

**OFFICE OF
ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA**



**Case-related Data Report Pursuant
to California Business and
Professions Code Section 312.1**

January 2024

Office of Administrative Hearings

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Report to the Governor, the Legislature, and the Department of Consumer Affairs

Executive Summary

This report is required by Business and Professions Code Section 312.1, effective Jan. 1, 2015. Business and Professions Code Section 312.1 directs the Office of Administrative Hearings (OAH) to provide specified case-related data yearly to the governor, the Legislature, and the Department of Consumer Affairs (DCA), commencing Jan. 1, 2016. This is the ninth annual report, and it contains data for the 2022-23 fiscal year.

Measures Reported

Business and Professions Code Section 312.1 requires OAH to provide the following case-related data for the previous fiscal year:

- A.) Number of cases referred by each constituent entity to each office of OAH for a hearing.
- B.) Average number of days from receiving a request to setting a hearing date at each office of OAH.
- C.) Average number of days from setting a hearing to conducting the hearing.
- D.) Average number of days after conducting a hearing to transmitting the proposed decision by each office of OAH.

Analysis

Along with the required data, this report also contains a summary of three fiscal years' data and a comparison to the last fiscal year's report. This comparison data assists in identifying areas where improvement has been made and areas where additional improvement is needed.

For fiscal year 2022-23, DCA filings with OAH were reduced **9%** from the previous year. Average case-setting times decreased by **25%** (a decrease of one day) over the previous year. The average time from setting a hearing to conducting the hearing increased slightly (**7%**) over the previous year. There was a slight decrease of **8%** in the average number of days from a matter being submitted for decision to the date of decision issuance (**23 days**). This number remains well below the target of 30 days.

Report Detail

Business and Professions Code Section 312.1, Subdivision (a)

Table A provides the number of cases referred to each OAH office by each DCA agency. Any DCA agencies that did not refer any cases to OAH during the 2022-23 fiscal year are not listed. DCA agencies¹ are in rows. OAH offices are in columns. The final column represents the total cases for all OAH offices. The final row totals each column.

During the 2022-23 fiscal year, OAH received a total of **2,091** cases, a decrease of **9%** compared to the prior fiscal year.

Table A: Total number of cases for fiscal year 2022-23

DCA Agency	Los Angeles	Oakland	Sacramento	San Diego	OAH Total
Acupuncture Board	2	-	-	-	2
Board for Professional Engineers, Land Surveyors, and Geologists	12	6	7	6	31
California Board of Accountancy	8	4	9	3	24

¹ The names of the DCA constituent entities reflect the entities' official names set forth in Business and Professions Code Section 101. For the Board of Vocational Nursing and Psychiatric Technicians, the Bureau of Automotive Repair, and the Cemetery and Funeral Bureau, there is subreporting of case types, consistent with prior-year reporting.

DCA Agency	Los Angeles	Oakland	Sacramento	San Diego	OAH Total
State Board of Barbering and Cosmetology	16	3	7	8	34
Board of Behavioral Sciences	20	12	19	9	60
State Board of Chiropractic Examiners	13	4	12	3	32
California Board of Occupational Therapy	3	-	1	1	5
California State Board of Optometry	2	1	4	1	8
California State Board of Pharmacy	33	10	65	25	133
Podiatric Medical Board of California	3	1	2	3	9
Board of Psychology	9	6	11	1	27
Board of Registered Nursing	125	66	147	129	467
Board of Vocational Nursing and Psychiatric Technicians - Psychiatric Technicians	5	2	6	2	15

DCA Agency	Los Angeles	Oakland	Sacramento	San Diego	OAH Total
Board of Vocational Nursing and Psychiatric Technicians - Vocational Nursing	72	22	43	29	166
Bureau for Private Postsecondary Education	6	2	3	3	14
Bureau of Automotive Repair	31	2	15	10	58
Bureau of Automotive Repair - Smog Check	65	22	12	7	106
Bureau of Real Estate Appraisers	1	1	-	-	2
Bureau of Security and Investigative Services	37	12	11	6	66
California Architects Board	-	-	1	-	1
Cemetery and Funeral Bureau - Crematories	1	5	1	2	9
Cemetery and Funeral Bureau - Establishments	-	1	-	-	1
Contractors State License Board	113	72	62	58	305

