

AMENDED IN SENATE JUNE 26, 2025

AMENDED IN ASSEMBLY APRIL 30, 2025

AMENDED IN ASSEMBLY APRIL 21, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1504**

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**Introduced by Assembly Member Berman**

February 24, 2025

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An act to amend Sections 4600.5, 4602, *4604*, 4608, 4609, 4610, ~~4614~~, 4615, and 4621 of the Business and Professions Code, *and to amend Section 94934.5 of the Education Code*, relating to healing arts.

LEGISLATIVE COUNSEL’S DIGEST

AB 1504, as amended, Berman. California Massage Therapy Council.

**Existing**

(1) *Existing* law, the Massage Therapy Act, provides for the certification and regulation of massage professionals by the California Massage Therapy Council, which is a private nonprofit organization governed by a board of directors composed of 13 members. Existing law requires one member to be appointed by the office of the Chancellor of the California Community Colleges, and authorizes the California Association of Private Postsecondary Schools to appoint one member. Existing law requires one member to be a certified massage therapist or a certified massage practitioner who is a California resident who has practiced massage for at least 3 years before appointment and is selected by a specified professional society, association, or other entity the membership of which is composed of massage therapist professionals, and that chooses to participate in the council.

This bill would remove the above-described appointment of one member by the office of the Chancellor of the California Community Colleges, and would limit the appointment authority of the California Association of Private Postsecondary Schools by requiring that their appointed member represent an approved massage school. The bill would add an additional member who is a certified massage therapist or a certified massage practitioner who is selected by a specified professional society, association, or other entity, as described above, and would make conforming changes related to that provision.

Existing law authorizes the council to take any reasonable actions necessary to carry out the responsibilities and duties set forth in the Massage Therapy Act, including hiring staff.

This bill would prohibit the total annual ~~compensation~~ salary for any individual employed or contracted by the council from exceeding the annual salary provided to certain state officers during that fiscal year.

Existing law requires the council to issue a certificate to practice massage therapy to an applicant who meets specified qualifications, including that the applicant has successfully completed *at least 500 hours in the curricula in massage and related subjects, as specified*. Existing law requires the council to determine whether the school from which an applicant has obtained their education meets the requirement of the Massage Therapy Act. If the council has any reason to question whether or not the applicant received that education from the school or schools that the applicant is claiming, existing law requires the council to investigate the facts to determine that the applicant received the education before issuing the certificate.

This bill would authorize, instead of require, the council to conduct ~~that investigation~~, *investigation regarding the applicant's education*, as described above. *The bill would require an applicant who meets all the other requirements for certification and who received instruction described above at an approved school that was not under formal investigation at the time at which the applicant began instruction but was subsequently placed under investigation by the council to have the opportunity for an interview or educational hearing, as specified. The bill would require the council to issue a certificate to any applicant who successfully passes the interview or hearing, provided that the school at which the applicant completed the instruction was considered in good standing, as specified, at the time the applicant passed the interview hearing.*

*Existing law, beginning January 1, 2027, also requires an applicant to pass a massage and bodywork competency assessment examination that meets generally recognized psychometric principles and standards and that is approved by the council, as specified.*

*The bill would remove the requirement that an applicant to pass a massage and bodywork competency assessment examination as described above, and would require an approved massage school, upon each student's completion of curriculum at the massage school, to provide notice to the student that the massage and bodywork competency assessment examination is not a requirement for certification but may be required for licensure or certification as a massage therapist in any other state.*

Existing law requires a certificate holder to notify the council within 30 days of any changes in the certificate holder's home address or the address of any massage establishment or other location where the certificate holder provides massage for compensation, except as specified.

This bill would also require a certificate holder to notify the council within 30 days of any changes in the certificate holder's legal name.

Existing law makes it a violation of the Massage Therapy Act for an applicant or certificate holder to commit certain acts, and makes the commission of those acts grounds for the council to deny an application for a certificate or to impose discipline on a certificate holder. Those acts include being convicted of any felony, misdemeanor, infraction, or municipal code violation, ~~or being held liable in an administrative or civil action for an act, that is substantially related to the qualifications, functions, or duties of a certificate holder.~~ *providing massage of female breasts without the written consent of the person receiving the massage and a referral from a licensed California health care provider, and dressing in certain attire or manners while engaged in the practice of massage for compensation, or while visible to clients in a massage establishment as specified.*

This bill would revise and recast the above-described acts that are considered a violation. In this regard, the bill would specify that a plea or verdict of guilty, or a conviction after a plea of nolo contendere, is ~~a conviction for purposes of the above-described provision.~~ *conviction for those purposes. The bill would remove the requirement of a referral from a licensed California health care provider to provide massage of female breasts. The bill would remove the list of prohibited attire or manners of dressing while engaged in the practice of massage for*

*compensation, or while visible to clients in a massage establishment, except that the bill would maintain the prohibition on dressing in a manner that is deemed by the council to constitute unprofessional attire based on the custom and practice of the profession in California.* The bill would also include among those specified acts that are considered a violation the determination of being a threat to public safety based on mental health reasons by a medical or mental health professional, or the rendering of a finding of not guilty in a criminal proceeding by reason of insanity.

Existing law authorizes a board to deny a license on the grounds that the applicant has been convicted of a crime or was subject to formal discipline within the preceding 7 years from the date of application based on professional misconduct that is substantially related to the qualifications, functions, or duties of the business or profession for which the present application is made, as specified and subject to certain exceptions. ~~Existing law requires a board to follow specified procedures in requesting or acting on an applicant's criminal history information, including notifying the applicant in writing, as specified, if a board decides to deny an application for licensure based solely or in part on the applicant's conviction history.~~

This bill would require the denial of an initial certificate to practice massage therapy on the grounds that the applicant has been convicted of a crime or has been subject to formal discipline as provided under the act to be consistent with the above-described provisions authorizing a board to deny a ~~license~~: *license on certain grounds*.

Existing law requires the council to follow specified procedures for deciding upon and imposing the denial of a certificate or the discipline of a certificate holder under the Massage Therapy Act. Existing law requires, with certain exceptions, the council to provide an opportunity for the applicant or certificate ~~holder~~, *holder* to be heard, orally or in writing, not less than 5 days before the effective date of the denial or discipline, by a person or body authorized to decide whether the proposed denial or discipline should go into effect.

This bill would specify that the person or body authorized to make that decision is a person or body authorized by the board of directors.

