



Attorney General's Annual Report
on
Accusations Prosecuted for Department of
Consumer Affairs Client Agencies

Business and Professions Code Section 312.2

January 1, 2022

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January 1, 2022

EXECUTIVE SUMMARY

This is the fifth annual report by the Office of the Attorney General pursuant to Business and Professions Code section 312.2, which became effective on January 1, 2016, requiring annual reports to be filed by January 1 each year. This report is based on data from Fiscal Year 2020-21. It provides information concerning accusation referrals received and adjudicated for each Department of Consumer Affairs client agency represented by the Licensing Section and the Health Quality Enforcement Section of the Office of the Attorney General.

In Fiscal Year 2020-21, approximately half of the legal work performed by the Licensing Section and Health Quality Enforcement Section was for the prosecution of accusations, which are the focus of this report. During the fiscal year, 2,965 accusation referrals were received from the Department of Consumer Affairs client agencies. All matters were adjudicated, except that 7 percent of accusation referrals to the Office of the Attorney General were rejected, and 8 percent required further investigation.

The Office of the Attorney General adjudicated 2,861 accusation referrals during the year. The accusations adjudicated were referred to this office in Fiscal Year 2020-21 or in a prior fiscal year. Multiple adjudications can occur when more than one licensee is included within one matter, each with different adjudication dates and types, or when a client agency exercises its discretion to reject an original adjudication. Approximately 58 percent of the total adjudications were by stipulated settlement, 23 percent by default, 16 percent by administrative hearing¹, and 3 percent resulted from withdrawal of accusations by the agencies.

BACKGROUND

[Licensing Section and Health Quality Enforcement Section](#)

The Licensing Section and the Health Quality Enforcement Section of the Office of the Attorney General's Civil Law Division specialize in California professional and vocational licensing law. The two sections represent 36 Department of Consumer Affairs licensing oversight agencies that issue multiple types of professional and vocational licenses. They provide legal representation to these agencies in many kinds of licensing matters to protect California consumers and enhance the quality of the professions and vocations. Liaison deputies also regularly consult with agency staff to advise them on jurisdictional, legal, and programmatic issues. Each section's legal staff also provide training

¹ This report's information is provided against the backdrop of the COVID-19 pandemic in Fiscal Year 2020-21.

for the Department of Consumer Affairs Division of Investigation, agency investigators, and agency staff.

Both sections prosecute licensing matters, including accusations (license discipline), which comprise about 52 percent of their combined caseload. The balance of prosecution matters consists of:

- statements of issues—appeal hearings when a license application has been denied;
- interim suspension petitions—hearings before the Office of Administrative Hearings for immediate suspension of a license;
- injunction proceedings—brought in superior court to stop unlicensed practice;
- post-discipline matters—when a licensee petitions for reduction of penalty or reinstatement of a revoked license;
- citations—appeal hearings when a citation and/or fine has been issued;
- Penal Code section 23 petitions—seeking a license restriction during the pendency of a criminal proceeding;
- subpoena enforcement actions—to obtain records needed for the investigation of complaints;
- judicial review proceedings—superior court review of final administrative decisions;
- appeals—usually from superior court review proceedings;
- civil litigation related to license discipline—defending agencies in civil lawsuits brought in state or federal courts; and
- third-party subpoenas—to obtain records in litigation from non-party client agencies.

Business and Professions Code section 312.2 requests data only for the prosecution of accusation matters by the two sections. Accusations are the primary component of the enforcement program for each licensing agency. The legal services in other types of licensing matters handled by the sections are not included in this report, except where accusations are combined with petitions to revoke probation.

Department of Consumer Affairs Client Agencies

The 36 Department of Consumer Affairs agencies represented by the Licensing Section and the Health Quality Enforcement Section each have different licensing laws, programs, and processes unique to their practice areas. A few agencies issue only one type of license, but most issue multiple license types. As a result, agencies differ in how they refer accusation matters to the Office of the Attorney General. Some agencies refer one matter for each licensee, while others refer multiple licensees involved in the same or related acts for which discipline will be sought in a single accusation. Nearly half of client agencies represented by the Licensing Section file a single accusation naming all licensees involved in the events underlying the disciplinary action. None of the agencies represented by the Health Quality Enforcement Section file a single accusation against multiple licensees. Instead, a separate accusation is filed against each licensee. When multiple licensees are involved in the same events, the accusations may be consolidated for hearing. Any agency may also refer additional investigations to this office for prosecution while an initial accusation matter is pending, and these subsequent investigations are counted as additional *accusation referrals* in this report.

There are also other differences in how client agencies respond to and participate in legal matters. Some agencies have higher default rates, and some have higher rates of representation by counsel in their accusation matters. The applicable burden of proof varies based on the type of professional,

vocational, or business license. Generally, when there are specific educational and testing requirements to obtain a license, disciplinary charges must be proved by clear and convincing evidence to a reasonable certainty. Most accusation matters brought by Department of Consumer Affairs licensing agencies are subject to this burden of proof, but a few license types are subject to a lower burden of proof, i.e., preponderance of evidence. Generally, these are licenses that permit operation of a business at a specific location, such as an automotive repair dealership or pharmacy.

Only about a dozen Department of Consumer Affairs agencies are required to file their accusations within a prescribed statute of limitations, which generally ranges from one to five years, but may be longer in specific circumstances. Beginning on July 1, 2019, six Department of Consumer Affairs agencies were required to order disciplined licensees to provide patients a probation disclosure prior to their first visit concerning their probationary order in either all or specific circumstances. *Effective January 1, 2022*, all Department of Consumer Affairs client agencies are entitled to recover their costs of investigation and prosecution from respondents. The data included in this report are consistent with each client's licensing programs and practices to the extent possible. But as a result of variances among agencies, data are not typically comparable to each other in any meaningful way.

Investigation Process

Agencies also differ in how they investigate their cases. Most commonly, agencies investigate using their own staff, including inspectors, sworn and unsworn investigators, investigator assistants, or analysts. Certain kinds of cases must be referred to the Department of Consumer Affairs Division of Investigation, consistent with Complaint Prioritization Guidelines developed pursuant to Business and Professions Code section 328. Medical Board cases are excluded from the requirements of section 328. All agencies strive to investigate complaints efficiently and rely on the Attorney General's staff for counsel, as needed.

Administrative Adjudication Process

If the investigation reveals evidence that a licensee has violated the agency's practice act, the agency refers the matter to the Office of the Attorney General to initiate a legal proceeding to revoke, suspend, limit, or condition the license, which is called an *accusation*. (Gov. Code, § 11503.)

Upon receipt, a deputy attorney general reviews the transmitted evidence to determine its sufficiency to meet the requisite burden of proof and for any jurisdictional issues. If the evidence is insufficient and circumstances suggest additional avenues for evidentiary development, the deputy may request further investigation from the agency. When evidence is insufficient and further investigation is not recommended, or legal issues prevent prosecution, the Office of the Attorney General declines prosecution, and the case is rejected.

Based on sufficient evidentiary support, a deputy attorney general prepares an accusation to initiate the agency's adjudicative proceeding. In some cases, when the accusation is being prepared, a deputy attorney general may request supplemental investigation. The accusation pleading is sent to the agency for signature by the executive director, executive officer, or other designated *complainant* for the agency. The accusation is *filed* when the complainant signs it. When charged in an accusation, a respondent has a right to an adjudicative hearing under the California Administrative Procedure Act (Gov. Code, §11500 et seq.). Once served with the accusation, the respondent must file a *notice of defense* within fifteen days, or is in default. Once the notice of defense has been received, a hearing

is scheduled with the Office of Administrative Hearings. If no notice of defense is received, then a default is prepared for presentation to the client agency.

