate for bill support and professional support. Many original opposing professional bodies later offered support.

1981

Bill: Senate Bill 118
Oxygen sales tax regulation

Summary: Exempted oxygen use in the home from CA sales tax.

The CSRC appeared before the Senate Revenue and Taxation Committee in support.

1980

Bill: Senate Bill 1033

Topical medications and physical therapy

CSRC opposed – bill was not passed into law

Summary: Would have allowed for Physical Therapists to administer topical medications to include aerosolized medications.

California Department of Consumer Affairs releases position statement that Respiratory Therapists may not perform oral endotracheal intubation (due to lack of licensure)

CSRC and CTS opposed and referred DCA to 1974 position statement delimiting the criteria under which RCPs could intubate the trachea.

1979

Transmittal 745: Would have denied payment for most services performed by RCPs.

CSRC and AARC opposed: rescinded and rewritten.

1978

Bill: Assembly Bill 2389

Blood gas analysis

Chaptered 6/78 – CSRC support

Summary: Would have prevented unlicensed personnel from withdrawing blood and performing blood gas analysis.

Advocacy: CSRC wrote a joint position statement with the California Thoracic Society, California Society of Pathologists, and California Society of Anesthesiologists to ensure that respiratory care practitioners could continue to perform blood gas analysis.