DCA Agency	Los Angeles	Oakland	Sacramento	San Diego	OAH Total
Court Reporters Board of California	-	-	-	1	1
Dental Board of California	28	13	22	16	79
Dental Hygiene Board of California	3	2	4	1	10
Medical Board of California	112	62	69	68	311
Osteopathic Medical Board of California	5	8	1	3	17
Physical Therapy Board of California	5	1	9	5	20
Physician Assistant Board	5	5	6	7	23
Professional Fiduciaries Bureau	-	-	-	-	-
Respiratory Care Board of California	5	1	2	7	15
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board	2	1	-	-	3
Structural Pest Control Board	3	-	8	2	13
Veterinary Medical Board	15	2	3	3	23

DCA Agency	Los Angeles	Oakland	Sacramento	San Diego	OAH Total
Bureau of Household Goods and Services	-	-	-	-	-
Landscape Architects Technical Committee	-	-	1	-	1
Total cases	760	349	563	419	2091

Table B compares case filings for fiscal years 2020-21, 2021-22 and 2022-23 and shows the change and percent change from the previous year. OAH offices are in rows and fiscal years, change and percent change are in columns. The final row shows the OAH totals for each column.

Table B: Case filings (fiscal year comparison)

Office	2020-21	2021-22	2022-23	Change	% Change
Los Angeles	1,054	909	760	-149	-16%
Oakland	527	412	349	-63	-15%
Sacramento	663	533	563	30	6%
San Diego	449	451	419	-32	-7%
OAH total	2,693	2,305	2,091	-214	-9%

Business and Professions Code Section 312.1, Subdivision (b)

Table C provides the average number of days from receiving a request to setting a hearing date for all DCA agencies by each OAH regional office. DCA agencies are in rows. OAH offices are in columns. The final column shows the overall OAH average. The final row shows the overall average for each column. For OAH statewide, the average number of days taken to set a case for hearing after receiving a request to set a hearing date has decreased by **25%** (a decrease of one day) over the prior fiscal year.

Table C: Average number of days to set hearing date by OAH office in fiscal year 2022-23

DCA Agency	Los Angeles	Oakland	Sacramento	San Diego	OAH Average
Acupuncture Board	0	-	-	-	0
Board for Professional Engineers, Land Surveyors, and Geologists	1	4	0	1	1
California Board of Accountancy	0	6	0	0	1
State Board of Barbering and Cosmetology	1	10	0	0	1
Board of Behavioral Sciences	1	6	0	1	2

DCA Agency	Los Angeles	Oakland	Sacramento	San Diego	OAH Average
State Board of Chiropractic Examiners	1	8	0	0	1
California Board of Occupational Therapy	2	19	0	1	4
California State Board of Optometry	1	14	0	0	3
California State Board of Pharmacy	1	8	1	1	1
Podiatric Medical Board of California	2	13	2	0	3
Board of Psychology	0	8	0	0	2
Board of Registered Nursing	1	10	1	1	2
Board of Vocational Nursing and Psychiatric Technicians - Psychiatric Technicians	2	2	0	1	1
Board of Vocational Nursing and Psychiatric Technicians - Vocational Nursing	0	12	0	5	3

DCA Agency	Los Angeles	Oakland	Sacramento	San Diego	OAH Average
Bureau for Private Postsecondary Education	0	11	1	1	2
Bureau of Automotive Repair	4	8	1	1	3
Bureau of Automotive Repair - Smog Check	2	8	0	3	3
Bureau of Real Estate Appraisers	0	23	-	-	12
Bureau of Security and Investigative Services	1	14	0	1	4
California Architects Board	-	-	0	-	0
Cemetery and Funeral Bureau - Crematories	0	9	4	0	5
Cemetery and Funeral Bureau - Establishments	-	14	-	-	14
Contractors State License Board	1	9	1	1	3

DCA Agency	Los Angeles	Oakland	Sacramento	San Diego	OAH Average
Court Reporters Board of California ²	-	-	-	-	-
Dental Board of California	2	10	1	7	4
Dental Hygiene Board of California	6	10	0	1	4
Medical Board of California	1	8	0	1	2
Osteopathic Medical Board of California	0	14	1	2	7
Physical Therapy Board of California	0	11	0	1	1
Physician Assistant Board	2	17	2	2	6
Respiratory Care Board of California	0	-	-	3	2
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board	0	-	-	-	0
Structural Pest Control Board	3	-	0	1	1

² No hearing was set in the one Court Reporters Board of California case received in fiscal year 2022-23 because OAH recused itself from hearing the case.