The deputy attorney general prosecutes the accusation case before the Office of Administrative Hearings. Upon conclusion of the hearing, the case is submitted to the administrative law judge who presided over the hearing. The administrative law judge prepares a proposed decision and sends it to the agency for its board or committee's voting and decision. Of course, a stipulated settlement, which can include a public reprimand, probation, stipulated license surrender, or revocation, can occur at any time and is the most common method of adjudication of accusation matters.

The agency itself, through the board or committee, makes its decision in each accusation case. The agency can accept or reject a settlement, and if rejected, the proceedings will continue. After an administrative hearing, the agency can accept the proposed decision issued by the administrative law judge, in which case it becomes final. However, the agency may opt to reduce the penalty or reject the proposed decision and order the hearing transcript. After review of the transcript and the evidence, the agency can then adopt the proposed decision or issue its own decision. Most cases are resolved when the agency accepts a stipulated settlement or proposed decision. But if not, additional proceedings ensue, which take more time.

Even after an agency's decision is issued, it may not be final. A respondent may exercise the right to petition for reconsideration and, if granted by the agency, the decision will be reconsidered. This can also happen if an agency decides a case based upon the default of a respondent for failure to file a timely notice of defense or failure to appear at a duly noticed hearing. Upon petition by the respondent, the agency can vacate the default decision and additional proceedings are conducted. Each of these types of *post-submission* events will lengthen the processing of a case and require further adjudication.

Once the agency's decision is final, it is still subject to judicial review in administrative mandamus and appellate proceedings. In very few cases, judicial review under Civil Procedure Code section 1094.5 results in remand to the agency to conduct further administrative proceedings or reconsider its decision. In these cases, the final decision of the agency may be delayed by months or even years.

MEASURES REPORTED

The text of Business and Professions Code section 312.2 is set forth in its entirety in the attached appendix. We provide the following interpretation of terms and description of the manner in which data were gathered for each of the reporting metrics in subdivisions (a)(1)--(a)(7) and (b)(1)--(b)(6).

(a)(1) The number of accusation matters referred to the Attorney General.

Accusation matter means an investigation of one or more complaints that an agency has referred to the Office of the Attorney General. This office will review evidence and, if appropriate, prosecute the matter through the disciplinary process as an accusation.

Accusation matters are counted by each investigation report received that bears a distinct investigation number. Some agencies request that more than one respondent be named and prosecuted in a single accusation, in which case the investigation number is counted as an accusation matter for each respondent. Multiple investigations may be referred during the time that the Office of

the Attorney General is prosecuting the agency's initial accusation referral, which can span different fiscal years. Each investigation received during the reporting period is counted for each respondent to which it pertains.

(a)(2) The number of accusation matters rejected for filing by the Attorney General.

Rejected for filing describes the determination, made by a deputy attorney general with a supervisor's approval, that an accusation should not be filed. An accusation can be rejected for many reasons, including: (1) the evidence submitted is insufficient to meet the burden of proof to sustain a cause for discipline under the agency's applicable practice act; (2) the events in question are not within the statute of limitations; and (3) disciplinary action is not supported by law or public policy. When prosecution is declined, the investigative file is returned to the client agency and the case is closed in the Office of the Attorney General.

A rejection for filing during the reporting period is counted once for each respondent to which the rejection pertains, without regard to the number of investigations referred to the Office of the Attorney General for consideration.

(a)(3) The number of accusation matters for which further investigation was requested by the Attorney General.

Further investigation requested describes an instance in which a deputy attorney general determines that the evidence in the investigation is insufficient to meet the burden of proof, but that there are avenues available to augment the evidence and support a cause for discipline under the agency's applicable practice act. With supervisory approval, the deputy may request further investigation from the agency, the Division of Investigation, or internally at the Office of the Attorney General. When further investigation is requested in a matter handled by the Licensing Section, the file remains open pending receipt of supplemental investigation and is documented accordingly. In the Health Quality Enforcement Section, the file is returned to the client agency and the matter is closed. The file is reopened if the matter is rereferred to the Office of the Attorney General with additional evidence.

Each request for further investigation made during the reporting period is counted in each matter, and is not necessarily associated with the number of referrals received in the matter, or the number of respondents to which the further investigation may pertain. There may be only one request for further investigation in a matter that contains more than one respondent or more than one investigation. There may also be more than one further investigation request made pertaining to a single respondent in a matter with only one referral.

(a)(4) The number of accusation matters for which further investigation was received by the Attorney General.

Further investigation received describes the additional investigation received as a result of further investigation requested, as described above. Very rarely will an agency refer a matter back to the Office of the Attorney General with an *additional* investigation and request reconsideration of a previous decision not to prosecute (i.e., rejection). If the matter is accepted for prosecution, this is also recorded as further investigation received. Additional investigation received is distinguished from a

new referral of an accusation matter from a client agency, which is counted in subdivision (a)(1), but is not counted in (a)(4).

Each supplemental investigation received during the reporting period is counted in each matter and is not necessarily associated with the number of referrals received in the matter or the number of respondents to which the further investigation may pertain.

(a)(5) The number of accusations filed by each constituent entity.

Accusation means the initial accusation filed in a matter to initiate proceedings to revoke or suspend a license against one or more respondents, and any subsequent amended accusation filed in the matter. Accusations may be amended during the pendency of a case for a variety of reasons, most commonly because the client agency refers an additional investigation of a new complaint and the accusation is amended to add new causes for discipline based on the new investigation. *Filed* means the accusation or amended accusation is signed by the agency's designee, known as the complainant, who is usually the executive officer or executive director of the agency. The accusation is filed on the date the document is signed.

Each accusation or amended accusation filed during the reporting period is counted and reported under subdivision (a)(5).

(a)(6) The number of accusations a constituent entity withdraws.

On occasion, the complainant *withdraws* the accusation after it has been filed, terminating the prosecution of the accusation matter. A common reason for an accusation to be withdrawn is the death of the respondent against whom the accusation is filed. In other cases, the evidentiary basis for the matter may change during litigation, or evidence received from a respondent in the course of discovery may lead to re-evaluation of the merits of the case.

The withdrawal of an accusation is counted separately for each respondent named in the accusation.

(a)(7) The number of accusation matters adjudicated by the Attorney General.

Adjudication means that the work of the Office of the Attorney General has been completed and the case will be brought before the agency's decision maker for its final decision. There are four types of adjudicative events: (1) a default decision and order is prepared and sent to the agency because a respondent did not file a notice of defense or failed to appear at a duly noticed administrative hearing; (2) a stipulated settlement is signed by a respondent and sent to the agency, which considers the acceptance of the disposition of the matter for that respondent; (3) the submission of the case at the conclusion of an administrative hearing to an administrative law judge to prepare a proposed decision, and the decision is sent to the agency for its consideration; and (4) withdrawal of an accusation by the complainant, which terminates the matter. An adjudicative event for each respondent named in an accusation is necessary before the matter is fully adjudicated. Every adjudicative event that occurs during the reporting period is counted.

Multiple adjudicative events can also occur in cases with only a single respondent. This happens when an agency does not accept a stipulated settlement, does not adopt a proposed decision submitted by an administrative law judge, grants reconsideration of its decision, or when a superior court judge remands the matter to the agency for further consideration.

(b)(1) The average number of days from the Attorney General receiving an accusation referral to when an accusation is filed by the constituent entity.

The date that each accusation referral is received in the Office of the Attorney General is documented. The calculation of the average reported for subdivision (b)(1) begins on the date of receipt of the first accusation referral in each matter and ends on the date the complainant signs the initial accusation. Amended accusations received after the client agency's initial referral are not included in the average.

(b)(2) The average number of days to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received by the Attorney General from a constituent entity or the Division of Investigation.

Prepare an accusation in subdivision (b)(2) is different from *filing an accusation* in subdivision (b)(1). An accusation is *prepared* (i.e., the preparation is based on a deputy attorney general's familiarization with the technical subject matter issues, thorough review of the evidence and expert reports to determine chargeable causes for discipline, then drafting, and supervisorial review of the accusation) by the assigned deputy and then sent to the complainant at the agency to be reviewed, approved, and signed.

