

**State of California
Office of Administrative Law**

In re:
Board of Registered Nursing

Regulatory Action:

Title 16, California Code of Regulations

Adopt sections:

Amend sections: 1452

Repeal sections:

NOTICE OF APPROVAL OF REGULATORY
ACTION

Government Code Section 11349.3

OAL Matter Number: 2024-0201-03

OAL Matter Type: Regular (S)

This action amends regulations to align with AB 1407 (2021), reflecting that all new licensees in California must complete one hour of implicit bias continuing education training within the first two years of licensure. This action also bars a licensee from requesting an exemption for implicit bias continuing education course work.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 7/1/2024.

Date: March 14, 2024



Digitally signed by Mark
Storm
Date: 2024.03.14 10:13:53
-07'00'

Mark Storm
Senior Attorney

For: Kenneth J. Pogue
Director

Original: Loretta Melby, Executive Officer
Copy: Marissa Clark

NOTICE PUBLICATION/REGULATIONS SUBMISSION

REGULAR

For use by Secretary of State only

STD. 400 (REV. 10/2019)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER 224-0201-035	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

MAR 14 2024

2:05 pm

OFFICE OF ADMIN. LAW
2024 FEB 1 PM4:34

AGENCY WITH RULEMAKING AUTHORITY
Board of Registered Nursing

AGENCY FILE NUMBER (If any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE Continuing Education Requirement; Exemptions		TITLE(S) 16	FIRST SECTION AFFECTED CCR 1452	2. REQUESTED PUBLICATION DATE November 17, 2023
3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON Marissa Clark	TELEPHONE NUMBER 916-574-7438	FAX NUMBER (Optional) 916-574-7700
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER 223, 46-2	PUBLICATION DATE 11/17/23

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Continuing Education Requirement; Exemptions		1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)		
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)				
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT			
	AMEND CCR 1452			
TITLE(S) 16	REPEAL			
3. TYPE OF FILING				
<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)	
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only	
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Other (Specify) _____			
4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)				
5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)				
<input checked="" type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify) _____	
6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY				
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)		<input type="checkbox"/> Fair Political Practices Commission		<input type="checkbox"/> State Fire Marshal
<input checked="" type="checkbox"/> Other (Specify) Kimberly Kirchmeyer, Director, Department of Consumer Affairs				
7. CONTACT PERSON Marissa Clark	TELEPHONE NUMBER (916) 574-7438	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) marissa.clark@dca.ca.gov	

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Loretta Melby</i>	DATE 1/31/2024
TYPED NAME AND TITLE OF SIGNATORY Loretta Melby, Executive Officer, Board of Registered Nursing	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

MAR 14 2024

Office of Administrative Law

DEPARTMENT OF CONSUMER AFFAIRS
TITLE 16. BOARD OF REGISTERED NURSING

ORDER OF ADOPTION
Continuing Education Requirements; Exemptions

Legend:	Added text is indicated with an <u>underline</u> . Omitted text is indicated by (* * * *) Deleted text is indicated by strikeout .
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Amend section 1452 of Division 14 of Title 16 of the California Code of Regulations to read as follows:

§ 1452. ~~Exemption from Continuing Education Requirements; Exemptions~~

- (a) All licensees shall complete one hour of implicit bias training specified in section 1456 within the first two years of licensure.
- (ab) Except for the implicit bias training specified in subsection (a), during ~~During~~ the first two years immediately following initial licensure in California or other jurisdictions, licensees shall be exempt from completion of the continuing education requirements specified in Section 1451.
- (bc) Except for the implicit bias training specified in subsection (a), at ~~At~~ the time of making application for renewal, ~~an applicant~~ a licensee may request exemption from continuing education requirements if:
- (1) The licensee is requesting inactive status for the license; or
 - (2) The licensee can show evidence, satisfactory to the Board that
 - (A) the licensee has been employed overseas for a period of one (1) year or more, or a resident overseas for a period of one (1) year or more and currently employed; or
 - (B) the licensee is employed by a Federal Institution or Agency or one of the Military Services (USA), where ~~that person~~ licensee practicing nursing outside of the State of California on a California license, or
 - (C) the licensee has had hardship of one or more years' duration, if
 1. there is a total physical disability for one (1) year or more and verification of readiness or ability to return to work; or
 2. there is a total disability of a member of the immediate family for whom licensee has total responsibility for one (1) year or more.

NOTE: Authority: Section 2715, 2736.5, and 2811.5, Business and Professions Code. Reference: Section 2736.5 and 2811.5 Business and Professions Code.