

# Department of Consumer Affairs Regulatory Boards

## BUDGET NO. 1110

### REPORT NO. 1

#### BUSINESS AND PROFESSIONS CODE

##### DIVISION 8. SPECIAL BUSINESS REGULATIONS [18400. - 22948.7.]

( Division 8 added by Stats. 1941, Ch. 44. )

##### CHAPTER 2. Boxing, Wrestling, and Martial Arts [18600. - 18887.]

( Heading of Chapter 2 renumbered from Chapter 8 by Stats. 1988, Ch. 160, Sec. 6. )

##### ARTICLE 1. Administration [18600. - 18618.]

( Article 1 added by Stats. 1985, Ch. 1092, Sec. 2. )

#### 18602.5.

(a) The commission shall adopt and submit a strategic plan to the Governor and the Legislature on or before September 30, 2008. The commission shall also submit a report to the Governor and the Legislature on the status of the adoption of the strategic plan during the commission's next regularly scheduled sunset review after January 1, 2007. The strategic plan shall include, but shall not be limited to, efforts to resolve prior State Athletic Commission deficiencies in the following areas:

- (1) Regulation of the profession, what fees should be paid for this regulation, and the structure and equity of the fees charged.
- (2) The effect and appropriateness of contracts made pursuant to Section 18828.
- (3) Costs to train ringside physicians, referees, timekeepers, and judges.
- (4) Steps that need to be taken to ensure sufficient sources of revenue and funding.
- (5) Necessity for review and modification of organizational procedures, the licensing process, and the complaint process.
- (6) Outdated information technology.
- (7) Unorganized and improper accounting.
- (8) Miscalculations at events, a lack of technology to record proper calculations, and funding issues.
- (9) The health and safety of the participants and the public in attendance at events regulated under this chapter, including costs of examinations under Section 18711.

(b) The commission shall solicit input from the public, the State Auditor, the Little Hoover Commission, the Center for Public Interest Law, and others as necessary in preparing and adopting the strategic plan.

(c) The commission shall report on progress in implementing the strategic plan to the Director of Consumer Affairs, the Governor, and the Legislature on or before September 30, 2009.

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
SB-247	Perata	The Boxing Act.	Chaptered 09/26/2006	09/26/2006 - Chaptered by Secretary of State. Chapter 465, Statutes of 2006. 09/26/2006 - Approved by Governor.	-	Yes	Majority

**COMMENTS/RECOMMENDATIONS:** This reporting requirement was completed in 2010.

## REPORT NO. 2

### BUSINESS AND PROFESSIONS CODE

#### DIVISION 3. PROFESSIONS AND VOCATIONS GENERALLY [5000. - 9998.8.]

( *Heading of Division 3 added by Stats. 1939, Ch. 30. )*

#### CHAPTER 9. Contractors [7000. - 7191.]

( *Chapter 9 added by Stats. 1939, Ch. 37. )*

#### ARTICLE 8.5. The Construction Management Education Sponsorship Act of 1991 [7139. - 7139.10.]

( *Article 8.5 added by Stats. 1991, Ch. 1158, Sec. 1. )*

#### 7139.7.

The board shall report to the Legislature annually on the condition of the grant program and shall include in the report the names of the public postsecondary educational institutions involved, the amount of funds granted to each of those educational institutions, the purposes for which the funds were granted to each of those recipients, the number of students involved, the number of placements made to the construction industry for the previous academic year, and any other information the board considers relevant to the program.

*(Added by Stats. 1991, Ch. 1158, Sec. 1.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-2158		Construction Management Education Sponsorship Act of 1991.	Chaptered 10/14/1991		-		

#### COMMENTS/RECOMMENDATIONS:

DCARB recommends eliminating this report requirement and instead including a reporting requirement as part of the program's sunset provision. The Legislature may consider deleting the annual reporting requirement and including language in the program's sunset provision. This action would make the report information currently available on an annual basis, available only upon the need for a sunset report.