Rereferred means the date when supplemental investigation has been received by the Office of the Attorney General in response to a request for further investigation, or, in rare cases, following rejection of an accusation matter.

The calculation of the average reported for subdivision (b)(2) begins on the date each initial accusation referral was received in the Office of the Attorney General – including time for initial review of the matter, request for further investigation, further investigation conducted, receipt of the supplemental investigation by the Office of the Attorney General from the agency, re-review by the deputy, and the deputy preparing the accusation – and ends on the date the deputy sends the prepared accusation to the complainant for review and filing in each matter. The average may also include the review of additional referrals received while further investigation is being conducted on the initial referral.

Notably, the matters that required further investigation before preparation of an accusation reported in subdivision (b)(2) are included in the average number of days to file accusations reported in subdivision (b)(1). As a consequence, delays in *preparing* accusations for cases that required further investigation generally will increase the average number of days to *file* the agency's accusations (reported in subdivision (b)(1)).

(b)(3) The average number of days from an agency filing an accusation to the Attorney General transmitting a stipulated settlement to the constituent entity.

Settlements are negotiated according to authorization provided by the complainant based on the agency's published disciplinary guidelines. A stipulated settlement is provided to the agency's decision maker who decides whether to accept the settlement as its disposition of the case against the respondent.

The calculation of the average reported for subdivision (b)(3) begins on the date of filing for the initial accusation in each matter, and ends on the date the stipulated settlement for each respondent is sent to the agency for its consideration.

(b)(4) The average number of days from an agency filing an accusation to the Attorney General transmitting a default decision to the constituent entity.

If a respondent fails to send a notice of defense to the assigned deputy attorney general or agency within 15 days after service of the accusation, or fails to appear at a duly noticed administrative hearing on the accusation, the respondent is in default. The agency can opt to present the case to an administrative law judge without participation by the respondent, who has defaulted. However, most often the agency requests that the deputy prepare a default decision and order for the agency's decision maker to consider issuing as its final decision against the respondent. Many agencies have delegated authority to their executive officers to adopt default decisions as a matter of course, without consideration by the board itself.

The calculation of the average reported for subdivision (b)(4) begins on the date each initial accusation in a matter is filed, and ends on the date of transmission of the default decision and order to the agency for each respondent.

(b)(5) The average number of days from an agency filing an accusation to the Attorney General requesting a hearing date from the Office of Administrative Hearings.

After a notice of defense has been received from each respondent named in an accusation, the deputy attorney general assigned to the matter is responsible for coordinating with opposing counsel, unrepresented respondents, prosecution witnesses, and the Office of Administrative Hearings to determine a hearing date when everyone is available. The deputy attorney general prepares a request to set the hearing based on this coordination and sends it to the Office of Administrative Hearings to calendar the hearing.

The calculation of the average reported for subdivision (b)(5) begins on the date the initial accusation in each matter is filed, and ends on the date the request to set a hearing is sent to the Office of Administrative Hearings. Infrequently, a request to set a hearing is done more than once in a case, usually because a continuance has been granted. Only the first request to set a hearing in a case is included in calculating the average.

(b)(6) The average number of days from the Attorney General's receipt of a hearing date from the Office of Administrative Hearings to the commencement of a hearing.

When the Office of Administrative Hearings receives the request to set hearing sent by the deputy attorney general, the hearing date is set on its calendar and the parties are informed of the hearing date. Unless an intervening motion for a continuance is granted by an administrative law judge, the hearing will commence on that date and, depending on the length of the hearing and intervening factors, may conclude on the same day or at a later date.

The calculation of the average reported for subdivision (b)(6) begins on the date the deputy attorney general receives notice from the Office of Administrative Hearings that the hearing date has been set, and ends on the date the hearing actually commences. When motions to continue hearings are granted, the commencement of hearings are delayed, and the average number of days will increase as a consequence.

METHODOLOGY

Case Management System

This report is based on data entered by legal professionals in ProLaw, the case management system of the Office of the Attorney General. Each matter received from a client by the Licensing Section and the Health Quality Enforcement Section is opened in this system. Rules for data entry have been created by the sections and are managed by the Case Management Section of the Office of the Attorney General, which dictates the definitions, dating, entry, and documentation for each data point. Section-specific protocols, business processes, and uniform standards across all professionals responsible for data entry ensure the consistency, veracity, and quality of the reported data. The data entered have been verified to comply with established standards. The data markers in administrative cases have been used to generate the counts and averages in this report. Every effort has been made to report data in a transparent, accurate, and verifiable manner. The Office of the Attorney General continues to improve its technology, systems, and protocols, and to integrate these improvements into its business routines and operations.

Data Presentation

The information required to be reported by Business and Professions Code section 312.2 has been organized separately for each constituent entity in the Department of Consumer Affairs represented by the Licensing Section and the Health Quality Enforcement Section of the Office of the Attorney General.

Each entry includes the number and types of licenses issued by the agency, which were taken from the 2020 Annual Report of the California Department of Consumer Affairs containing data from Fiscal Year 2019–20, or otherwise verified by the licensing agency. The report can be found online at: https://www.dca.ca.gov/publications/2020_annrpt.pdf.

Each client agency is unique and cannot easily be compared to others. The following Department of Consumer Affairs website contains links for further information: http://www.dca.ca.gov/about_dca/entities.shtml.

Any applicable statute of limitations has been included for each client agency's entry, as well as the frequency of agency accusations naming more than one respondent.

Table 1 on the entry for each agency provides the *counts* for various aspects of accusation matters as requested under subdivision (a) of Business and Professions Code section 312.2, such as the number of accusation referrals received and the number of accusations filed (subds. (a)(1) and (a)(5)).

Table 2 provides metrics required under Business and Professions Code subdivision (b) of section 312.2, which are based on accusation matters adjudicated during the year as reported under subdivision (a)(7). We have included the mean, median, standard deviation, and number of values in the data set. The average expresses the central or typical value in a set of data, which is most commonly known as the arithmetic mean. The central value in an ordered set of data is the median. Compared to the median, the mean is more sensitive to extreme values, or *outliers*, and the number of values, or *sample size*. When the mean and median are nearly equivalent, that is a likely indicator that there are few extreme values in the data set. However, when there is a large difference between the mean and median, it is likely that extreme values are skewing the data. The standard deviation (SD) for a data set reflects dispersion. A low SD indicates that data points tend to be close to the mean, while a high SD indicates that data points are spread out over a wider range of values.

The individual client agency entries that follow have been organized in alphabetical order for convenience.

California Board of Accountancy

The California Board of Accountancy regulated 108,168 licensees in Fiscal Year 2019–20, with six license types. Most complaints received by the board are investigated by the board’s own investigators, who are either certified public accountants or analysts. Some investigations are assisted by the Office of Attorney General and the Board’s Enforcement Advisory Committee through the taking of testimony under oath of licensees under investigation. There were multiple respondents in about 26 percent of the board’s accusation cases prosecuted by the Office of the Attorney General in Fiscal Year 2020–21. There is no statute of limitations within which to file accusations for this agency.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	59
(2) accusation matters rejected for filing by the Attorney General.	0
(3) accusation matters for which further investigation was requested by the Attorney General.	2
(4) accusation matters for which further investigation was received by the Attorney General.	0
(5) accusations filed.	46
(6) accusations withdrawn.	1
(7) accusation matters adjudicated by the Attorney General.	47

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	137	125	55	42
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	142	142	0	1
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	184	143	147	36
(4) from the filing of an accusation to when a default decision is sent to the agency.	64	66	20	7
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	127	127	77	2
(6) from the Attorney General’s receipt of a hearing date to the commencement of a hearing.	202	202	62	2

