STATE OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS

BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR

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Order Extending Time To Satisfy Examination Requirements

On March 4, 2020, the Governor proclaimed a State of Emergency to exist in California as a result of the impacts of COVID-19 to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare to respond to an increasing number of individuals requiring medical care and hospitalization as a result of a broader spread of COVID-19.

Pursuant to the Governor's Executive Order N-39-20, during the State of Emergency, the Director of the California Department of Consumer Affairs may waive any statutory or regulatory professional licensing requirements pertaining to individuals licensed pursuant to Division 2 of the Business and Professions Code, including requirements related to the examinations necessary to obtain licensure.

Accordingly, for chiropractor applicants whose applications are deemed abandoned between March 31, 2020, and November 30, 2020, due to the applicant failing to take the examinations prescribed by California Code of Regulations, title 16, section 349, subdivision (b)(4), the Director waives California Code of Regulations, title 16, section 348, to the extent it requires applicants to take the licensing examinations within one year, subject to the condition that an applicant must take the licensing examinations within 18 months after qualifying for them.

For dentist, registered dental assistant, orthodontic assistant, dental sedation assistant, and registered dental assistant in extended functions applicants whose applications are deemed abandoned between March 31, 2020 and November 30, 2020, due to the applicant failing to take the examinations prescribed by Business and Professions Code section 1632, subdivisions (a), (b), and (c)(2), section 1750.2, subdivision (a)(5), section 1750.4, subdivision (a)(5), section 1752.1, subdivisions (a)(1), (a)(2), (a)(3), and (f)(2), and section 1753, subdivisions (a)(4) and (b)(2), the Director waives California Code of Regulations, title 16, section 1004, subdivision (a)(2), to the extent it requires applicants to take the licensing examination within two years, subject to the condition that an applicant must take the licensing examination within two years, six months after the date the application was received by the Dental Board of California.

For dentist, registered dental assistant, orthodontic assistant, dental sedation assistant, and registered dental assistant in extended functions applicants whose applications are deemed abandoned between March 31, 2020 and November

30, 2020, due to the applicant failing to retake the examinations prescribed by Business and Professions Code section 1632, subdivisions (a), (b), and (c)(2), section 1750.2, subdivision (a)(5), section 1750.4, subdivision (a)(5), section 1752.1, subdivisions (a)(1), (a)(2), (a)(3), and (f)(2), and section 1753, subdivisions (a)(4) and (b)(2), the Director waives California Code of Regulations, title 16, section 1004, subdivision (a)(3), to the extent it requires applicants to retake an examination within two years, subject to the condition that an applicant must retake an examination within two years, six months after the date the applicant was notified of failing the examination.

For registered dental assistant in extended functions applicants whose applications are deemed abandoned between March 31, 2020 and November 30, 2020, due to the applicant failing to retake the clinical or practical component of the examination prescribed by Business and Professions Code section 1753, subdivision (a)(4), the Director waives California Code of Regulations, title 16, section 1004, subdivision (a)(4), to the extent it requires applicants to retake a failed examination component within two years, subject to the condition that an applicant must retake a failed examination component within two years, six months after the date the applicant was notified of failing the examination component.

For registered dental hygienist and registered dental hygienist in alternative practice applicants whose applications are deemed abandoned between March 31, 2020 and November 30, 2020, due to the applicant failing to take the examinations prescribed by Business and Professions Code section 1917, subdivisions (b), (c), and (d), and section 1922, the Director waives California Code of Regulations, title 16, section 1004, subdivision (a)(2), to the extent it requires applicants to take the licensing examination within two years, subject to the condition that an applicant must take the licensing examination within two years, six months after the date the application was received by the Dental Hygiene Board.

For occupational therapist and occupational therapy assistant applicants whose applications are deemed abandoned between March 31, 2020, and November 30, 2020, due to the applicant failing to take and pass the examination prescribed by Business and Professions Code section 2570.6, subdivision (e), the Director waives California Code of Regulations, title 16, section 4114, subdivision (a)(1), to the extent it requires applicants to submit a complete application to the California Board of Occupational Therapy (Board) within two years, subject to the condition that an applicant must submit a complete application to the Board within two years, six months after the application was originally received by the Board.