Existing law authorizes the council to immediately suspend the certificate if the council determines that a certificate holder has committed an act punishable as a sexually related crime or a felony that is substantially related to the qualifications, functions, or duties of a certificate holder. Existing law provides the certificate holder the right

to request, in writing, an oral hearing or consideration of a written statement to challenge the factual basis for the suspension, and a requested oral hearing or consideration to be held within 30 calendar days after the receipt of the request.

This bill would specify that the oral hearing or consideration is to be held by a person or body authorized by the board of directors.

The bill would authorize an applicant or certificate holder to appeal a final decision of the council to deny or revoke a ~~certificate~~ *certificate for conduct not constituting a criminal offense*. In this regard, the bill would require an appeal of the final decision to be heard at the next board of directors meeting, as specified, that is at least 120 days from the last date for the applicant or certificate holder to timely request an appeal, except as specified. The bill would require the council to notify the applicant or certificate holder of its right to appeal pursuant to these provisions at the time of the final decision.

~~Existing law requires the council, upon request of any law enforcement agency or any other representative of a local government agency with responsibility for regulating or administering a local ordinance relating to massage or massage establishments, to provide information concerning an applicant or certificate holder, including the name and home and work addresses of any person whose certificate has been suspended and the length of the suspension if the work address is located within the jurisdiction of the agency making the request, and any other information in the council's possession that is necessary to verify facts relevant to administering the local ordinance.~~

~~The bill would revise the entities to which the council is required to provide that information to include any law enforcement agency, state agency, or representative of a local government agency with responsibility for regulating or administering a local ordinance relating to massage or massage establishments. The bill would remove the requirement that the work address be located within the jurisdiction of the agency making the request. The bill would expand the information the council is required to provide the requesting agency to instead include any information in the council's possession that is necessary to verify facts relevant to administering a local massage or massage establishment ordinance, or any other federal, state, or local enforcement laws related to massage or massage establishments, human trafficking, organized crime, acts punishable as a sexually related crime, or regulating a California-licensed profession.~~

Existing law requires the council to develop policies, procedures, rules, or bylaws governing the requirements and processes for approving, denying approval of, imposing corrective action on, or unapproving schools from which applicants obtain their education, as specified. Existing law requires the council, on or before one year from the date the council receives an initial application for approval as a school, to approve the school, propose to deny approval of the school, or notify the school that corrective action is required, and authorizes the council to deny the application of a school that fails to adequately rectify the deficiencies. Existing law authorizes a school to appeal the council's final decision to deny approval of the school, and requires the appeal to be heard at the next board of directors meeting, as specified.

This bill would require the council to notify the school of its right to appeal pursuant to these provisions at the time of the final decision.

Existing law states the intent of the Legislature that, among other things, the Massage Therapy Act enables consumers and local government to more easily identify certified massage professionals and provide for consistent statewide certification and oversight of massage professionals. Existing law repeals the Massage Therapy Act on January 1, 2026.

This bill would also state the intent of the Legislature that, among other things, both state and local regulation of massage therapy reflect the recognized status of certified massage professionals as health care providers. The bill would instead repeal the act on January 1, 2030.

Existing law, the Bagley-Keene Open Meeting Act, requires, with specified exceptions, that all meetings of a state body be open and public and all persons be permitted to attend any meeting of a state body. The act imposes various requirements on a state body holding a meeting subject to the act, including, among other things, requiring the state body to provide notice of its meeting to any person who requests that notice in writing.

The Massage Therapy Act requires meetings of the council to be subject to the rules of the Bagley-Keene Open Meeting Act, and authorizes the board to adopt additional policies and procedures that provide greater transparency to certificate holders and the public than required by the act.

This bill would, except as otherwise provided in the Massage Therapy Act, require meetings of the council to be governed by *either Rosenberg's Rules of Order or Robert's Rules of Order, Newly Revised*.

The bill would require the council to provide a meaningful opportunity for public participation in the adoption, amendment, or repeal of any policies, procedures, rules, or bylaws that substantially impact the rights, benefits, privileges, duties, obligations, or responsibilities of individuals or entities subject to certification or approval by the council, including, among other things, actions by the council to increase fees. In this regard, the bill would require the council, at a minimum, to publish the complete text of any policies, procedures, rules, or bylaws proposed for adoption, amendment, or repeal along with a summary of the changes being considered for a period of at least 45 calendar days before the adoption, amendment, or repeal, and to accept written public comments during the 45-day period and allow further public comment during a meeting held for these purposes that is noticed and conducted in compliance with the Bagley-Keene Open Meeting Act. *purposes.*

Existing law, the California Public Records Act, requires state and local agencies to make their records available for public inspection, unless an exemption from disclosure applies.

This bill would require the *council, to the extent practicable, to make the records of the council to be subject to available for public inspection in a manner consistent with the California Public Records Act, as specified.*

*(2) Existing law establishes the California Private Postsecondary Education Act of 2009, which provides for student protections and regulatory oversight of private postsecondary educational institutions, as defined, in the state. The act is enforced by the Bureau for Private Postsecondary Education within the Department of Consumer Affairs.*

*Existing law requires an institution with an approval to operate under the act that knows that it is being investigated by an oversight entity other than the bureau to report that investigation, as specified, to the bureau in writing within 30 days of the institution's first knowledge of the investigation, and requires an institution with an approval to operate under the act that is the subject of a judgment by, a regulatory action by, increased oversight or monitoring by, or a settlement with, any oversight entity other than the bureau to report it to the bureau within 30 days. Existing law defines "oversight entity" for these purposes to include, among other entities, a governmental agency.*

