
SENATE COMMITTEE ON EDUCATION

Senator Benjamin Allen, Chair

2017 - 2018 Regular

Bill No: SB 1348 **Hearing Date:** April 4, 2018
Author: Pan
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Urgency: No **Fiscal:** Yes
Consultant: Olgalilia Ramirez

Subject: Postsecondary education: allied health professional clinical programs: reporting

SUMMARY

This bill requires a private postsecondary institution to include in its School Performance Fact Sheet and the California Community College (CCC) Chancellor's Office to report in an existing annual report to the Legislature the specified information related to clinical training for certificates or degrees related to allied health professional.

BACKGROUND

Existing law:

- 1) Establishes the mission and function of the CCC as the offering of academic and vocational instruction at the lower division level and the CCC are authorized to grant the associate in arts and the associate in science degree. The community colleges are also required to offer remedial instruction, English as a Second Language instruction, and adult noncredit instruction, and support services which help students succeed at the postsecondary level. (Education Code § 66010.4)
- 2) Requires the Chancellor of the California Community Colleges to submit an annual report to the Legislature, the Governor the Department of Finance, and the Legislative Analyst for the purpose of evaluating the achievement of educational outcomes for each community college district. (Education Code § 84906)
- 3) Establishes the California Private Postsecondary Education Act of 2009 (Act) until January 1, 2021, and requires the Bureau for Private Postsecondary Education (Bureau) within the Department of Consumer Affairs to, among other things, review, investigate and approve private postsecondary institutions, programs and courses of instruction pursuant to the Act and authorizes the Bureau to take formal actions against an institution/school to ensure compliance with the Act and even seek closure of an institution/school if deemed necessary. (EC § 94800, et seq.)
- 4) Under the Act, requires a private postsecondary institution to provide a prospective student, prior to enrollment, with a School Performance Fact Sheet for each educational program containing information related to completion rates, job placement rates within the career fields for which the program was designed, license examination passage rates, salaries or wages, and the most recent three-

year cohort default rate. In order to remain in compliance, the California Private Postsecondary Education Act of 2009 (Act) requires an institution to submit an annual report to the Bureau for Private Postsecondary Education (Bureau) that includes, among other things, the School Performance Fact Sheet. The report and fact sheets are made available on the institution's as well as the bureau's Internet Web site. (EC § 94910, 9434, 94913 and 94878)

- 5) Under federal law, defines the term "allied health professionals" to mean a health professional (other than a registered nurse or physician assistant): 1) who has received a certificate, degree or training in a science relating to healthcare; 2) Who shares in the responsibility for the delivery of health care services or related services; and 3) who has not received a degree of doctor of medicine in the specified fields. (Title 42 United States Code § 295p. (5))

ANALYSIS

This bill:

- 1) Requires, beginning 2019, for each educational program that offers certificates or degrees related to allied health professionals that require clinical training:
 - a) The California Community College Chancellor's Office to include within its annual report of educational outcomes all of the following:
 - i) The name and address of the clinical placement sites, as applicable.
 - ii) The length and types of clinical rotations, as applicable.
 - iii) Supervision ratios at each site.
 - iv) The numbers of students participating in clinical training, including demographic data related to race, ethnicity, gender, and proficiency in languages other than English.
 - v) Employment retention at each clinical placement site, as applicable.
 - b) A private postsecondary institution in its School Performance Fact Sheet provided to students prior to enrollment, to include all the above in i) – v) inclusive, and disclosure of whether any financial compensation or exchange of consideration was offered or provided for clinical placement, as specified.
 - c) Defines for purposes of this bill, "allied health professionals," to mean a health professional (other than a registered nurse or physician assistant): 1) who has received a certificate, degree or training in a science relating to health care; 2) who shares in the responsibility for the delivery of healthcare services or related services; and 3) who has not received a degree of doctor of medicine, as specified under federal law.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author, research indicates that California is predicted to face a significant shortage of allied health professionals. The author notes that, “the Senate Office of Research (SOR) found in 2012 that 81% of deans of allied health professions programs at community colleges believed that more partnerships with health care employers would lead to an expansion in their capacity to training and enroll more allied health professional students. And the California Hospital Association has also observed that the lack of clinical training opportunities creates a barrier to ensuring an adequate supply of allied health workers.

