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BUSINESS AND PROFESSIONS CODE - BPC

DIVISION 2. HEALING ARTS [500 - 4999.129] (*Division 2 enacted by Stats. 1937, Ch. 399.*)

CHAPTER 10. Psychiatric Technicians [4500 - 4548] (*Chapter 10 added by Stats. 1959, Ch. 1851.*)

ARTICLE 4. Schools for Preparation of Psychiatric Technicians [4530 - 4532] (*Article 4 added by Stats. 1959, Ch. 1851.*)

4530. The board shall prepare and maintain a list of approved schools which offer an approved program for psychiatric technicians.
(Amended by Stats. 2011, Ch. 338, Sec. 21. (SB 539) Effective January 1, 2012.)

4531. The course of instruction of an approved school shall consist of not less than the number of hours or semester units of instruction required for the other program administered by the board. The subjects of instruction shall include the principles of the care of the mentally disabled and the developmentally disabled. Clinical inpatient experience shall be an integral part of that prescribed or equivalent course of study and training. The experience shall be obtained in a state hospital, except where the board finds that the requirement is not feasible due either to the distance of a state hospital from the school or the unavailability, as determined by the State Department of Developmental Services or the State Department of State Hospitals, of state hospital clinical training placements.

(Amended by Stats. 2012, Ch. 24, Sec. 5. (AB 1470) Effective June 27, 2012.)

4531.1. (a) The approval process for a school or program shall be consistent with the following timelines:

(1) (A) Upon receipt of a complete letter of intent to submit an application for approval as a school or program for psychiatric technicians, the board shall notify the proposed school or program of the steps in the approval process and provide an estimated wait time until active assignment to a nursing education consultant.

(B) A school or program for psychiatric technicians that fails to submit a complete letter of intent within 30 days from the date the board notifies the school or program of deficiencies shall be taken out of consideration for approval as a new school or program and may only reapply after six months.

(C) Upon active assignment of a nursing education consultant, the school or program shall submit an initial application for approval within 60 days.

(2) (A) Within 30 days of the date the board receives an initial application for approval, the board shall notify the school or program whether the application is complete.

(B) A notice that an initial application is not complete shall specify what additional documents or payment of fees the school or program is required to submit to the board to make the application complete.

(3) Within 60 days from the date the board notifies the school or program that the initial application is not complete, the school or program shall provide the missing information. If a school or program fails to submit the required information, the board shall take the application out of consideration consistent with subdivision (c) of Section 4531.2.

(4) Within six months of the date the board receives an initial application for approval as a school or program, the board shall approve the school or program, deny approval, or notify the school or program that corrective action is required.

(b) A school or program for psychiatric technicians seeking approval by the board shall remit to the board for deposit in the Vocational Nursing and Psychiatric Technicians Fund fees in accordance with the following schedule:

(1) The nonrefundable initial application fee shall be in an amount equal to the reasonable costs incurred by the board in reviewing and processing the application up to five thousand dollars (\$5,000).

(2) (A) Except as provided in subparagraph (B), the final approval fee shall be in an amount equal to the reasonable costs incurred by the board in the application approval process up to fifteen thousand dollars (\$15,000).

(B) The final approval fee for an applicant program that meets both of the following criteria shall be in an amount equal to the reasonable costs incurred by the board in the application approval process up to five thousand dollars (\$5,000):

(i) The program is affiliated with an approved school or program that is in good standing.

(ii) The program utilizes the curriculum and policies approved by the board for the approved school or program.

(3) The continuing approval fee shall be in an amount equal to the reasonable costs incurred by the board in providing oversight and review of a school or program up to five thousand dollars (\$5,000) once every four years.

(c) If the board makes an initial determination that the cost of providing oversight and review of a school or program under this section is less than the amount of any fees required to be paid by that school or program, the board shall decrease the fees applicable to that institution to an amount that is proportional to the board's reasonable costs associated with that school or program.

(d) The board may reduce the continuing approval fees, by no more than one-half of the established fee, for a program that experiences a reduction in enrollment capacity that directly leads to a reduction in state funding. The board shall require a program to provide documentation for the purposes of issuing the fee reduction.

(e) This section shall remain in effect only until January 1, 2029, and as of that date is repealed.

(Amended by Stats. 2024, Ch. 590, Sec. 10. (AB 3255) Effective January 1, 2025. Repealed as of January 1, 2029, by its own provisions.)

4531.2. (a) The board shall maintain a list of inactive schools and programs for psychiatric technicians seeking board approval.

(b) A school or program for psychiatric technicians seeking board approval shall respond to the board within two weeks of each inquiry or request during all phases of the application process after the school or program has submitted an initial application for approval pursuant to Section 4531.1. A school or program that does not respond within two weeks, fails to submit documentation required by the board in time, or fails to pay the required fees, shall be designated as inactive.

(c) A school or program for psychiatric technicians seeking board approval that has been on the inactive list for 90 days over the course of the application period shall be taken out of consideration for a new school or program and may only reapply after six months.

(Amended by Stats. 2024, Ch. 590, Sec. 11. (AB 3255) Effective January 1, 2025.)

4532. (a) It shall be the duty of the board, through an official representative, to inspect or review all schools or programs for psychiatric technicians in this state at such times as the board shall deem necessary. Written reports of the inspection or review shall be made to the board, which shall then approve the schools or programs that meet the requirements provided by the board.

(b) (1) Upon receiving the report of the representative, if the board determines that any school or program for psychiatric technicians is not maintaining the standard required by the board, notice thereof in writing specifying the defect or defects shall be immediately given to the school or program. If the defects are not corrected within a reasonable time, the school or program may be issued a citation and assessed a fine as specified under subdivision (c) or removed from the approved list and notice thereof in writing given to it.

(2) Until the board establishes regulations pursuant to subdivision (c), a school or program may only be removed from the approved list if defects are not corrected within a reasonable time.

(c) (1) The board may issue a citation, which may contain an order of abatement or an order to pay an administrative fine, if it has established, by regulation, a system for the issuance of citations to a psychiatric technician school or program that is consistent with Section 125.9.

(2) In the event that the school or program does not remit the assessed fine within 30 days, the board may place the school or program on provisional approval for up to six months or remove it from the approved school or program list and give it written notice of the removal.

(d) A school or program for psychiatric technicians removed from the approved list may apply for approval after 12 months from the date of their removal.

(Amended by Stats. 2024, Ch. 590, Sec. 12. (AB 3255) Effective January 1, 2025.)