## REPORT NO. 3

### BUSINESS AND PROFESSIONS CODE

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-194		Dentistry: licensing.	Chaptered 09/30/1992		-		
AB-1116		Dentistry: foreign dental school graduates.	Chaptered 10/08/1997		-		
SB-134	Figueroa	Dentistry.	Chaptered 10/05/2001	10/05/2001 - Chaptered by Secretary of State. Chapter 532, Statutes of 2001.	-		
SB-1243		Dentistry.	Chaptered 10/08/1997		-		

### COMMENTS/RECOMMENDATIONS

This reporting requirement no longer exists in code. No Legislative action is necessary.

## **REPORT NO. 4**

### **BUSINESS AND PROFESSIONS CODE**

#### **DIVISION 2. HEALING ARTS [500. - 4999.129.]**

*( Division 2 enacted by Stats. 1937, Ch. 399. )*

#### **CHAPTER 4. Dentistry [1600. - 1976.]**

*( Chapter 4 added by Stats. 1937, Ch. 415. )*

#### **ARTICLE 9. Dental Hygienists [1900. - 1966.6.]**

*( Article 9 added by Stats. 2008, Ch. 31, Sec. 47. )*

### **1917.1**

(a) The committee may grant a license as a registered dental hygienist to an applicant who has not taken a clinical examination before the committee, if the applicant submits all of the following to the committee:

(1) A completed application form and all fees required by the committee.

(2) Proof of a current license as a registered dental hygienist issued by another state that is not revoked, suspended, or otherwise restricted.

(3) Proof that the applicant has been in clinical practice as a registered dental hygienist or has been a full-time faculty member in an accredited dental hygiene education program for a minimum of 750 hours per year for at least five years preceding the date of his or her application under this section. The clinical practice requirement shall be deemed met if the applicant provides proof of at least three years of clinical practice and commits to completing the remaining two years of clinical practice by filing with the committee a copy of a pending contract to practice dental hygiene in any of the following facilities:

(A) A primary care clinic licensed under subdivision (a) of Section 1204 of the Health and Safety Code.

(B) A primary care clinic exempt from licensure pursuant to subdivision (c) of Section 1206 of the Health and Safety Code.

(C) A clinic owned or operated by a public hospital or health system.

(D) A clinic owned and operated by a hospital that maintains the primary contract with a county government to fill the county's role under Section 17000 of the Welfare and Institutions Code.

(4) Satisfactory performance on a California law and ethics examination and any examination that may be required by the committee.

(5) Proof that the applicant has not been subject to disciplinary action by any state in which he or she is or has been previously licensed as a registered dental hygienist or dentist. If the applicant has been subject to disciplinary action, the committee shall review that action to determine if it warrants refusal to issue a license to the applicant.

(6) Proof of graduation from a school of dental hygiene accredited by the Commission on Dental Accreditation.

(7) Proof of satisfactory completion of the Dental Hygiene National Board Examination and of a state or regional clinical licensure examination.

(8) Proof that the applicant has not failed the examination for licensure to practice dental hygiene under this chapter more than once or once within five years prior to the date of his or her application for a license under this section.

(9) Documentation of completion of a minimum of 25 units of continuing education earned in the two years preceding application, including completion of any continuing education

requirements imposed by the committee on registered dental hygienists licensed in this state at the time of application.

(10) Any other information as specified by the committee to the extent that it is required of applicants for licensure by examination under this article.

(b) The committee may periodically request verification of compliance with the requirements of paragraph (3) of subdivision (a), and may revoke the license upon a finding that the employment requirement or any other requirement of paragraph (3) of subdivision (a) has not been met.

(c) The committee shall provide in the application packet to each out-of-state dental hygienist pursuant to this section the following information:

(1) The location of dental manpower shortage areas in the state.

(2) Any not-for-profit clinics, public hospitals, and accredited dental hygiene education programs seeking to contract with licensees for dental hygiene service delivery or training purposes.

(d) The committee shall review the impact of this section on the availability of actively practicing registered dental hygienists in California and **report to the appropriate policy and fiscal committees of the Legislature by January 1, 2012.** The report shall include a separate section providing data specific to registered dental hygienists who intend to fulfill the alternative clinical practice requirements of subdivision (a). The report shall include, but shall not be limited to, the following:

(1) The number of applicants from other states who have sought licensure.

(2) The number of registered dental hygienists from other states licensed pursuant to this section, the number of licenses not granted, and the reason why the license was not granted.