California Acupuncture Board

The California Acupuncture Board regulated 12,247 licensees in Fiscal Year 2019–20, with one license type — Licensed Acupuncturist. Complaints received by the Board are investigated by the Department of Consumer Affairs Division of Investigation, Investigations and Enforcement Unit. There is no statute of limitations within which to file accusations for this agency.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	8
(2) accusation matters rejected for filing by the Attorney General.	0
(3) accusation matters for which further investigation was requested by the Attorney General.	0
(4) accusation matters for which further investigation was received by the Attorney General.	2
(5) accusations filed.	8
(6) accusations withdrawn.	1
(7) accusation matters adjudicated by the Attorney General.	11

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	138	72	165	11
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	600	600	0	1
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	248	238	109	8
(4) from the filing of an accusation to when a default decision is sent to the agency.	314	314	138	2
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	116	56	120	4
(6) from the Attorney General's receipt of a hearing date to the commencement of a hearing.	174	174	0	1

California Architects Board

The California Architects Board regulated 21,934 licensees in Fiscal Year 2019–20, with one license type — Architect. Most complaints received by the board are investigated by the Board’s own staff and architect consultants and, when appropriate, referred to the Department of Consumer Affairs Division of Investigation, Investigations and Enforcement Unit. The statute of limitations to file an accusation is generally five years from discovery of the act or omission charged in the accusation.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	6
(2) accusation matters rejected for filing by the Attorney General.	0
(3) accusation matters for which further investigation was requested by the Attorney General.	0
(4) accusation matters for which further investigation was received by the Attorney General.	0
(5) accusations filed.	7
(6) accusations withdrawn.	0
(7) accusation matters adjudicated by the Attorney General.	5

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	95	86	33	5
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	0	0	0	0
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	187	187	0	1
(4) from the filing of an accusation to when a default decision is sent to the agency.	48	48	15	2
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	110	110	0	1
(6) from the Attorney General’s receipt of a hearing date to the commencement of a hearing.	238	238	0	1

California State Athletic Commission

The California State Athletic Commission regulated 2,338 licensees in Fiscal Year 2019–20 with eight license types. The commission referred three other matters to the Office of the Attorney General in Fiscal Year 2020–21, but did not refer any accusation matters. There is no statute of limitations within which to file accusations for this agency.

There were no accusation prosecution data for this agency in Fiscal Year 2020–21.

Bureau of Automotive Repair

The Bureau of Automotive Repair regulated 70,891 licensees in Fiscal Year 2019–20, with nine license types. Complaints and other matters are investigated by the bureau’s own program representatives. There were multiple respondents in approximately 33 percent of the bureau’s accusation cases prosecuted by the Office of the Attorney General in Fiscal Year 2020–21. The statute of limitations to file an accusation is generally three years from the act or omission charged in the accusation.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	262
(2) accusation matters rejected for filing by the Attorney General.	0
(3) accusation matters for which further investigation was requested by the Attorney General.	1
(4) accusation matters for which further investigation was received by the Attorney General.	1
(5) accusations filed.	180
(6) accusations withdrawn.	6
(7) accusation matters adjudicated by the Attorney General.	350

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	146	115	118	262
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	283	226	210	3
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	350	307	210	180
(4) from the filing of an accusation to when a default decision is sent to the agency.	126	61	186	88
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	117	102	90	76
(6) from the Attorney General’s receipt of a hearing date to the commencement of a hearing.	223	176	154	63

Board of Barbering and Cosmetology

The Board of Barbering and Cosmetology regulated 620,227 licensees in Fiscal Year 2019–20 with 12 license types. The board receives consumer complaints and routinely inspects establishments for health and safety. The board’s cases are investigated by the board’s own inspectors or other staff, and when appropriate, may also be referred to the Department of Consumer Affairs Division of Investigation, Investigations and Enforcement Unit. Approximately 8 percent of the board’s accusation cases prosecuted by the Office of the Attorney General in Fiscal Year 2020–21 had multiple respondents. There is no statute of limitations within which to file accusations for this agency.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	15
(2) accusation matters rejected for filing by the Attorney General.	3
(3) accusation matters for which further investigation was requested by the Attorney General.	0
(4) accusation matters for which further investigation was received by the Attorney General.	0
(5) accusations filed.	25
(6) accusations withdrawn.	0
(7) accusation matters adjudicated by the Attorney General.	54

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	88	87	50	49
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	89	89	0	1
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	230	223	124	25
(4) from the filing of an accusation to when a default decision is sent to the agency.	83	57	68	14
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	140	109	125	18
(6) from the Attorney General’s receipt of a hearing date to the commencement of a hearing.	120	126	58	11

Board of Behavioral Sciences

The Board of Behavioral Sciences regulated 120,680 licensees in Fiscal Year 2019–20 with seven license types. Most complaints received by the board are investigated by the board’s own investigators or staff, or referred to the Department of Consumer Affairs Division of Investigation, Investigations and Enforcement Unit, when appropriate. The statute of limitations to file an accusation is generally three years from discovery of the act or omission charged in the accusation.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	57
(2) accusation matters rejected for filing by the Attorney General.	1
(3) accusation matters for which further investigation was requested by the Attorney General.	1
(4) accusation matters for which further investigation was received by the Attorney General.	1
(5) accusations filed.	60
(6) accusations withdrawn.	2
(7) accusation matters adjudicated by the Attorney General.	73

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	72	65	45	70
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	160	160	59	2
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	178	153	109	49
(4) from the filing of an accusation to when a default decision is sent to the agency.	69	44	58	14
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	112	94	84	23
(6) from the Attorney General’s receipt of a hearing date to the commencement of a hearing.	172	136	143	6

Cemetery and Funeral Bureau

The Cemetery and Funeral Bureau regulated 13,093 licensees in Fiscal Year 2019–20 with 12 license types. Most complaints received by the bureau are investigated by the bureau’s field representatives or staff or referred to the Department of Consumer Affairs Division of Investigation, Investigations and Enforcement Unit, when appropriate. Approximately 63 percent of the bureau’s accusation cases prosecuted by the Office of the Attorney General in Fiscal Year 2020–21 had multiple respondents. The statute of limitations to file an accusation is generally three years from the act or omission for cemetery licensees and two years for funeral licensees charged in the accusation.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	17
(2) accusation matters rejected for filing by the Attorney General.	0
(3) accusation matters for which further investigation was requested by the Attorney General.	0
(4) accusation matters for which further investigation was received by the Attorney General.	0
(5) accusations filed.	11
(6) accusations withdrawn.	0
(7) accusation matters adjudicated by the Attorney General.	10

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	178	181	91	8
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	0	0	0	0
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	290	165	194	7
(4) from the filing of an accusation to when a default decision is sent to the agency.	164	161	66	3
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	182	168	132	3
(6) from the Attorney General’s receipt of a hearing date to the commencement of a hearing.	0	0	0	0

Board of Chiropractic Examiners

The Board of Chiropractic Examiners regulated 12,771 licensees in Fiscal Year 2019–20 with one license type — Doctor of Chiropractic. It also authorizes satellite offices, chiropractic corporations, and referral services. Most complaints received by the board are investigated by the board’s own investigators or staff, or referred to the Department of Consumer Affairs Division of Investigation, Investigations and Enforcement Unit, when appropriate. There is no statute of limitations within which to file accusations for this agency. Effective July 1, 2019, all licensees subject to an order of probation issued on or after July 1, 2019 must provide a probation disclosure to their patients or their patients’ guardians or health care surrogates prior to their first visit.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	41
(2) accusation matters rejected for filing by the Attorney General.	2
(3) accusation matters for which further investigation was requested by the Attorney General.	6
(4) accusation matters for which further investigation was received by the Attorney General.	7
(5) accusations filed.	32
(6) accusations withdrawn.	0
(7) accusation matters adjudicated by the Attorney General.	26

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	116	88	110	26
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	193	142	74	3
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	292	230	226	21
(4) from the filing of an accusation to when a default decision is sent to the agency.	59	48	22	3
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	164	118	132	10
(6) from the Attorney General’s receipt of a hearing date to the commencement of a hearing.	308	308	104	2