*This bill would also include any private entity authorized pursuant to any provision of the Business and Professions Code to approve schools or educational programs for purposes of a professional certification as an "oversight entity" for the above-described purposes.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 4600.5 of the Business and Professions  
2     Code is amended to read:  
3     4600.5. (a) It is the intent of the Legislature that this act enable  
4     consumers and local governments to more easily identify certified  
5     massage professionals, provide for consistent statewide certification  
6     and oversight of massage professionals, ensure that schools  
7     approved by the council that are teaching massage provide a high  
8     level of training, assist local governments and law enforcement in  
9     meeting their duty to maintain the highest standards of conduct in  
10    massage establishments by vetting and disciplining certificate  
11    holders, provide for a self-funded nonprofit oversight body to  
12    certify massage professionals, and ensure full compliance with,  
13    and execution of, the requirements of this act.  
14    (b) It is the intent of the Legislature that broad control over land  
15    use in regulating massage establishments be vested in local  
16    governments so that they may manage those establishments in the  
17    best interests of the individual community, and that the  
18    requirements and practice of the profession of massage therapy  
19    remain a matter of statewide concern, regulation, and oversight.  
20    Local governments should give strong consideration to establishing  
21    a registration program that grants local governments the ability to  
22    either suspend or revoke a registration of massage business for  
23    specific violations.  
24    (c) It is the intent of the Legislature that local governments, law  
25    enforcement, nonprofit stakeholders, the massage industry, and  
26    massage professionals work together going forward to improve  
27    communication and share information to further increase the value  
28    of statewide certification, to collaborate in the implementation of  
29    this act, and to develop a model ordinance reflecting best practices  
30    in massage regulation for cities and counties to adopt that will  
31    respect local control, patient privacy, and the dignity of the  
32    profession of massage therapy.  
33    (d) It was the intent of the Legislature in creating the council,  
34    and it is further the intent of the Legislature in extending the  
35    council's powers and duties through the sunset review process,



1 that the council serve as ~~a quasi-public~~ *an* entity entrusted with  
2 administering a state function in its certification and oversight of  
3 the massage therapy profession.

4 (e) It is the intent of the Legislature that both state and local  
5 regulation of massage therapy reflect the recognized status of  
6 certified massage professionals as health care providers.

7 SEC. 2. Section 4602 of the Business and Professions Code is  
8 amended to read:

9 4602. (a) The California Massage Therapy Council, as defined  
10 in subdivision (d) of Section 4601, is hereby established and shall  
11 carry out the responsibilities and duties set forth in this chapter.

12 (b) (1) The council may take any reasonable actions necessary  
13 to carry out the responsibilities and duties set forth in this chapter,  
14 including, but not limited to, hiring staff, entering into contracts,  
15 and developing policies, procedures, rules, and bylaws to  
16 implement this chapter.

17 (2) Notwithstanding any other law, the total annual  
18 ~~compensation~~ *salary* for any individual employed or contracted  
19 by the council shall not exceed the annual salary provided pursuant  
20 to Section 11550 of the Government Code during that fiscal year.

21 (c) The council may require background checks for all  
22 employees, contractors, volunteers, and board members as a  
23 condition of their employment, formation of a contractual  
24 relationship, or participation in council activities.

25 (d) The council shall issue a certificate to an individual applicant  
26 who satisfies the requirements of this chapter for that certificate.

27 (e) The council is authorized to determine whether the  
28 information provided to the council in relation to the certification  
29 of an applicant is true and correct and meets the requirements of  
30 this chapter. If the council has any reason to question whether the  
31 information provided is true or correct, or meets the requirements  
32 of this chapter, the council is authorized to make any investigation  
33 it deems necessary to establish that the information received is  
34 accurate and satisfies any criteria established by this chapter. The  
35 applicant has the burden to prove that they are entitled to  
36 certification.

37 (f) The council shall be governed by a board of directors  
38 composed of 13 members who shall be chosen in the following  
39 manner:

1 (1) One member shall be a representative of the League of  
2 California Cities, unless that entity chooses not to exercise this  
3 right to appoint.

4 (2) One member shall be a representative of the California Police  
5 Chiefs Association, unless that entity chooses not to exercise this  
6 right to appoint.

7 (3) One member shall be a representative of the California State  
8 Association of Counties, unless that entity chooses not to exercise  
9 this right to appoint.

10 (4) One member shall be a representative of an “anti-human  
11 trafficking” organization to be determined by the council. This  
12 organization shall appoint one member, unless the organization  
13 chooses not to exercise this right to appoint.

14 (5) One member shall be a member of the public appointed by  
15 the Director of the Department of Consumer Affairs, unless the  
16 director chooses not to exercise this right to appoint.

17 (6) One member who represents an approved massage school  
18 shall be appointed by the California Association of Private  
19 Postsecondary Schools, unless that entity chooses not to exercise  
20 this right to appoint.

21 (7) One member shall be appointed by the American Massage  
22 Therapy Association, California Chapter, who shall be a  
23 California-certified massage therapist or massage practitioner who  
24 is a California resident and who has been practicing massage for  
25 at least three years, unless that entity chooses not to exercise this  
26 right to appoint.

27 (8) One member shall be a public health official representing a  
28 city, county, city and county, or state health department, to be  
29 determined by the council. The city, county, city and county, or  
30 state health department chosen, shall appoint one member unless  
31 that entity chooses not to exercise this right to appoint.

32 (9) (A) Two members shall each be a certified massage therapist  
33 or a certified massage practitioner who is a California resident  
34 who has practiced massage for at least three years prior to the  
35 appointment, selected by a professional society, association, or  
36 other entity the membership of which is composed of massage  
37 therapist professionals, and that chooses to participate in the  
38 council. To qualify, a professional society, association, or other  
39 entity shall have a dues-paying membership in California of at  
40 least 1,000 individuals, have been established since 2000, and shall

1 have bylaws that require its members to comply with a code of  
2 ethics.

3 (B) If there ~~is~~ *are* more than two professional societies,  
4 associations, or other entities that meet the requirements of  
5 subparagraph (A), the appointments shall rotate based on a  
6 four-year term between each of the qualifying entities. The  
7 qualifying entity shall maintain its appointment authority during  
8 the entirety of the four-year term during which it holds the  
9 appointment authority. The order in which a qualifying professional  
10 society, association, or other entity has the authority to appoint  
11 shall be determined by alphabetical order based on the full legal  
12 name of the entity as of January 1, 2014.

13 (10) The members appointed to the board in accordance with  
14 paragraphs (1) to (9), inclusive, shall appoint three additional  
15 members, at a duly held board meeting in accordance with the  
16 board's bylaws. One of those appointees shall be an attorney  
17 licensed by the State Bar of California who has been practicing  
18 law for at least three years and who at the time of appointment  
19 represents a city, county, or a city and county in the state. One of  
20 those appointees shall represent a massage business entity that has  
21 been operating in the state for at least three years. The council  
22 shall establish in its bylaws a process for appointing an additional  
23 member, provided that the member has knowledge of the massage  
24 industry or can bring needed expertise to the operation of the  
25 council for purposes of complying with Section 4603.

26 (g) Any decision to change the appointing authority of any  
27 member appointed to the board pursuant to paragraphs (1) to (9),  
28 inclusive, of subdivision (f) shall not be effective unless the current  
29 member has completed their term under subdivision (h) or the  
30 appointment is vacant.