(3) The practice location of registered dental hygienists licensed pursuant to this section. In identifying a registered dental hygienist's location of practice, the committee shall use medical service study areas or other appropriate geographic descriptions for regions of the state.

(4) The number of registered dental hygienists licensed pursuant to this section who establish a practice in a rural area or in an area designated as having a shortage of practicing registered dental hygienists or no registered dental hygienists or in a safety net facility identified in paragraph (3) of subdivision (a).

(5) The length of time registered dental hygienists licensed pursuant to this section practiced in the reported location.

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
SB-534	Perata	Dentistry: dental assistants and hygienists.	Enrolled 09/14/2007	02/13/2008 - Stricken from Senate file. Veto sustained.	Senate-Vetoed	Yes	Majority
SB-853	Perata	Dentistry: dental assistants and hygienists.	Chaptered 06/13/2008	06/13/2008 - Chaptered by Secretary of State. Chapter 31, Statutes of 2008.	Secretary of State-Chaptered	Yes	Majority
SB-1202	Leno, Wyland	Dental hygienists.	Amended Senate 05/29/2012	06/19/2012 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 0.) (June 19). Re-referred to Com. on APPR.	Assembly-In Committee Process - Appropriations	Yes	Majority

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
SB-1472	Figueroa	Dentistry: dental hygienists.	Enrolled 09/06/2006	10/04/2006 - In Senate. To unfinished business. (Veto)	-	Yes	Majority

**COMMENTS/RECOMMENDATION:** The one-time report requirement has been completed.

## REPORT NO. 5

### BUSINESS AND PROFESSIONS CODE

#### DIVISION 2. HEALING ARTS [500. - 4999.129.]

( Division 2 enacted by Stats. 1937, Ch. 399. )

#### CHAPTER 5. Medicine [2000. - 2521.]

( Chapter 5 repealed and added by Stats. 1980, Ch. 1313, Sec. 2. )

#### ARTICLE 8.5. Special Permits [2168. - 2169.]

( Article 8.5 added by Stats. 1997, Ch. 332, Sec. 1. )

#### 2168.5.

The Medical Board of California shall report to the Legislature by December 31, 2011, on the status of the special faculty permit program.

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-523		Physicians and surgeons: special faculty permits.	Chaptered 08/21/1997		-		
AB-2260	Negrete McLeod	Approvals and certificates of registration: special faculty permits.	Chaptered 09/28/2006	09/28/2006 - Chaptered by Secretary of State - Chapter 565, Statutes of 2006. 09/28/2006 - Approved by the Governor.	-	Yes	Majority

### COMMENTS/RECOMMENDATIONS

This one-time report requirement was completed on December 9, 2011.

## REPORT NO. 6

### BUSINESS AND PROFESSIONS CODE

#### DIVISION 2. HEALING ARTS [500. - 4999.129.]

( Division 2 enacted by Stats. 1937, Ch. 399. )

#### CHAPTER 5. Medicine [2000. - 2521.]

( Chapter 5 repealed and added by Stats. 1980, Ch. 1313, Sec. 2. )

#### ARTICLE 1. Administration [2000. - 2029.]

( Article 1 added by Stats. 1980, Ch. 1313, Sec. 2. )

### 2028.5

- (a) The board may establish a pilot program to expand the practice of telemedicine in this state.
- (b) To implement this pilot program, the board may convene a working group of interested parties from the public and private sectors, including, but not limited to, state health-related agencies, health care providers, health plan administrators, information technology groups, and groups representing health care consumers.
- (c) The purpose of the pilot program shall be to develop methods, using a telemedicine model, to deliver throughout the state health care to persons with chronic diseases as well as information on the best practices for chronic disease management services and techniques and other health care information as deemed appropriate.
- (d) **The board shall make a report with its recommendations regarding its findings to the Legislature within one calendar year of the commencement date of the pilot program.** The report shall include an evaluation of the improvement and affordability of health care services and the reduction in the number of complications achieved by the pilot program.