Contractors State License Board

The Contractors State License Board regulated 306,147 licensees in Fiscal Year 2019–20 with two license types and many classifications, including General Contractor. Most complaints received by the board are investigated by the board’s own enforcement representatives, some of whom are sworn investigators. Approximately 28 percent of the board’s accusation cases prosecuted by the Office of the Attorney General in Fiscal Year 2020–21 had multiple respondents, including licensees affiliated with respondents that are entities. The statute of limitations to file an accusation is generally four years from an act or omission charged in the accusation.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	220
(2) accusation matters rejected for filing by the Attorney General.	2
(3) accusation matters for which further investigation was requested by the Attorney General.	7
(4) accusation matters for which further investigation was received by the Attorney General.	11
(5) accusations filed.	168
(6) accusations withdrawn.	7
(7) accusation matters adjudicated by the Attorney General.	355

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	174	117	155	286
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	315	254	246	16
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	351	307	233	124
(4) from the filing of an accusation to when a default decision is sent to the agency.	123	63	158	126
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	141	128	71	69
(6) from the Attorney General’s receipt of a hearing date to the commencement of a hearing.	202	158	109	72

Court Reporters Board of California

The Court Reporters Board of California regulated 6,085 licensees in Fiscal Year 2019–20, with one license type — Certified Shorthand Reporter. Most complaints received by the board are investigated by the board’s own staff, or are referred to the Department of Consumer Affairs Division of Investigation, Investigations and Enforcement Unit when appropriate. There is no statute of limitations within which to file accusations for this agency.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	4
(2) accusation matters rejected for filing by the Attorney General.	0
(3) accusation matters for which further investigation was requested by the Attorney General.	1
(4) accusation matters for which further investigation was received by the Attorney General.	1
(5) accusations filed.	4
(6) accusations withdrawn.	0
(7) accusation matters adjudicated by the Attorney General.	4

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	102	101	17	4
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	0	0	0	0
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	196	196	138	2
(4) from the filing of an accusation to when a default decision is sent to the agency.	72	72	30	2
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	0	0	0	0
(6) from the Attorney General’s receipt of a hearing date to the commencement of a hearing.	0	0	0	0

Dental Board of California

The Dental Board of California regulated 195,495 licensees in Fiscal Year 2019–20, with 16 license types. Most complaints received by the board are investigated by the board’s own staff or investigators, some of whom are sworn investigators. They may also be referred to the Department of Consumer Affairs Division of Investigation, Investigations and Enforcement Unit when appropriate. The statute of limitations to file an accusation is generally three years from discovery of the act or omission charged in the accusation.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	118
(2) accusation matters rejected for filing by the Attorney General.	2
(3) accusation matters for which further investigation was requested by the Attorney General.	8
(4) accusation matters for which further investigation was received by the Attorney General.	6
(5) accusations filed.	97
(6) accusations withdrawn.	4
(7) accusation matters adjudicated by the Attorney General.	65

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	92	54	91	62
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	158	104	94	3
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	327	309	204	44
(4) from the filing of an accusation to when a default decision is sent to the agency.	51	42	17	7
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	187	144	158	21
(6) from the Attorney General’s receipt of a hearing date to the commencement of a hearing.	278	225	121	9

Dental Hygiene Board of California

The Dental Hygiene Board of California regulated 18,671 licensees in Fiscal Year 2019–20, with four license types. Most complaints received by the board are investigated by board staff: an enforcement analyst and a non-sworn special investigator. However, some complaints require assistance from Dental Board Investigators, who are sworn officers and have jurisdiction over a dental office. There is no statute of limitations within which to file accusations for this agency.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	3
(2) accusation matters rejected for filing by the Attorney General.	1
(3) accusation matters for which further investigation was requested by the Attorney General.	0
(4) accusation matters for which further investigation was received by the Attorney General.	0
(5) accusations filed.	8
(6) accusations withdrawn.	0
(7) accusation matters adjudicated by the Attorney General.	11

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	79	85	41	8
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	0	0	0	0
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	264	264	74	6
(4) from the filing of an accusation to when a default decision is sent to the agency.	69	69	43	2
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	114	120	46	4
(6) from the Attorney General’s receipt of a hearing date to the commencement of a hearing.	216	216	0	1

Bureau of Household Goods and Services

The Bureau of Household Goods and Services regulated 43,491 licensees in Fiscal Year 2019–20 with 16 license types. Most complaints received by the bureau are investigated by the bureau’s own investigators or staff, or are referred to the Department of Consumer Affairs Division of Investigation, Investigations and Enforcement Unit when appropriate. There is no statute of limitations within which to file accusations for this agency.

There were no accusation prosecution data for this agency in Fiscal Year 2020–21.

Landscape Architects Technical Committee

The Landscape Architects Technical Committee regulated 3,729 licensees in Fiscal Year 2019–20, with one license type — Landscape Architect. Most complaints received by the committee are investigated by the committee’s own enforcement staff, and some are reviewed by the committee’s subject matter experts. When appropriate, complaints may be referred to the Department of Consumer Affairs Division of Investigation, Investigations and Enforcement Unit. The statute of limitations to file an accusation is generally three years from discovery of the act or omission charged in the accusation.

There were no accusation prosecution data for this agency in Fiscal Year 2020–21.

Licensed Midwives Program (Medical Board of California)

The Medical Board of California regulated 460 licensees in Fiscal Year 2019–20, with one license type — Licensed Midwife. Complaints received by the Midwives Program are investigated by the Department of Consumer Affairs Division of Investigation, Health Quality Investigation Unit. There is no specific statute of limitations within which to file accusations for this program. However, because licensed midwives are within the jurisdiction of the Medical Board of California, accusations are filed within the same limitations period pertaining to the Medical Board, which is generally three years from the discovery of the act or omission charged in the accusation.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	3
(2) accusation matters rejected for filing by the Attorney General.	0
(3) accusation matters for which further investigation was requested by the Attorney General.	0
(4) accusation matters for which further investigation was received by the Attorney General.	2
(5) accusations filed.	2
(6) accusations withdrawn.	0
(7) accusation matters adjudicated by the Attorney General.	2

Table 2 are based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	105	105	0	2
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	0	0	0	0
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	775	775	0	2
(4) from the filing of an accusation to when a default decision is sent to the agency.	0	0	0	0
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	0	0	0	0
(6) from the Attorney General's receipt of a hearing date to the commencement of a hearing.	0	0	0	0

Medical Board of California

The Medical Board of California regulated 167,727 licenses, registrations, and permits of nine types in Fiscal Year 2019–20 (excluding Licensed Midwives, data for which is set forth on the preceding page). Data for Physicians and Surgeons, Research Psychoanalysts, and Polysomnographic Program are consolidated below. Complaints received by the Board are investigated by its in-house Complaint Investigation Office or by the Department of Consumer Affairs Division of Investigation, Health Quality Investigation Unit. The statute of limitations to file an accusation is generally three years from discovery of the act or omission charged in the accusation.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	616
(2) accusation matters rejected for filing by the Attorney General.	124
(3) accusation matters for which further investigation was requested by the Attorney General.	87
(4) accusation matters for which further investigation was received by the Attorney General.	354
(5) accusations filed.	472
(6) accusations withdrawn.	19
(7) accusation matters adjudicated by the Attorney General.	379

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	91	69	84	369
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	167	135	122	23
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	324	283	204	271
(4) from the filing of an accusation to when a default decision is sent to the agency.	103	52	113	26
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	181	119	191	135
(6) from the Attorney General's receipt of a hearing date to the commencement of a hearing.	211	174	148	61

Naturopathic Medicine Committee

The Naturopathic Medicine Committee regulated 1,172 licensees in Fiscal Year 2019–20, with one type of license — Naturopathic Doctor. Complaints received by the Board are investigated by the Department of Consumer Affairs Division of Investigation, Investigations and Enforcement Unit. The Committee did not refer any accusation matters in Fiscal Year 2020–21. There is no statute of limitations within which to file accusations for this agency.