31 (h) (1) Board member terms shall be for four years and until  
32 the appointment and qualification of their successor or until one  
33 year from the expiration of the term for which the member was  
34 appointed, whichever occurs first. A board member who has served  
35 two terms shall not be eligible for reappointment to the board  
36 regardless of the appointing authority. Any board member who,  
37 as of January 1, 2025, has served on the board for 8 out of the  
38 preceding 10 years, regardless of the appointing authority, shall  
39 vacate their appointment no later than July 1, 2025.

(2) A board member may be removed only by their appointing authority under the conditions provided in Section 106.

(i) The board of directors shall establish fees reasonably related to the cost of providing services and carrying out its ongoing responsibilities and duties. Initial and renewal fees for certificates shall be in an amount sufficient to support the functions of the council in the administration of this chapter, but in no event shall exceed three hundred dollars (\$300). The renewal fee shall be reassessed biennially by the board.

(j) Prior to holding a meeting to vote upon a proposal to increase the certification fees, the board shall provide at least 90 days' notice of the meeting, including posting a notice on the council's internet website unless at least two-thirds of the board members concur that there is an active threat to public safety and that voting at a meeting without prior notice is necessary. However, the board shall not waive the requirements of subdivision (l).

(k) If the board approves an increase in the certification fees, the council shall update all relevant areas of its internet website and notify all certificate holders and affected applicants by email within 14 days of the board's action.

(l) The meetings of the council shall be subject to the rules of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code). The board may adopt additional policies and procedures that provide greater transparency to certificate holders and the public than required by the Bagley-Keene Open Meeting Act. Except as otherwise provided in this chapter, meetings of the council shall be governed by *either Rosenberg's Rules of Order or Robert's Rules of Order, Newly Revised*.

(m) (1) The council shall provide a meaningful opportunity for public participation in the adoption, amendment, or repeal of any policies, procedures, rules, or bylaws that substantially impact the rights, benefits, privileges, duties, obligations, or responsibilities of individuals or entities subject to certification or approval by the council, including, but not limited to, actions by the council to increase fees, impose additional requirements for certification or approval, or substantively modify the disciplinary processes.

(2) For purposes of this subdivision, the council shall, at a minimum, publish the complete text of any policies, procedures, rules, or bylaws proposed for adoption, amendment, or repeal along

1 with a summary of the changes being considered for a period of  
 2 at least 45 calendar days before the adoption, amendment, or repeal.  
 3 The council shall accept written public comments during the 45-day  
 4 period and allow further public comment during a meeting held  
 5 for these purposes that is noticed and conducted in compliance  
 6 with the Bagley-Keene Open Meeting Act (Article 9 (commencing  
 7 with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title  
 8 2 of the Government Code); purposes.

9 (n) The council shall assess its contact with non-English  
 10 speakers. Based on this assessment, the council shall offer and  
 11 make available all publicly available written and electronic  
 12 materials provided to certificate holders and applicants in languages  
 13 other than English that the council determines will be used by a  
 14 substantial number of non-English speakers who are in contact  
 15 with the council. This subdivision shall not apply to examinations,  
 16 denial and disciplinary legal documents, and email  
 17 communications. The council shall provide a report to the  
 18 Legislature on the findings of its assessment of contact with  
 19 non-English speakers on or before January 1, 2019.

20 (o) (1) *The council shall, to the extent practicable, make the*  
 21 *records of the council shall be subject to available for public*  
 22 *inspection in a manner consistent with the California Public*  
 23 *Records Act (Chapter 1 (commencing with Section 7920.000) of*  
 24 *Part 1 of Division 10 of Title 1 of the Government Code), including*  
 25 *the exemptions provided by the act, as though the council were a*  
 26 *public agency for purposes of that act.*

27 (2) *It is the intent of the Legislature in enacting this subdivision*  
 28 *that the council shall not inappropriately disclose investigatory*  
 29 *records or records containing sensitive information, including law*  
 30 *enforcement activities or personally identifying information*  
 31 *regarding certificate holders, council employees, or members of*  
 32 *the public, including potential victims or survivors of human*  
 33 *trafficking.*

34 SEC. 3. *Section 4604 of the Business and Professions Code is*  
 35 *amended to read:*

36 4604. (a) In order to obtain certification as a massage therapist,  
 37 an applicant shall submit a written application and provide the  
 38 council with satisfactory evidence that the applicant meets all of  
 39 the following requirements:

40 (1) The applicant is 18 years of age or older.

1 (2) The applicant has successfully completed the curricula in  
2 massage and related subjects totaling a minimum of 500 hours, or  
3 the credit unit equivalent, that incorporates appropriate school  
4 assessment of student knowledge and skills.

5 (A) Of the 500 hours, a minimum of 100 hours of instruction  
6 shall address anatomy and physiology, contraindications, health  
7 and hygiene, and business and ethics.

8 (B) All of the 500 hours shall be from approved schools. The  
9 council shall accept the 500 hours if, at the time all of the hours  
10 were completed, the school or schools were approved. The 500  
11 hours may be completed at more than one approved school.  
12 Notwithstanding any other law, pursuant to its policies and  
13 procedures for approval of schools, the council shall accept hours  
14 earned by an applicant for certification as a massage therapist if  
15 those hours were completed before July 1, 2016, and were earned  
16 from a school providing education in this state that was unapproved  
17 by the council after July 1, 2016, based solely on the fact that the  
18 National Certification Board for Therapeutic Massage and  
19 Bodywork took denial or disciplinary action against the school.  
20 For purposes of this section, “unapproved” means that the council  
21 determined that it will not accept hours from a school toward  
22 certification.