DCA Agency	Los Angeles	Oakland	Sacramento	San Diego	OAH Average
Veterinary Medical Board	0	16	4	1	3
Professional Fiduciaries Bureau	-	-	-	-	-
Bureau of Household Goods and Services	-	-	-	-	-
Landscape Architects Technical Committee	-	-	0	-	0
Total average days	1	9	1	2	3

Table D compares the average case-setting times for OAH offices for fiscal years 2020-21, 2021-22 and 2022-23 and shows the change and percent change over the previous year. OAH offices are in rows. Fiscal years, change and percent change are in columns. The final row shows the overall average, change, and percent change.

Table D: Average case-setting times (fiscal year comparison)

Office	2020-21	2021-22	2022-23	Change	% Change
Los Angeles	4	6	1	-5	-83%
Oakland	4	7	9	2	28%
Sacramento	1	1	1	0	0%
San Diego	1	1	2	1	100%
OAH total	3	4	3	-1	-25%

Business and Professions Code Section 312.1, Subdivision (c)

Table E provides the average number of days from setting a hearing to conducting the hearing for hearings that occurred in fiscal year 2022-23 by each regional OAH office. The average number of days is shown with a case count in parentheses for each DCA agency. The case count is the number of cases used to calculate each average. DCA agencies are in rows. OAH offices are in columns. The final column is the OAH overall average and case count. The final row is the overall average and case count for each column.

On average statewide, there was a slight increase of **7%** in the average number of days from setting a hearing to conducting the hearing over the prior fiscal year.

Table E: Average number of days from setting a hearing to conducting the hearing for hearings that occurred in fiscal year 2022-23

DCA Agency	Los Angeles	Oakland	Sacramento	San Diego	OAH Average
Acupuncture Board	119 (1)	-	-	-	119 (1)
Board for Professional Engineers, Land Surveyors, and Geologists	120 (2)	178 (3)	75 (2)	194 (1)	139 (8)
California Board of Accountancy	198 (5)	487 (1)	64 (8)	91 (1)	139 (15)
State Board of Barbering and Cosmetology	104 (8)	125 (1)	88 (5)	139 (5)	110 (19)

DCA Agency	Los Angeles	Oakland	Sacramento	San Diego	OAH Average
Board of Behavioral Sciences	68 (6)	62 (8)	42 (15)	22 (5)	49 (34)
State Board of Chiropractic Examiners	-	195 (1)	30 (9)	-	47 (10)
California Board of Occupational Therapy	182 (1)	55 (1)	94 (1)	48 (1)	95 (4)
California State Board of Optometry	210 (1)	90 (1)	49 (2)	215 (1)	123 (5)
California State Board of Pharmacy	162 (18)	165 (4)	52 (47)	90 (12)	87 (81)
Podiatric Medical Board of California	286 (1)	118 (1)	4 (1)	-	136 (3)
Board of Psychology	140 (3)	70 (3)	45 (4)	-	81 (10)
Board of Registered Nursing	127 (58)	85 (24)	76 (72)	100 (43)	97 (197)

DCA Agency	Los Angeles	Oakland	Sacramento	San Diego	OAH Average
Board of Vocational Nursing and Psychiatric Technicians - Psychiatric Technicians	131 (6)	57 (2)	200 (3)	46 (2)	122 (13)
Board of Vocational Nursing and Psychiatric Technicians - Vocational Nursing	113 (50)	64 (13)	83 (20)	110 (21)	100 (104)
Bureau for Private Postsecondary Education	184 (5)	132 (5)	118 (1)	138 (2)	152 (13)
Bureau of Automotive Repair	207 (18)	82 (2)	116 (7)	49 (4)	158 (31)
Bureau of Automotive Repair - Smog Check	124 (34)	137 (9)	142 (8)	127 (7)	129 (58)
Bureau of Real Estate Appraisers	94 (1)	-	-	-	94 (1)
Bureau of Security and Investigative Services	98 (26)	95 (12)	37 (10)	79 (5)	84 (53)