There was no accusation prosecution data for this agency in Fiscal Year 2020–21.

California Board of Occupational Therapy

The Board of Occupational Therapy regulated 18,308 licensees in Fiscal Year 2019–20, with two license types. Most complaints received by the board are investigated by the board’s own investigators or staff, or are referred to the Department of Consumer Affairs Division of Investigation, Investigations and Enforcement Unit when appropriate. There is no statute of limitations within which to file accusations for this agency.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	14
(2) accusation matters rejected for filing by the Attorney General.	0
(3) accusation matters for which further investigation was requested by the Attorney General.	0
(4) accusation matters for which further investigation was received by the Attorney General.	0
(5) accusations filed.	17
(6) accusations withdrawn.	1
(7) accusation matters adjudicated by the Attorney General.	15

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	104	82	57	14
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	0	0	0	0
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	175	137	118	7
(4) from the filing of an accusation to when a default decision is sent to the agency.	65	30	75	5
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	102	82	41	3
(6) from the Attorney General’s receipt of a hearing date to the commencement of a hearing.	149	149	2	2

California State Board of Optometry

The Board of Optometry includes the Dispensing Optician Committee. The board regulated 31,937 licensees in Fiscal Year 2019–20, with 11 types of licenses, including those for Optometrist and Registered Dispensing Optician. Most complaints received by the board are investigated by the board’s own staff, or are referred to the Department of Consumer Affairs Division of Investigation, Investigations and Enforcement Unit when appropriate. The board does not employ its own investigators. The statute of limitations to file an accusation is generally three years from discovery of the act or omission charged in the accusation.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	3
(2) accusation matters rejected for filing by the Attorney General.	0
(3) accusation matters for which further investigation was requested by the Attorney General.	0
(4) accusation matters for which further investigation was received by the Attorney General.	0
(5) accusations filed.	1
(6) accusations withdrawn.	1
(7) accusation matters adjudicated by the Attorney General.	6

Table 2 are based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	128	130	34	6
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	69	69	0	1
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	241	257	54	3
(4) from the filing of an accusation to when a default decision is sent to the agency.	154	154	0	1
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	63	63	0	1
(6) from the Attorney General’s receipt of a hearing date to the commencement of a hearing.	69	69	0	1

Osteopathic Medical Board of California

The Osteopathic Medical Board of California regulated 13,212 licenses and registrations in Fiscal Year 2019–20, with two types of licenses — Osteopathic Physician and Surgeon, and Postgraduate Training License. Complaints received by the Board are investigated by the Department of Consumer Affairs Division of Investigation, Health Quality Investigation Unit. The statute of limitations to file an accusation is generally three years from discovery of the act or omission charged in the accusation.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	17
(2) accusation matters rejected for filing by the Attorney General.	3
(3) accusation matters for which further investigation was requested by the Attorney General.	5
(4) accusation matters for which further investigation was received by the Attorney General.	4
(5) accusations filed.	10
(6) accusations withdrawn.	0
(7) accusation matters adjudicated by the Attorney General.	10

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	100	86	70	10
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	136	136	88	2
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	272	275	129	9
(4) from the filing of an accusation to when a default decision is sent to the agency.	0	0	0	0
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	184	171	140	5
(6) from the Attorney General's receipt of a hearing date to the commencement of a hearing.	235	235	0	1

California State Board of Pharmacy

The Board of Pharmacy regulated 141,741 licensees in Fiscal Year 2019–20, with 32 license types. The board receives consumer complaints and routinely inspects pharmacies for compliance. Most complaints received by the board are investigated by the board’s own inspectors, who are licensed pharmacists themselves. There were multiple respondents in about 43 percent of the board’s accusation cases prosecuted by the Office of the Attorney General in Fiscal Year 2020–21. There is no statute of limitations within which to file accusations for this agency.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	352
(2) accusation matters rejected for filing by the Attorney General.	3
(3) accusation matters for which further investigation was requested by the Attorney General.	13
(4) accusation matters for which further investigation was received by the Attorney General.	19
(5) accusations filed.	200
(6) accusations withdrawn.	5
(7) accusation matters adjudicated by the Attorney General.	305

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	178	128	165	216
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	270	217	215	16
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	362	315	252	199
(4) from the filing of an accusation to when a default decision is sent to the agency.	107	60	130	68
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	118	99	71	63
(6) from the Attorney General's receipt of a hearing date to the commencement of a hearing.	163	144	90	30

Physical Therapy Board of California

The Physical Therapy Board of California regulated 41,986 licensees in Fiscal Year 2019–20, with two license types — Physical Therapist and Physical Therapist Assistant. Complaints received by the Board are investigated by the Department of Consumer Affairs Division of Investigation, Investigations and Enforcement Unit. There is no statute of limitations within which to file accusations for this agency.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	33
(2) accusation matters rejected for filing by the Attorney General.	0
(3) accusation matters for which further investigation was requested by the Attorney General.	7
(4) accusation matters for which further investigation was received by the Attorney General.	9
(5) accusations filed.	33
(6) accusations withdrawn.	0
(7) accusation matters adjudicated by the Attorney General.	22

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	101	76	68	22
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	0	0	0	0
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	256	279	102	13
(4) from the filing of an accusation to when a default decision is sent to the agency.	64	67	23	3
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	98	92	75	10
(6) from the Attorney General's receipt of a hearing date to the commencement of a hearing.	257	222	143	6

Physician Assistant Board

The Physician Assistant Board regulated 13,927 licensees in Fiscal Year 2019–20, with one license type — Physician Assistant. Complaints received by the Board are investigated by the Department of Consumer Affairs Division of Investigation, Health Quality Investigation Unit. There is no statute of limitations within which to file accusations for this agency. The Board followed the Medical Board of California’s limitations period, generally three years from discovery of the act or omission charged in the accusation, until December 2019.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	25
(2) accusation matters rejected for filing by the Attorney General.	6
(3) accusation matters for which further investigation was requested by the Attorney General.	7
(4) accusation matters for which further investigation was received by the Attorney General.	9
(5) accusations filed.	23
(6) accusations withdrawn.	0
(7) accusation matters adjudicated by the Attorney General.	21

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	84	60	93	20
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	304	304	0	1
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	317	269	232	16
(4) from the filing of an accusation to when a default decision is sent to the agency.	86	85	14	3
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	230	91	242	7
(6) from the Attorney General’s receipt of a hearing date to the commencement of a hearing.	570	570	248	2

Podiatric Medical Board

The Podiatric Medical Board regulated 2,563 licensees in Fiscal Year 2019–20 with three license types, including Doctor of Podiatric Medicine. Complaints received by the Board are investigated by the Department of Consumer Affairs Division of Investigation, Health Quality Investigation Unit. The statute of limitations generally requires accusations to be filed within three years after the discovery of the act or omission charged in the accusation.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	13
(2) accusation matters rejected for filing by the Attorney General.	1
(3) accusation matters for which further investigation was requested by the Attorney General.	1
(4) accusation matters for which further investigation was received by the Attorney General.	3
(5) accusations filed.	15
(6) accusations withdrawn.	2
(7) accusation matters adjudicated by the Attorney General.	8

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	76	46	75	8
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	0	0	0	0
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	382	350	265	7
(4) from the filing of an accusation to when a default decision is sent to the agency.	0	0	0	0
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	137	85	101	5
(6) from the Attorney General's receipt of a hearing date to the commencement of a hearing.	0	0	0	0