23 (C) (i) *Any applicant who meets all the other requirements for*  
24 *certification and who received instruction required by this*  
25 *paragraph at an approved school that was not under formal*  
26 *investigation at the time at which the applicant began instruction*  
27 *but was subsequently placed under investigation by the council*  
28 *shall have the opportunity for an interview pursuant to subdivision*  
29 *(a) of Section 4615 or an educational hearing determined by the*  
30 *council. Any interview or hearing provided pursuant to this*  
31 *subparagraph shall be completed no later than six months from*  
32 *the date the application was submitted or the student completed*  
33 *the instruction.*

34 (ii) *The council shall issue a certificate to any applicant who*  
35 *successfully passes the interview or hearing described in this*  
36 *subparagraph, provided that the school at which the applicant*  
37 *completed the instruction was considered in good standing*  
38 *according to the Bureau for Private Postsecondary Education at*  
39 *the time the applicant passed the interview or hearing.*

1 (3) (A) The applicant has passed a massage and bodywork  
2 competency assessment examination that meets generally  
3 recognized psychometric principles and standards and that is  
4 approved by the council. The successful completion of this  
5 examination may have been accomplished before the date the  
6 council is authorized by this chapter to begin issuing certificates.  
7 ~~This paragraph subparagraph shall be inoperative commencing~~  
8 ~~on January 1, 2019, and shall become operative on January 1,~~  
9 ~~2027. 2019.~~

10 (B) *Beginning January 1, 2026, an approved massage school*  
11 *shall, upon each student's completion of curriculum at the massage*  
12 *school, provide notice to the student that the massage and*  
13 *bodywork competency assessment examination described in*  
14 *subparagraph (A) is not a requirement for certification pursuant*  
15 *to this chapter but may be required for licensure or certification*  
16 *as a massage therapist in any other state.*

17 (4) The applicant has successfully passed a background  
18 investigation pursuant to Section 4606, and has not violated any  
19 of the provisions of this chapter.

20 (5) All fees required by the council have been paid.

21 (6) The council may issue a certificate to an applicant who meets  
22 the qualifications of this chapter if the applicant holds a current  
23 and valid registration, certification, or license from any other state  
24 whose licensure requirements meet or exceed those defined within  
25 this chapter. If an applicant has received education at a school that  
26 is not approved by the council, the council shall have the discretion  
27 to give credit for comparable academic work completed by an  
28 applicant in a program outside of California.

29 (7) If an applicant has received education at a school located  
30 outside of California or a school located in a country outside of  
31 the United States that does not meet the requirements of subdivision  
32 (a) of Section 4601 to be an approved school, the council shall  
33 have the discretion to give credit for comparable academic work  
34 completed by an applicant toward certification.

35 (b) A certificate issued pursuant to this chapter and any  
36 identification card issued by the council shall be surrendered to  
37 the council by any certificate holder whose certificate is suspended  
38 or revoked.

1     ~~SEC. 3.~~

2     *SEC. 4.* Section 4608 of the Business and Professions Code is  
3 amended to read:

4     4608. In addition to the other requirements of this chapter, a  
5 certificate holder shall:

6     (a) Display their original certificate wherever they provide  
7 massage for compensation. A certificate holder shall have their  
8 identification card in their possession while providing massage  
9 services for compensation.

10    (b) Provide their full name and certificate number upon the  
11 request of a member of the public, the council, or a member of  
12 law enforcement, or a local government agency charged with  
13 regulating massage or massage establishments, at the location  
14 where they are providing massage services for compensation.

15    (c) Include the name under which they are certified and their  
16 certificate number in any and all advertising of massage for  
17 compensation.

18    (d) Notify the council within 30 days of any changes in the  
19 certificate holder's legal name, home address, or the address of  
20 any massage establishment or other location where they provide  
21 massage for compensation, excluding those locations where  
22 massage is only provided on an out-call basis. A certificate holder  
23 also shall notify the council of their primary email address, if any,  
24 and notify the council within 30 days of a change of the primary  
25 email address.

26     ~~SEC. 4.~~

27     *SEC. 5.* Section 4609 of the Business and Professions Code is  
28 amended to read:

29     4609. (a) It is a violation of this chapter for an applicant or a  
30 certificate holder to commit any of the following acts, the  
31 commission of which is grounds for the council to deny an  
32 application for a certificate or to impose discipline on a certificate  
33 holder:

34     (1) Unprofessional conduct, including, but not limited to, any  
35 of the following:

36     (A) Engaging in sexually suggestive advertising related to  
37 massage services.

38     (B) Engaging in any form of sexual activity on the premises of  
39 a massage establishment where massage is provided for  
40 compensation, excluding a residence.



1 (C) Engaging in sexual activity while providing massage  
2 services for compensation.

3 (D) Practicing massage on a suspended certificate or practicing  
4 outside of the conditions of a restricted certificate.

5 (E) Providing massage of the genitals or anal region.

6 (F) Providing massage of female breasts without the written  
7 consent of the person receiving the ~~massage and a referral from a~~  
8 ~~licensed California health care provider.~~ *massage.*

9 (2) Procuring or attempting to procure a certificate by fraud,  
10 misrepresentation, or mistake.

11 (3) Failing to fully disclose all information requested on the  
12 application.

13 (4) Impersonating an applicant or acting as a proxy for an  
14 applicant in any examination referred to in this chapter for the  
15 issuance of a certificate.

16 (5) Impersonating a certificate holder, or permitting or allowing  
17 a noncertified person to use a certificate.

18 (6) Violating or attempting to violate, directly or indirectly, or  
19 assisting in or abetting the violation of, or conspiring to violate,  
20 any provision of this chapter or any rule or bylaw adopted by the  
21 council.

22 (7) Committing any fraudulent, dishonest, or corrupt act that is  
23 substantially related to the qualifications or duties of a certificate  
24 holder.

25 (8) Denial of licensure, revocation, suspension, restriction,  
26 citation, or any other disciplinary action against an applicant or  
27 certificate holder by another state or territory of the United States,  
28 by any other government agency, or by another California health  
29 care professional licensing board. A certified copy of the decision,  
30 order, judgment, or citation shall be conclusive evidence of these  
31 actions.

32 (9) Being convicted of any felony, misdemeanor, infraction, or  
33 municipal code violation, or being held liable in an administrative  
34 or civil action for an act, that is substantially related to the  
35 qualifications, functions, or duties of a certificate holder. A plea  
36 or verdict of guilty, or a conviction after a plea of nolo contendere,  
37 shall be a conviction for purposes of this paragraph. A record of  
38 the conviction or other judgment or liability shall be conclusive  
39 evidence of the crime or liability.

1 (10) Dressing while engaged in the practice of massage for  
2 compensation, or while visible to clients in a massage  
3 establishment, ~~in any of the following: a manner that is deemed~~  
4 ~~by the council to constitute unprofessional attire based on the~~  
5 ~~custom and practice of the profession in California.~~

6 ~~(A) Attire that is transparent, see-through, or substantially~~  
7 ~~exposes the certificate holder's undergarments.~~

8 ~~(B) Swim attire, if not providing a water-based massage~~  
9 ~~modality approved by the council.~~

10 ~~(C) A manner that exposes the certificate holder's breasts,~~  
11 ~~buttocks, or genitals.~~

12 ~~(D) A manner that constitutes a violation of Section 314 of the~~  
13 ~~Penal Code.~~

14 ~~(E) A manner that is otherwise deemed by the council to~~  
15 ~~constitute unprofessional attire based on the custom and practice~~  
16 ~~of the profession in California.~~

17 (11) Committing any act punishable as a sexually related crime  
18 or being required to register pursuant to the Sex Offender  
19 Registration Act (Chapter 5.5 (commencing with Section 290) of  
20 Title 9 of Part 1 of the Penal Code), or being required to register  
21 as a sex offender in another state.