Healthcare programs have reported that it is becoming more difficult to find health care providers to place students into their clinical internships. In addition to fast pace with which programs are expanding, and the existing difficulty with finding capable clinical sites with qualified supervisors, educators have pointed to increased difficulty in finding placements due to the growth of the for-profit education institutions whom they accuse of payment-for-placement tactics which place students from for-profit schools ahead of public school students. A recent study of the Respiratory Care workforce found that there is a limited number of available clinical internships and that many programs are being shut out of bigger hospitals which mean some students are not exposed to the full range of clinical practice.

The Legislature (SOR) has previously studied the issue of the healthcare workforce on several occasions and recommended changes to: Evaluate supply and demand of clinical training programs as the inventory of clinical training spots compared to the number of trainees for many of these professions is generally unknown or not easily available.

Without adequate data to effectively align education programs, clinical training sites, and projected allied healthcare workforce demands and shortages, California’s system of higher education will be unable to plan to meet the future healthcare workforce needs of the state.”

- 2) **Public and private institutions competing for limited slots.** To graduate from certain programs students are required to have clinical education/training. Programs are responsible for securing clinical facilities that meet requirements needed to adequately prepare its students. Concerns have been raised about some private for-profit institutions obtaining clinical placement based on financial incentives, which many argue places public programs at a particular disadvantage. This is an issue as the number of available placements is limited. This bill seeks to shed light on this problem by requiring disclosure of any financial compensation offered in exchange for clinical placement.
- 3) **California Community College Student Success Scorecard.** This bill requires the California Community College Chancellor’s Office to include the specified information within its annual report of educational outcomes. This report is known as the, “Student Success Scorecard,” which is submitted to the Legislature and maintained on the Chancellor’s Office website. This scorecard provides a level of

transparency and accountability on student progress and success metrics. The data available in this scorecard tells how well colleges are doing in remedial instruction, job training programs, retention of students and graduation and completion rates. Data are reported by gender, age and ethnicity and colleges. In addition to those metrics, this bill requires reporting of data related to clinical placement sites, employment retention at each site, clinical rotations, supervisor to student ratios and the number of clinical training participants for each of the specified education programs within a college.

- 4) **Use of School Performance Fact Sheet.** As mentioned in the background of this analysis, current law requires a private postsecondary institution to provide a prospective student with a School Performance Fact Sheet prior to signing an enrollment agreement with the institution. The fact sheet includes, among other things, information on degree completion and the rate at which program graduates are gainfully employed within their field of study. It is designed to help individuals make informed decisions about the institution and its educational programs.

Similar to the reporting requirements for the community college system, this measure proposes for each education program offering certificates or degrees related to allied health professions requiring clinical training, to include additional information about clinical placement sites, employment retention at each site, clinical rotations, supervisor to student ratios and the number of clinical training participants. These provisions appear to align with the general goal of fact sheet—to equip students with information to successfully assess programs as well as promote institutional accountability and transparency.

- 5) **Efforts to update School Performance Fact Sheet.** SB 1247 (Lieu, Chapter 840, Statutes of 2014) directed the Bureau for Private Postsecondary Education (Bureau) to evaluate and make recommendations to the Legislature on how reporting requirements should be altered to ensure accurate, useful and consistent reporting by private postsecondary institutions to the bureau and students. The report was released in December 2016. To promote the use and usefulness of the fact sheet the report recommends making information simpler and more compelling. Staff notes that the Bureau recently updated the School Performance Fact Sheet through the regulatory process. The revised regulations took effect on January 1, 2017. According to the Department of Consumer Affairs (DCA), any changes to the Fact Sheet would require the Bureau to revisit and potentially revise its corresponding regulations. DCA also notes that expanded reporting requirements would substantially increase the Bureau's data validation workload.

SUPPORT

California Federation of Teachers
Faculty Association of California Community Colleges
SEIU California

OPPOSITION

American Career College
California Association of Private Postsecondary Schools
West Coast University

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