For physician and surgeon applicants whose applications are deemed abandoned between March 31, 2020, and November 30, 2020, due to the applicant failing to pass or retake Step 3 of the United States Medical Licensing Examination, the Director waives California Code of Regulations, title 16, section 1306, subdivision (a)(4), to the extent it requires applicants to pass or retake the examination within one year, subject to the condition that an applicant must pass or retake the examination within 18 months from the date of written notification by the Medical Board of California.

For psychologist applicants whose applications are deemed withdrawn between March 31, 2020, and November 30, 2020, due to the applicant failing to appear for an examination prescribed by California Code of Regulations, title 16, section 1388, subdivision (b), the Director waives California Code of Regulations, title 16, section 1381.4, to the extent it requires applicants to take or retake an examination within 12 months, subject to the condition that an applicant must take or retake the examination with 18 months of approval to take or retake the examination.

For registered spectacle lens dispenser and contact lens dispenser applicants whose applications are deemed abandoned between March 31, 2020, and November 30, 2020, due to the applicant failing to take and pass the examinations prescribed by Business and Professions Code sections 2559.2, subdivision (a) and 2561, the Director waives California Code of Regulations, title 16, section 1399.223, to the extent it requires applicants to complete the requirements for registration within one year, subject to the condition that an applicant must complete the requirements for registration within 18 months from the date the application was filed.

For physical therapist and physical therapist assistant applicants whose applications are deemed denied without prejudice between March 31, 2020, and November 30, 2020, due to the applicant failing to take and pass the examinations prescribed by Business and Professions Code section 2636, subdivision (a), and California Code of Regulations, title 16, section 1398.28, the Director waives California Code of Regulations, title 16, section 1398.21.1 to the extent it requires applicants to take and pass an examination within one year, subject to the condition that an applicant must take and pass an examination within 18 months from the date of the original notice to appear for the examination.

For registered nurse applicants whose applications are deemed abandoned between March 31, 2020, and November 30, 2020, due to the applicant failing to take the examination prescribed by Business and Professions Code section 2742 and California Code of Regulations, title 16, section 1409, the Director waives California Code of Regulations, title 16, section 1410.4, subdivision (a), to

the extent it requires applicants to take an examination within two years, subject to the condition that an applicant must take an examination within two years, six months from the date of the written notice of eligibility to take the examination.

For registered nurse applicants whose applications are deemed abandoned between March 31, 2020, and November 30, 2020, due to the applicant failing to take the examination prescribed by Business and Professions Code section 2742 and California Code of Regulations, title 16, section 1409, the Director waives California Code of Regulations, title 16, section 1410.4, subdivision (b), to the extent it requires applicants to take an examination within three years, subject to the condition that an applicant must take an examination within three years, six months from the date of the written evaluation notice.

For respiratory care practitioner applicants whose applications are deemed abandoned between March 31, 2020, and November 30, 2020, due to the applicant failing to take and pass the examination prescribed by Business and Professions Code section 3735, subdivision (a), the Director waives California Code of Regulations, title 16, section 1399.321 to the extent it requires applicants to submit a complete application and complete the initial licensure process within one year, subject to the condition that an applicant must submit a complete application and complete the initial licensure process within 18 months from the time the initial application is received by the Respiratory Care Board of California.

For veterinarian applicants who must take and pass the national veterinarian examination, California state board examination, and the veterinary law examination within a 60-month period that expires between March 31, 2020, and November 30, 2020, the Director waives California Code of Regulations, title 16, section 2015, subdivisions (a) and (b), to the extent applicants must take and pass the national veterinarian examination, California state board examination, and the veterinary law examination within 60-months of the administration of the initial examination, subject to the condition that an applicant must take and pass the national veterinarian examination, California state board examination, and the veterinary law examination within 66-months of the administration of the initial examination.

For vocational nurse applicants whose applications are deemed abandoned between March 31, 2020, and November 30, 2020, due to the applicant failing to take the examination prescribed by Business and Professions Code section 2870 and California Code of Regulations, title 16, section 2510, the Director waives California Code of Regulations, title 16, section 2512, subdivision (a)(3), to the extent it requires applicants to take the licensing examination within two years, subject to the condition that an applicant must take the licensing

examination within two years, six months after the first assigned date or after last failing the examination.

This order is effective immediately but may be amended as circumstances require.

Dated: September 30, 2020

Signature on File

Kimberly Kirchmeyer
Director