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-329	Nakanishi	Chronic diseases: telemedicine.	Chaptered 10/10/2007	10/10/2007 - Chaptered by Secretary of State - Chapter 386, Statutes of 2007.	Secretary of State-Chaptered	Yes	Majority
AB-1733	Logue	Telehealth.	Amended Senate 06/20/2012	06/28/2012 - From committee: Do pass and re-refer to Com. on APPR. with recommendation: to consent calendar. (Ayes 9. Noes 0.) (June 27). Re-referred to Com. on APPR.	Senate-In Committee Process - Appropriations	Yes	Majority
SB-835	Figueroa	Cosmetic surgery: education and training.	Enrolled 09/08/1999	01/10/2000 - Stricken from Senate file. Veto sustained.	-		

#### COMMENTS/RECOMMENDATIONS:

This one-time report requirement was completed on July 10, 2010.



## REPORT NO. 7

### BUSINESS AND PROFESSIONS CODE

#### DIVISION 2. HEALING ARTS [500. - 4999.129.]

( Division 2 enacted by Stats. 1937, Ch. 399. )

#### CHAPTER 5. Medicine [2000. - 2521.]

( Chapter 5 repealed and added by Stats. 1980, Ch. 1313, Sec. 2. )

#### ARTICLE 1. Administration [2000. - 2029.]

( Article 1 added by Stats. 1980, Ch. 1313, Sec. 2. )

### 2023

(a) The board, in conjunction with the Health Professions Education Foundation, shall study the issue of its providing medical malpractice insurance to physicians and surgeons who provide voluntary, unpaid services as described in subdivision (b) of Section 2083, and **report its findings to the Legislature on or before January 1, 2008.**

(b) The report shall include, but not be limited to, a discussion of the following items:

(1) The cost of administering a program to provide medical malpractice insurance to the physicians and surgeons and the process for administering the program.

(2) The options for providing medical malpractice insurance to the physicians and surgeons and for funding the coverage.

(3) Whether the licensure surcharge fee assessed under Section 2436.5 is sufficient to fund the provision of medical malpractice insurance for the physicians and surgeons.

(c) This section shall be implemented only after the Legislature has made an appropriation from the Contingent Fund of the Medical Board of California to fund the study.

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-2342	Nakanishi	Voluntary services: malpractice insurance.	Chaptered 09/14/2006	09/14/2006 - Chaptered by Secretary of State - Chapter 276, Statutes of 2006. 09/14/2006 - Approved by the Governor.	-	Yes	Majority
AB-2439	De La Torre	Steven M. Thompson Physician Corps Loan Repayment Program: fees.	Chaptered 09/30/2008	09/30/2008 - Chaptered by Secretary of State - Chapter 640, Statutes of 2008.	Secretary of State-Chaptered	Yes	Majority
SB-485	Poochigian	Medical Board of California.	Introduced 02/20/2003	02/02/2004 - Returned to Secretary of Senate pursuant to Joint Rule 56.	-	Yes	Majority
SB-1195		Business and professions.	Chaptered 10/14/1991		-		
SB-1423	Figueroa	Laser procedures.	Chaptered 09/30/2006	09/30/2006 - Chaptered by Secretary of State. Chapter 873, Statutes of 2006. 09/30/2006 - Approved by Governor.	-	Yes	Majority

### COMMENTS/RECOMMENDATIONS

The one-time report requirement was completed on December 31, 2010.

## REPORT NO. 8

### BUSINESS AND PROFESSIONS CODE

#### DIVISION 2. HEALING ARTS [500. - 4999.129.]

( Division 2 enacted by Stats. 1937, Ch. 399. )

#### CHAPTER 5. Medicine [2000. - 2521.]

( Chapter 5 repealed and added by Stats. 1980, Ch. 1313, Sec. 2. )

#### ARTICLE 1. Administration [2000. - 2029.]

( Article 1 added by Stats. 1980, Ch. 1313, Sec. 2. )

2028

(a) The Medical Board of California shall consult with the California State Board of Pharmacy and commission a study and report its results to the Legislature on or before January 1, 2003, on the electronic transmission of prescriptions by physicians and surgeons.

(b) This report shall include recommendations on the following matters:

(1) Whether the electronic transmission of prescriptions should be encouraged.

(2) Methods to encourage physicians and surgeons, health care providers specified in subdivision (a) of Section 4024, and persons licensed to prescribe in another state who meet the requirements described in subdivision (b) of Section 4005 to issue prescriptions by electronic transmission.