DCA Agency	Los Angeles	Oakland	Sacramento	San Diego	OAH Average
California Architects Board	-	153 (1)	18 (1)	-	86 (2)
Cemetery and Funeral Bureau - Crematories	-	87 (2)	-	56 (1)	77 (3)
Cemetery and Funeral Bureau - Establishments	-	-	-	-	-
Contractors State License Board	129 (56)	120 (38)	112 (30)	130 (12)	123 (136)
Court Reporters Board of California	-	-	-	-	-
Dental Board of California	140 (14)	68 (7)	122 (9)	135 (8)	122 (38)
Dental Hygiene Board of California	121 (6)	-	84 (4)	122 (3)	110 (13)
Medical Board of California	129 (45)	75 (38)	57 (17)	121 (16)	100 (116)
Osteopathic Medical Board of California	-	20 (1)	314 (1)	-	167 (2)
Physical Therapy Board of California	250 (1)	31 (1)	37 (4)	123 (2)	84 (8)

DCA Agency	Los Angeles	Oakland	Sacramento	San Diego	OAH Average
Physician Assistant Board	178 (1)	100 (4)	177 (3)	81 (2)	127 (10)
Respiratory Care Board of California	100 (2)	-	-	-	100 (2)
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board	78 (1)	-	-	-	78 (1)
Structural Pest Control Board	49 (5)	129 (1)	42 (7)	130 (2)	62 (15)
Veterinary Medical Board	220 (2)	-	70 (3)	97 (1)	125 (6)
Professional Fiduciaries Bureau	-	-	-	-	-
Bureau of Household Goods and Services	-	-	-	-	-
Landscape Architects Technical Committee	-	-	-	-	-
Total average days (hearing count)	130 (377)	98 (184)	76 (294)	106 (157)	105 (1012)

Note: This chart reports cases that went to hearing during the 2022-23 fiscal year, regardless of when the case was filed with OAH.

Table F compares the average number of days from setting a hearing to conducting a hearing for fiscal years 2020-21, 2021-22 and 2022-23 and shows the change and percent change over the previous year. OAH offices are in rows. Fiscal years, change, and percent change are in columns. The final rows show the overall averages, change, percent change and the overall number of hearings held.

Table F: Average number of days from setting hearing to conducting hearing, and number of hearings (fiscal year comparison)

Office	2020-21	2021-22	2022-23	Change	% Change
Los Angeles average	142	118	130	12	10%
Los Angeles no. of hearings	589	430	377	53	12%
Oakland average	111	89	98	9	10%
Oakland no. of hearings	319	209	184	-25	-12%
Sacramento average	81	69	76	7	10%
Sacramento no. of hearings	444	334	294	-40	-12%
San Diego average	157	115	106	-9	-8%
San Diego no. of hearings	239	192	157	-35	-18%
Overall OAH average	121	98	105	7	7%
Total no. of hearings	1,591	1,165	1,012	-153	-13%

Business and Professions Code Section 312.1, Subdivision (d)

Table G provides the average number of days after conducting a hearing to transmitting the proposed decision by each regional OAH office. The average number of days is shown with a decision count in parentheses for each DCA agency. The decision count is the number of decisions issued, which is used to calculate each average. DCA agencies are in rows. OAH offices are in columns. The final column shows the OAH overall average and decision count for each agency. The final row shows the overall average and decision count for each OAH office.

Statewide, the average number of days after conducting a hearing to transmitting the proposed decision slightly decreased to **23 days**. This average remains well below the 30-day target.

Table G: Average number of days from conducting a hearing to transmitting the proposed decision for decisions issued during fiscal year 2022-23

DCA Agency	Los Angeles	Oakland	Sacramento	San Diego	OAH Average
Acupuncture Board	32 (1)	-	-	-	32 (1)
Board for Professional Engineers, Land Surveyors, and Geologists	13 (2)	-	32 (5)	27 (1)	27 (8)
California Board of Accountancy	29 (4)	-	27 (7)	-	28 (11)

DCA Agency	Los Angeles	Oakland	Sacramento	San Diego	OAH Average
State Board of Barbering and Cosmetology	28 (3)	27 (1)	22 (5)	28 (1)	25 (10)
Board of Behavioral Sciences	27 (7)	20 (9)	23 (15)	18 (5)	22 (36)
State Board of Chiropractic Examiners	28 (1)	28 (1)	23 (9)	-	24 (11)
California Board of Occupational Therapy	20 (1)	20 (1)	25 (1)	28 (1)	23 (4)
California State Board of Optometry	15 (1)	11 (1)	80 (1)	29 (1)	34 (4)
California State Board of Pharmacy	19 (12)	17 (2)	21 (46)	19 (10)	20 (70)
Podiatric Medical Board of California	-	11 (1)	11 (1)	-	11 (2)
Board of Psychology	26 (3)	22 (3)	31 (4)	-	27 (10)
Board of Registered Nursing	25 (55)	20 (18)	22 (70)	23 (41)	23 (184)
Board of Vocational Nursing and Psychiatric Technicians - Psychiatric Technicians	26 (7)	10 (1)	24 (3)	17 (2)	23 (13)