22 (12) Being determined to be a threat to public safety based on  
23 mental health reasons by a medical or mental health professional,  
24 or rendered a finding of not guilty in a criminal proceeding by  
25 reason of insanity.

26 (b) The council may deny an application for a certificate for the  
27 commission of any of the acts described in subdivision (a). The  
28 council may also discipline a certificate holder, in any manner  
29 permitted by this chapter, for the commission of any of those acts  
30 by a certificate holder.

31 (c) The council shall deny an application for a certificate, or  
32 revoke the certificate of a certificate holder, if the applicant or  
33 certificate holder is required to register pursuant to the Sex  
34 Offender Registration Act (Chapter 5.5 (commencing with Section  
35 290) of Title 9 of Part 1 of the Penal Code), or is required to  
36 register as a sex offender in another state.

37 (d) Denial of an initial certificate on the grounds that the  
38 applicant has been convicted of a crime or has been subject to  
39 formal discipline as provided in this section shall be consistent  
40 with the requirements of *subdivision (a)* of Section 480.

1     ~~SEC. 5.~~

2     *SEC. 6.* Section 4610 of the Business and Professions Code is  
3 amended to read:

4     4610. (a) An applicant for a certificate shall not be denied a  
5 certificate, and a certificate holder shall not be disciplined pursuant  
6 to this chapter except according to procedures that satisfy the  
7 requirements of this section. Denial or discipline that is not in  
8 accord with this section shall be void and without effect.

9     (b) The council may discipline a certificate holder by any, or a  
10 combination, of the following methods:

11     (1) Placing the certificate holder on probation, which may  
12 include limitations or conditions on practice.

13     (2) Suspending the certificate and the rights conferred by this  
14 chapter on a certificate holder for a period not to exceed one year.

15     (3) Suspending or staying the disciplinary order, or portions of  
16 it, with or without conditions.

17     (4) Revoking the certificate.

18     (5) Taking other action as the council deems proper, as  
19 authorized by this chapter or policies, procedures, rules, or bylaws  
20 adopted by the board.

21     (c) The council may issue an initial certificate on probation,  
22 with specific terms and conditions, to any applicant.

23     (d) Any denial or discipline shall be decided upon and imposed  
24 in good faith and in a fair and reasonable manner. Any procedure  
25 that conforms to the requirements of subdivision (e) is fair and  
26 reasonable.

27     (e) A procedure is fair and reasonable and meets requirements  
28 for fair procedure if the procedures specified in subdivision (f) or  
29 (g) are followed or if all of the following apply:

30     (1) Denial or discipline shall be based on a preponderance of  
31 the evidence. In determining the basis for the denial or discipline  
32 and making a final decision that denial or discipline shall be  
33 imposed, the council may consider all written documents or  
34 statements as evidence, but shall weigh the reliability of those  
35 documents or statements. A final decision to deny or impose  
36 discipline may be based solely on a written statement or declaration  
37 made under penalty of perjury and the individual providing the  
38 written statement or declaration made under penalty of perjury  
39 shall not be required to appear at an oral hearing or provide  
40 additional documents or information beyond the written statement

1 or declaration made under penalty of perjury that was already  
2 provided.

3 (2) The provisions of the procedure are publicly available on  
4 the council's internet website.

5 (3) The council provides 15 calendar days prior notice of the  
6 denial or discipline and the reasons for the denial or discipline.

7 (4) The council provides an opportunity for the applicant or  
8 certificate holder, to be heard, orally or in writing, not less than  
9 five days before the effective date of the denial or discipline, by  
10 a person or body authorized by the board of directors to decide  
11 whether the proposed denial or discipline should go into effect.

12 (f) (1) Notwithstanding any other law, if the council receives  
13 notice that a certificate holder has been arrested and charges have  
14 been filed by the appropriate prosecuting agency against the  
15 certificate holder alleging a violation of subdivision (b) of Section  
16 647 of the Penal Code or any other offense described in paragraph  
17 (11) of subdivision (a) of Section 4609, the council shall  
18 immediately suspend, on an interim basis, the certificate of that  
19 certificate holder, and take all of the following additional actions:

20 (A) Notify the certificate holder at the address last filed with  
21 the council that the certificate has been suspended and the reason  
22 for the suspension within 10 business days.

23 (B) Provide notification of the suspension by email to the clerk  
24 or other designated contact of the city, county, or city and county  
25 in which the certificate holder lives or works, pursuant to the  
26 council's records, within 10 business days.

27 (C) Provide notification of the suspension by email or first-class  
28 mail to any establishment or employer, whether public or private,  
29 that the council has in its records as employing the certificate  
30 holder, within 10 business days.

31 (2) Upon notice to the council that the charges described in  
32 paragraph (1) have resulted in a conviction, the council shall  
33 permanently revoke the suspended certificate. The council shall  
34 provide notice to the certificate holder, at the address last filed  
35 with the council by a method providing delivery confirmation,  
36 within 10 business days that it has evidence of a valid record of  
37 conviction and that the certificate will be revoked unless the  
38 certificate holder provides evidence within 15 days from the date  
39 of the council's mailing of the notice that the conviction is either  
40 invalid or that the information is otherwise erroneous.

1 (3) Upon notice that the charges described in paragraph (1) have  
2 resulted in an acquittal or have been otherwise dismissed prior to  
3 conviction, the certificate shall be immediately reinstated and the  
4 certificate holder and any establishment or employer that received  
5 notice pursuant to this section shall be notified of the reinstatement  
6 within 10 business days.