Bureau for Private Postsecondary Education

The Bureau for Private Postsecondary Education issues three types of approvals that authorize private postsecondary institutions to operate. It regulated 1,047 licensees in Fiscal Year 2019–20. The bureau does not employ investigators and most complaints are investigated by the board’s own staff or are referred to the Department of Consumer Affairs Division of Investigation, Investigations and Enforcement Unit when appropriate. There is no statute of limitations within which to file accusations for this agency.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	11
(2) accusation matters rejected for filing by the Attorney General.	0
(3) accusation matters for which further investigation was requested by the Attorney General.	2
(4) accusation matters for which further investigation was received by the Attorney General.	1
(5) accusations filed.	11
(6) accusations withdrawn.	0
(7) accusation matters adjudicated by the Attorney General.	16

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	107	88	57	15
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	83	83	0	1
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	193	149	124	7
(4) from the filing of an accusation to when a default decision is sent to the agency.	89	49	89	7
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	178	178	0	1
(6) from the Attorney General's receipt of a hearing date to the commencement of a hearing.	153	153	0	1

Board for Professional Engineers, Land Surveyors, and Geologists

The Board for Professional Engineers, Land Surveyors, and Geologists regulated 177,602 licensees in Fiscal Year 2019–20 with 27 license types. The board does not employ investigators and most complaints are investigated by the board’s own staff or are referred to the Department of Consumer Affairs Division of Investigation, Investigations and Enforcement Unit, when appropriate. There is no statute of limitations within which to file accusations for this agency.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	23
(2) accusation matters rejected for filing by the Attorney General.	0
(3) accusation matters for which further investigation was requested by the Attorney General.	0
(4) accusation matters for which further investigation was received by the Attorney General.	0
(5) accusations filed.	28
(6) accusations withdrawn.	0
(7) accusation matters adjudicated by the Attorney General.	31

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	90	85	49	30
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	0	0	0	0
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	248	215	172	20
(4) from the filing of an accusation to when a default decision is sent to the agency.	120	43	178	6
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	160	74	178	10
(6) from the Attorney General’s receipt of a hearing date to the commencement of a hearing.	177	146	68	3

Professional Fiduciaries Bureau

The Professional Fiduciaries Bureau regulated 766 licensees in Fiscal Year 2019–20, with one license type — Professional Fiduciary. Complaints received by the bureau are investigated by the bureau’s own staff, or are referred to the Department of Consumer Affairs Division of Investigation, Investigations and Enforcement Unit when appropriate. There is no statute of limitations within which to file accusations for this agency.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	0
(2) accusation matters rejected for filing by the Attorney General.	0
(3) accusation matters for which further investigation was requested by the Attorney General.	0
(4) accusation matters for which further investigation was received by the Attorney General.	0
(5) accusations filed.	0
(6) accusations withdrawn.	0
(7) accusation matters adjudicated by the Attorney General.	3

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	120	101	34	3
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	0	0	0	0
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	330	269	203	3
(4) from the filing of an accusation to when a default decision is sent to the agency.	0	0	0	0
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	0	0	0	0
(6) from the Attorney General’s receipt of a hearing date to the commencement of a hearing.	0	0	0	0

California Board of Psychology

The California Board of Psychology regulated 23,441 licensees in Fiscal Year 2019–20, with three license types — Psychologist, Psychological Assistant, and Registered Psychologist. The statute of limitations to file an accusation is generally three years from discovery of the act or omission charged in the accusation.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	52
(2) accusation matters rejected for filing by the Attorney General.	3
(3) accusation matters for which further investigation was requested by the Attorney General.	4
(4) accusation matters for which further investigation was received by the Attorney General.	7
(5) accusations filed.	42
(6) accusations withdrawn.	2
(7) accusation matters adjudicated by the Attorney General.	40

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	96	95	68	38
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	162	126	60	3
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	227	226	124	32
(4) from the filing of an accusation to when a default decision is sent to the agency.	212	159	93	3
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	134	99	116	13
(6) from the Attorney General's receipt of a hearing date to the commencement of a hearing.	156	156	38	2

Bureau of Real Estate Appraisers

The Bureau of Real Estate Appraisers regulated 10,353 licensees in Fiscal Year 2019–20, with six license types. Most complaints received by the bureau involved violations of the Uniform Standards of Professional Appraisal Practice and are investigated by the bureau’s own staff of investigators who each hold a certified appraiser license. Federal law directs the resolution of administrative actions within one year after a complaint is filed with the bureau.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	3
(2) accusation matters rejected for filing by the Attorney General.	0
(3) accusation matters for which further investigation was requested by the Attorney General.	0
(4) accusation matters for which further investigation was received by the Attorney General.	0
(5) accusations filed.	4
(6) accusations withdrawn.	0
(7) accusation matters adjudicated by the Attorney General.	4

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	61	44	38	4
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	0	0	0	0
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	44	44	0	1
(4) from the filing of an accusation to when a default decision is sent to the agency.	24	24	1	2
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	17	17	0	1
(6) from the Attorney General’s receipt of a hearing date to the commencement of a hearing.	189	189	0	1

Board of Registered Nursing

The Board of Registered Nursing regulated 557,964 licensees in Fiscal Year 2019–20, with 10 license types. Most complaints received by the board are investigated by the board’s own staff of investigators, or are referred to the Department of Consumer Affairs Division of Investigation, Investigations and Enforcement Unit when appropriate. There is no statute of limitations within which to file accusations for this agency.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	647
(2) accusation matters rejected for filing by the Attorney General.	49
(3) accusation matters for which further investigation was requested by the Attorney General.	62
(4) accusation matters for which further investigation was received by the Attorney General.	48
(5) accusations filed.	597
(6) accusations withdrawn.	41
(7) accusation matters adjudicated by the Attorney General.	735

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	98	75	87	719
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	186	137	149	46
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	213	198	121	427
(4) from the filing of an accusation to when a default decision is sent to the agency.	63	44	60	150
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	108	88	72	211
(6) from the Attorney General’s receipt of a hearing date to the commencement of a hearing.	201	175	109	110

Respiratory Care Board of California

The Respiratory Care Board of California regulated 23,588 licensees in Fiscal Year 2019–20, with one license type — Respiratory Care Practitioner. Complaints received by the Board are investigated by Board staff. The statute of limitations to file an accusation is generally three years from discovery of the act or omission charged in the accusation.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	29
(2) accusation matters rejected for filing by the Attorney General.	2
(3) accusation matters for which further investigation was requested by the Attorney General.	0
(4) accusation matters for which further investigation was received by the Attorney General.	2
(5) accusations filed.	30
(6) accusations withdrawn.	0
(7) accusation matters adjudicated by the Attorney General.	31

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	72	72	49	31
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	127	127	0	1
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	172	182	79	19
(4) from the filing of an accusation to when a default decision is sent to the agency.	62	66	13	7
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	87	60	50	9
(6) from the Attorney General's receipt of a hearing date to the commencement of a hearing.	331	184	310	5

Bureau of Security and Investigative Services

The Bureau of Security and Investigative Services regulated 412,071 licensees in Fiscal Year 2019–20 with 23 license types. Most complaints received by the bureau are investigated by the bureau’s own staff, or are referred to the Department of Consumer Affairs Division of Investigation, Investigations and Enforcement Unit when appropriate. About 6 percent of the bureau’s accusation cases prosecuted by the Office of the Attorney General in Fiscal Year 2020–21 had multiple respondents. There is no statute of limitations within which to file accusations for this agency.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	29
(2) accusation matters rejected for filing by the Attorney General.	1
(3) accusation matters for which further investigation was requested by the Attorney General.	3
(4) accusation matters for which further investigation was received by the Attorney General.	0
(5) accusations filed.	17
(6) accusations withdrawn.	0
(7) accusation matters adjudicated by the Attorney General.	21

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	130	102	84	20
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	262	262	0	1
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	512	512	232	2
(4) from the filing of an accusation to when a default decision is sent to the agency.	135	118	74	13
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	262	182	219	4
(6) from the Attorney General's receipt of a hearing date to the commencement of a hearing.	130	148	36	6

Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board

The Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board regulated 35,171 licensees in Fiscal Year 2019–20 with 12 license types, including Speech and Language Pathologist, Audiologist, Dispensing Audiologist, Speech Language Pathology Assistant, and Hearing Aid Dispenser. Complaints received by the Board are investigated by the Department of Consumer Affairs Division of Investigation, Investigations and Enforcement Unit. There is no generally applicable statute of limitations within which to file accusations for this agency, with the exception of certain kinds of violations for which an accusation must be filed within three or four years from the act or omission charged in the accusation.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	10
(2) accusation matters rejected for filing by the Attorney General.	2
(3) accusation matters for which further investigation was requested by the Attorney General.	3
(4) accusation matters for which further investigation was received by the Attorney General.	3
(5) accusations filed.	9
(6) accusations withdrawn.	0
(7) accusation matters adjudicated by the Attorney General.	3

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	203	79	219	3
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	0	0	0	0
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	144	144	94	2
(4) from the filing of an accusation to when a default decision is sent to the agency.	0	0	0	0
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	0	0	0	0
(6) from the Attorney General's receipt of a hearing date to the commencement of a hearing.	264	264	0	1

Structural Pest Control Board

The Structural Pest Control Board regulated 28,945 licensees in Fiscal Year 2019–20, with five license types. Most complaints received by the board are investigated by the board’s own staff of investigators, or are referred to the Department of Consumer Affairs Division of Investigation, Investigations and Enforcement Unit when appropriate. There were multiple respondents in about 22 percent of the board’s accusation cases prosecuted by the Office of the Attorney General in Fiscal Year 2020–21. The statute of limitations requires a complaint to be received by the board within two years from an alleged act or omission, and generally the accusation must be filed within 18 months after the board’s receipt of the complaint.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	24
(2) accusation matters rejected for filing by the Attorney General.	0
(3) accusation matters for which further investigation was requested by the Attorney General.	1
(4) accusation matters for which further investigation was received by the Attorney General.	1
(5) accusations filed.	20
(6) accusations withdrawn.	0
(7) accusation matters adjudicated by the Attorney General.	39

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	77	89	49	27
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	0	0	0	0
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	205	242	109	16
(4) from the filing of an accusation to when a default decision is sent to the agency.	113	82	104	14
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	120	70	90	7
(6) from the Attorney General’s receipt of a hearing date to the commencement of a hearing.	222	218	17	3

Veterinary Medical Board

The Veterinary Medical Board regulated 36,093 licensees in Fiscal Year 2019–20, with seven license types. The board receives consumer complaints and routinely inspects veterinary hospital premises for compliance. The board’s cases are investigated by the board’s own inspectors or other staff and, when appropriate, may also be referred to the Department of Consumer Affairs Division of Investigation, Investigations and Enforcement Unit. There were multiple respondents in about 12 percent of the board’s accusation cases prosecuted by the Office of the Attorney General in Fiscal Year 2020–21. There is no statute of limitations within which to file accusations for this agency.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	23
(2) accusation matters rejected for filing by the Attorney General.	0
(3) accusation matters for which further investigation was requested by the Attorney General.	1
(4) accusation matters for which further investigation was received by the Attorney General.	0
(5) accusations filed.	10
(6) accusations withdrawn.	0
(7) accusation matters adjudicated by the Attorney General.	18

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	176	88	150	17
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	563	563	0	1
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	445	274	364	12
(4) from the filing of an accusation to when a default decision is sent to the agency.	42	42	7	2
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	318	202	231	3
(6) from the Attorney General’s receipt of a hearing date to the commencement of a hearing.	281	193	137	3

Board of Vocational Nursing and Psychiatric Technicians

The Board of Vocational Nursing and Psychiatric Technicians regulated 139,409 licensees in Fiscal Year 2019–20 with two license types — Vocational Nurse and Psychiatric Technician. Most complaints received by the board are investigated by the board’s own staff or investigators, and are referred to the Department of Consumer Affairs Division of Investigation, Investigations and Enforcement Unit when appropriate. There is no statute of limitations within which to file accusations for this agency.

The tables below show data for Fiscal Year 2020–21.

Table 1 – Business and Professions Code Section 312.2, Subdivision (a)	
Number of –	Count
(1) accusation matters referred to the Attorney General.	228
(2) accusation matters rejected for filing by the Attorney General.	8
(3) accusation matters for which further investigation was requested by the Attorney General.	11
(4) accusation matters for which further investigation was received by the Attorney General.	13
(5) accusations filed.	192
(6) accusations withdrawn.	3
(7) accusation matters adjudicated by the Attorney General.	216

Table 2 is based on the adjudicated accusation matters reported under Business and Professions Code section 312.2, subdivision (a)(7) in Table 1.

Table 2 – Business and Professions Code Section 312.2, Subdivision (b)				
Average number of days for adjudicated accusation matters –	Mean	Median	SD	Count
(1) from receipt of referral by the Attorney General to when an accusation is filed.	88	71	81	213
(2) to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received.	231	217	163	7
(3) from the filing of an accusation to when a stipulated settlement is sent to the agency.	210	203	132	79
(4) from the filing of an accusation to when a default decision is sent to the agency.	68	47	62	73
(5) from the filing of an accusation to the Attorney General requesting a hearing date.	90	67	63	64
(6) from the Attorney General’s receipt of a hearing date to the commencement of a hearing.	165	147	84	57

CONCLUSION

Over time, this report will reveal trends and correlations that can be used to drive beneficial changes in business processes. We anticipate that this report will facilitate collaboration among the Office of the Attorney General, Office of Administrative Hearings, and Department of Consumer Affairs, all of which join in responsibility for protection of the public through efficiency in adjudicating accusation matters.

This Attorney General's Annual Report on Accusations Prosecuted for Department of Consumer Affairs Client Agencies is also available on the Attorney General's website at:
<http://oag.ca.gov/publications>.

If you have any questions regarding this report, or if you would like additional information, please contact Jonathan L. Wolff, Chief Assistant Attorney General, at (415) 510-3749.

APPENDIX

Business and Professions Code section 312.2 states:

- (a) The Attorney General shall submit a report to the department, the Governor, and the appropriate policy committees of the Legislature on or before January 1, 2018, and on or before January 1 of each subsequent year that includes, at a minimum, all of the following for the previous fiscal year for each constituent entity within the department represented by the Licensing Section and Health Quality Enforcement Section of the Office of the Attorney General:
 - (1) The number of accusation matters referred to the Attorney General.
 - (2) The number of accusation matters rejected for filing by the Attorney General.
 - (3) The number of accusation matters for which further investigation was requested by the Attorney General.
 - (4) The number of accusation matters for which further investigation was received by the Attorney General.
 - (5) The number of accusations filed by each constituent entity.
 - (6) The number of accusations a constituent entity withdraws.
 - (7) The number of accusation matters adjudicated by the Attorney General.
- (b) The Attorney General shall also report all of the following for accusation matters adjudicated within the previous fiscal year for each constituent entity of the department represented by the Licensing Section and Health Quality Enforcement Section:
 - (1) The average number of days from the Attorney General receiving an accusation referral to when an accusation is filed by the constituent entity.
 - (2) The average number of days to prepare an accusation for a case that is rereferred to the Attorney General after further investigation is received by the Attorney General from a constituent entity or the Division of Investigation.
 - (3) The average number of days from an agency filing an accusation to the Attorney General transmitting a stipulated settlement to the constituent entity.
 - (4) The average number of days from an agency filing an accusation to the Attorney General transmitting a default decision to the constituent entity.
 - (5) The average number of days from an agency filing an accusation to the Attorney General requesting a hearing date from the Office of Administrative Hearings.

- (6) The average number of days from the Attorney General's receipt of a hearing date from the Office of Administrative Hearings to the commencement of a hearing.
- (c) A report to be submitted pursuant to subdivision (a) shall be submitted in compliance with Section 9795 of the Government Code.