DCA Agency	Los Angeles	Oakland	Sacramento	San Diego	OAH Average
Board of Vocational Nursing and Psychiatric Technicians - Vocational Nursing	27 (48)	18 (12)	22 (20)	23 (17)	24 (97)
Bureau for Private Postsecondary Education	21 (5)	19 (5)	-	-	20 (10)
Bureau of Automotive Repair	23 (13)	18 (2)	25 (6)	30 (2)	123 (23)
Bureau of Automotive Repair - Smog Check	24 (31)	18 (8)	21 (13)	26 (5)	23 (57)
Bureau of Real Estate Appraisers	-	-	-	-	-
Bureau of Security and Investigative Services	20 (16)	18 (8)	17 (8)	22 (4)	19 (36)
California Architects Board	-	28 (1)	20 (1)	-	24 (2)
Cemetery and Funeral Bureau - Crematories	-	12 (2)	-	29 (1)	17 (3)
Cemetery and Funeral Bureau - Establishments	-	-	-	-	-
Contractors State License Board	33 (42)	19 (28)	22 (19)	26 (9)	26 (98)

DCA Agency	Los Angeles	Oakland	Sacramento	San Diego	OAH Average
Court Reporters Board of California	-	-	-	-	-
Dental Board of California	27 (14)	17 (6)	23 (6)	21 (8)	23 (34)
Dental Hygiene Board of California	22 (5)	-	20 (7)	23 (2)	21 (14)
Medical Board of California	23 (40)	20 (33)	24 (9)	25 (14)	22 (96)
Osteopathic Medical Board of California	-	28 (1)	28 (1)	-	28 (2)
Physical Therapy Board of California	9 (1)	27 (1)	18 (4)	28 (2)	20 (8)
Physician Assistant Board	6 (1)	20 (3)	30 (3)	25 (2)	23 (9)
Respiratory Care Board of California	25 (2)	-	-	-	25 (2)
Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board	21 (1)	-	-	32 (2)	28 (3)
Structural Pest Control Board	28 (5)	13 (1)	20 (3)	17 (1)	23 (10)
Veterinary Medical Board	29 (2)	-	17 (3)	20 (1)	22 (6)
Professional Fiduciaries Bureau	-	-	-	-	-

DCA Agency	Los Angeles	Oakland	Sacramento	San Diego	OAH Average
Bureau of Household Goods and Services	-	-	-	-	-
Landscape Architects Technical Committee	-	-	-	-	-
Total average days (decision count)	25 (323)	19 (149)	22 (270)	23 (132)	23 (874)

Note: This chart reports cases in which a decision was issued during the 2022-23 fiscal year, regardless of when the case was filed with OAH.

Table H compares the average number of days to decision issuance and the number of decisions for each OAH office for fiscal years 2020-21, 2021-22 and 2022-23, as well as the change and percent change over the previous fiscal year. The average number of days to decision issuance and number of decisions for each OAH office are in rows. Fiscal years, change and percent change are in columns. The final rows show the overall averages and decision counts for each fiscal year, and the overall change and percent change.

Table H: Average decision issuance time, and number of decisions (fiscal year comparison)

Office	2020-21	2021-22	2022-23	Change	% Change
Los Angeles average	26	27	25	-2	-7%
Los Angeles no. of decisions	486	350	323	-27	-8%
Oakland average	25	20	19	-1	-5%
Oakland no. of decisions	263	181	149	-32	-18%
Sacramento average	25	25	22	-3	-12%
Sacramento no. of decisions	408	297	270	-27	-9%
San Diego average	25	25	23	-2	-8%
San Diego no. of decisions	201	166	132	-34	-20%
Overall OAH average	26	25	23	-2	-8%
Total no. of decisions	1,358	994	874	-120	-12%

If you have any questions regarding this report, please contact Tzer Lor-Snyder by phone at (916) 263-0550 or by email at Tzer.lorsnyder@dgs.ca.gov.

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