7 (g) (1) Notwithstanding any other law, if the council determines  
8 that a certificate holder has committed an act punishable as a  
9 sexually related crime or a felony that is substantially related to  
10 the qualifications, functions, or duties of a certificate holder, the  
11 council may immediately suspend the certificate of that certificate  
12 holder. A determination to immediately suspend a certificate  
13 pursuant to this subdivision shall be based upon a preponderance  
14 of the evidence and the council shall also consider any available  
15 credible mitigating evidence before making a decision. Written  
16 statements by any person shall not be considered by the council  
17 when determining whether to immediately suspend a certificate  
18 unless made under penalty of perjury. If the council suspends a  
19 certificate in accordance with this subdivision, the council shall  
20 take all of the following additional actions:

21 (A) Notify the certificate holder within 10 business days, at the  
22 address last filed with the council, by a method providing delivery  
23 confirmation, that the certificate has been suspended, the reason  
24 for the suspension, and that the certificate holder has the right to  
25 request a hearing pursuant to paragraph (2).

26 (B) Notify by email or any other means consistent with the  
27 notice requirements of this chapter, any business or employer,  
28 whether public or private, that the council has in its records as  
29 employing or contracting with the certificate holder for massage  
30 services, and the California city, county, or city and county that  
31 has jurisdiction over that establishment or employer, that the  
32 certificate has been suspended within 10 business days.

33 (2) A certificate holder whose certificate is suspended pursuant  
34 to this subdivision shall have the right to request, in writing, an  
35 oral hearing or consideration of a written statement to challenge  
36 the factual basis for the suspension. If the holder of the suspended  
37 certificate requests an oral hearing or consideration of a written  
38 statement on the suspension, the oral hearing or consideration of  
39 a written statement shall be held by a person or body authorized  
40 by the board of directors within 30 calendar days after receipt of

1 the request. A holder whose certificate is suspended based on  
2 paragraph (1) shall be subject to revocation or other discipline in  
3 accordance with subdivision (a).

4 (3) If the council determines, after a hearing conducted pursuant  
5 to this subdivision, to lift the suspension, the certificate shall be  
6 immediately reinstated and the certificate holder, any establishment  
7 or employer, and the city, county, or city and county that has  
8 jurisdiction over that establishment or employer, that received  
9 notice pursuant to this section shall be notified of the reinstatement  
10 within 10 business days.

11 (h) Any notice required under this section may be given by any  
12 method reasonably calculated to provide actual notice. Any notice  
13 given by mail shall be given by first-class or certified mail sent to  
14 the last address of the applicant or certificate holder shown on the  
15 council's records.

16 (i) An applicant or certificate holder may challenge a denial or  
17 discipline decision issued pursuant to this section in a court of  
18 competent jurisdiction. Any action challenging a denial or  
19 discipline, including any claim alleging defective notice, shall be  
20 commenced within 90 days after the effective date of the denial  
21 or discipline. Certification issued pursuant to this chapter is not a  
22 fundamental vested right and judicial review of denial and  
23 disciplinary decisions made by the council shall be conducted  
24 using the substantial evidence standard of review. If the action is  
25 successful, the court may order any relief, including reinstatement,  
26 that it finds equitable under the circumstances.

27 (j) An applicant or certificate holder may appeal a final decision  
28 by the council to deny or revoke a ~~certificate~~ *certificate for conduct*  
29 *not constituting a criminal offense*. An appeal of the final decision  
30 to deny or revoke a certificate shall be heard at the next board of  
31 directors meeting with a date, as posted on the internet website of  
32 the council, that is at least 120 days from the last date for the  
33 applicant or certificate holder to timely request an appeal, unless  
34 a timely request for a continuance of the hearing date is granted.  
35 The council may, in its discretion, for good cause, continue the  
36 date an appeal may be heard, in which case the appeal shall be  
37 heard at a later board of directors meeting. The council shall notify  
38 the applicant or certificate holder of its right to appeal pursuant to  
39 this subdivision at the time of the final decision.

1 (k) This section governs only the procedures for denial or  
2 discipline decision and not the substantive grounds for the denial  
3 or discipline. Denial or discipline based upon substantive grounds  
4 that violates contractual or other rights of the applicant or certificate  
5 holder, or is otherwise unlawful, is not made valid by compliance  
6 with this section.

7 ~~SEC. 6. Section 4614 of the Business and Professions Code is~~  
8 ~~amended to read:~~

9 ~~4614. (a) Upon the request of any law enforcement agency,~~  
10 ~~state agency, or representative of a local government agency with~~  
11 ~~responsibility for regulating or administering a local ordinance~~  
12 ~~relating to massage or massage establishments, the council shall~~  
13 ~~provide information concerning an applicant or a certificate holder,~~  
14 ~~including, but not limited to, any of the following:~~

- 15 ~~(1) The current status of an application or certificate.~~  
16 ~~(2) Any history of disciplinary actions.~~  
17 ~~(3) The home and work addresses of the applicant or certificate~~  
18 ~~holder.~~  
19 ~~(4) The name and home and work addresses of any person whose~~  
20 ~~certificate has been suspended and the length of the suspension.~~  
21 ~~(5) Any other information in the council's possession that is~~  
22 ~~necessary to verify facts relevant to administering any local~~  
23 ~~massage or massage establishment ordinance or any other federal,~~  
24 ~~state, or local enforcement laws related to massage or massage~~  
25 ~~establishments, human trafficking, organized crime, acts punishable~~  
26 ~~as a sexually related crime, or regulating a California-licensed~~  
27 ~~profession.~~

28 ~~(b) Upon the request of the council, any law enforcement agency~~  
29 ~~or any other representative of a local government agency with~~  
30 ~~responsibility for regulating or administering a local ordinance~~  
31 ~~relating to massage or massage establishments is authorized to~~  
32 ~~provide information to the council concerning an applicant or~~  
33 ~~certificate holder, including, but not limited to, any of the~~  
34 ~~following:~~

- 35 ~~(1) The current status of any local application or permit.~~  
36 ~~(2) Any history of legal or administrative action taken against~~  
37 ~~the applicant or certificate holder.~~  
38 ~~(3) Any information related to criminal activity or unprofessional~~  
39 ~~conduct allegedly engaged in by a certificate applicant or certificate~~

holder, including, but not limited to, police reports and declarations of conduct.

~~(4) The home and work addresses of the applicant or certificate holder.~~

~~(5) Any other information in the possession of the law enforcement agency or other local government agency that is necessary to verify information or otherwise implement this chapter.~~

~~(e) The council shall accept information provided by any law enforcement agency or any other representative of a local government agency with responsibility for regulating or administering a local ordinance relating to massage and review that information in a timely manner. The council shall have the responsibility to review any information received pursuant to this subdivision and to take any actions authorized by this chapter that are warranted by that information.~~

SEC. 7. Section 4615 of the Business and Professions Code is amended to read:

4615. (a) The council shall have the responsibility to determine whether the school from which an applicant has obtained the education required by this chapter meets the requirements of this chapter.

(1) If the council has any reason to question whether or not the applicant received the education that is required by this chapter from the school or schools that the applicant is claiming, the council may investigate the facts to determine that the applicant received the required education before issuing a certificate.

(2) For purposes of this section and any other provision of this chapter that authorizes the council to receive factual information as a condition of taking any action, the council may conduct oral interviews of the applicant and others or conduct any investigation deemed necessary to establish that the information received is accurate and satisfies the criteria established by this chapter.

(b) (1) The council shall develop policies, procedures, rules, or bylaws governing the requirements and process for approving, denying approval of, imposing corrective action on, or unapproving schools consistent with Section 4601. These policies, procedures, rules, or bylaws shall address ~~topics~~ *topics*, including, but not limited to, what constitutes an acceptable curriculum, facility requirements, student-teacher ratios, clinical practice requirements,



1 and provisions for the acceptance of accreditation from a  
2 recognized accreditation body or other form of acceptance.

3 (2) The approval process for a school shall be consistent with  
4 the following timelines:

5 (A) (i) On or before 30 days from the date the council receives  
6 an initial application for school approval, the council shall notify  
7 the school whether or not, for the purpose of preliminary review,  
8 the application is complete.

9 (ii) A notice that an initial application is not complete for the  
10 purpose of preliminary review shall specify what additional  
11 documents or payment of fees the school is required to submit to  
12 the council to make the application complete for the purpose of  
13 preliminary review.

14 (B) Within 60 days from the date the council notifies the school  
15 that the initial application is not complete for purposes of  
16 preliminary review, the school shall provide the missing  
17 information and pay the required fees. If a school fails to do so,  
18 the council shall purge the application. The council may, in its sole  
19 discretion, provide a school with an additional 30 days to make  
20 its application complete for purposes of preliminary review. A  
21 school with a purged application may submit a new application  
22 for school approval, including the required fees, without prejudice,  
23 after 180 days have passed from the effective date of purging. The  
24 council shall post on its internet website the effective date of  
25 purging.

26 (C) (i) On or before one year from the date the council receives  
27 an initial application for approval as a school, the council shall  
28 approve the school, propose to deny approval of the school, or  
29 notify the school that corrective action is required. The council  
30 reserves the right to issue a one-time notice of corrective action  
31 on an initial application. If the school fails to adequately rectify  
32 the deficiencies, the council may deny the application.

33 (ii) Within one year from the date that the council notifies a  
34 school of its proposed decision to deny approval of an initial  
35 application for school approval, the council shall notify the school  
36 of its final decision pursuant to any oral telephonic hearing or  
37 consideration of a written statement provided in opposition to the  
38 proposed decision to deny approval of the initial application for  
39 school approval.

1 (D) A school may appeal the council's final decision to deny  
2 approval of the school. An appeal of the council's final decision  
3 to deny approval of a school shall be heard at the next board of  
4 directors meeting with a date, as posted on the council's internet  
5 website, that is at least 120 days from the last date for the school  
6 to timely request an appeal, unless a timely request for a  
7 continuance of the hearing date is granted. The council may, in its  
8 discretion, for good cause, continue the date an appeal may be  
9 heard, in which case the appeal shall be heard at a later board of  
10 directors meeting. The council shall notify the school of its right  
11 to appeal pursuant to this subdivision at the time of the final  
12 decision.

13 (3) The council shall exercise its authority to approve, deny  
14 approval of, and unapprove schools and specify corrective action  
15 in keeping with the purposes set forth in Section 4603.

16 (c) The council may charge a reasonable fee for the inspection  
17 or approval of schools, provided the fees do not exceed the  
18 reasonable cost of the inspection or approval process.

19 (d) The council shall note on its internet website the date that  
20 a letter proposing to deny a school's application for approval or  
21 reapproval or requesting corrective action has been sent to the  
22 school and the final outcome and date of that proposed action.

23 (e) For purposes of this section, the following terms have the  
24 following meanings:

25 (1) "Initial application" means a new application submitted by  
26 a school for school approval.

27 (2) "Complete application," for purposes of preliminary review,  
28 means an application that the council, after preliminary review,  
29 has determined contains all the necessary documents for the council  
30 to begin a more thorough review process that allows the council  
31 to make a decision to approve or propose to deny the application  
32 for school approval or request corrective action. A complete  
33 application is not an approved application and a determination by  
34 the council upon preliminary review that an application is complete  
35 shall not prejudice the council's ability to later determine that the  
36 application is not complete.

37 (3) "Preliminary review" means an initial review conducted by  
38 the council to determine if all fees have been paid and if all  
39 application and supporting documents have been submitted, so  
40 that the council can move forward and begin a more thorough

1 review process. The preliminary review process does not include  
2 completion of a site visit or completion of background checks for  
3 noncertified individuals.

4 SEC. 8. Section 4621 of the Business and Professions Code is  
5 amended to read:

6 4621. (a) This chapter shall remain in effect only until January  
7 1, 2030, and as of that date is repealed.

8 (b) Notwithstanding any other law, the powers and duties of the  
9 council shall be subject to review by the appropriate policy  
10 committees of the Legislature.

11 SEC. 9. *Section 94934.5 of the Education Code is amended to*  
12 *read:*

13 94934.5. (a) An institution with an approval to operate that  
14 knows that it is being investigated by an oversight entity other than  
15 the bureau shall report that investigation, including the nature of  
16 that investigation, to the bureau in writing within 30 days of the  
17 institution's first knowledge of the investigation. An institution  
18 with an approval to operate that is the subject of a judgment by, a  
19 regulatory action by, increased oversight or monitoring by, or a  
20 settlement with, any oversight entity other than the bureau shall  
21 report it to the bureau within 30 days. Failure to comply with this  
22 section may subject the institution to an administrative citation  
23 pursuant to Section 94936.

24 (b) For the purposes of this section, "investigation" means any  
25 inquiry into possible violations of any applicable laws or  
26 accreditation standards.

27 (c) For the purposes of this section, "oversight entity" means  
28 all of the following:

29 (1) Any governmental agency.

30 (2) Any accrediting agency.

31 (3) Any professional licensing entity that exercises any  
32 programmatic or institutional approval over the institution.

33 (4) *Any private entity authorized pursuant to any provision of*  
34 *the Business and Professions Code to approve schools or*  
35 *educational programs for purposes of a professional certification.*