(3) Identification of systems to protect confidential personal and medical information of patients for whom prescriptions are issued using electronic transmission, including, but not limited to, the issuance of digital certification to physicians and surgeons, health care providers specified in subdivision (a) of Section 4024, and persons licensed to prescribe in another state who meet the requirements described in subdivision (b) of Section 4005 to use when transmitting prescriptions electronically.

(c) "Digital certification" is an electronic signature verifying the identity of the physician and surgeon, health care provider specified in subdivision (a) of Section 4024, or person licensed to prescribe in another state who meets the requirements described in subdivision (b) of Section 4005 who is transmitting the prescription electronically.

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-1589	Simitian	Healing arts: electronic transmission of prescriptions.	Chaptered 10/03/2001	10/03/2001 - Chaptered by Secretary of State - Chapter 464, Statutes of 2001.	-		
AB-3034	Committee on Judiciary	Maintenance of the codes.	Chaptered 09/18/2002	09/18/2002 - Chaptered by Secretary of State - Chapter 664, Statutes of 2002.	-		
SB-835	Figueroa	Cosmetic surgery: education and training.	Enrolled 09/08/1999	01/10/2000 - Stricken from Senate file. Veto sustained.	-		

### COMMENTS/RECOMMENDATIONS

This one-time report requirement was completed in May of 2002.

**REPORT NO. 9****BUSINESS AND PROFESSIONS CODE****2401.1****NO DATA FOUND**

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-646	Swanson	Physicians and surgeons: employment.	Amended Senate 04/13/2010	11/30/2010 - From Senate committee without further action.	Senate-Died - Business, Professions and Economic Development	Yes	Majority
AB-926	Hayashi	Physicians and surgeons: direct employment.	Amended Assembly 04/27/2011	02/01/2012 - Died pursuant to Art. IV, Sec. 10(c) of the Constitution. 02/01/2012 - From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.	Assembly-Died - Business, Professions and Consumer Protection	Yes	Two Thirds
AB-1944	Swanson	Physicians and surgeons: health care districts.	Amended Assembly 05/08/2008	11/30/2008 - From Senate committee without further action.	Senate-Died	No	Majority
SBX1-19	Cogdill	Medical corporations.	Introduced 10/11/2007	10/01/2008 - From committee without further action.	Senate-Died - Health	Yes	Majority
SB-376	Chesbro	Healing arts.	Chaptered 09/17/2003	09/17/2003 - Chaptered by Secretary of State. Chapter 411, Statutes of 2003.			
SB-726	Ashburn	Health care districts: rural hospitals: employment of physicians and surgeons.	Amended Assembly 08/20/2009	11/30/2010 - From committee without further action.	Senate-Died - Business, Professions and Economic Development	Yes	Majority
SB-1294	Ducheny	Healing arts.	Amended Assembly 07/01/2008	11/30/2008 - From Assembly without further action.	Assembly-Died - Appropriations	Yes	Majority
SB-1640	Ashburn	Hospitals: employment of physicians.	Amended Senate 03/26/2008	11/30/2008 - Returned to Secretary of Senate pursuant to Joint Rule 62(a).	Senate-Died - Business, Professions and Economic Development	Yes	Majority

**COMMENTS/RECOMMENDATIONS**

This reporting requirement no longer exists in code. No Legislative action is necessary.

## REPORT NO. 10

### BUSINESS AND PROFESSIONS CODE

#### DIVISION 2. HEALING ARTS [500. - 4999.129.]

( Division 2 enacted by Stats. 1937, Ch. 399. )

#### CHAPTER 8.2. Naturopathic Doctors Act [3610. - 3686.]

( Chapter 8.2 added by Stats. 2003, Ch. 485, Sec. 5. )

#### ARTICLE 2. Administration [3620. - 3628.]

( Article 2 added by Stats. 2003, Ch. 485, Sec. 5. )

### 3627

(a) The committee shall establish a naturopathic formulary advisory subcommittee to determine a naturopathic formulary based upon a review of naturopathic medical education and training.

(b) The naturopathic formulary advisory subcommittee shall be composed of an equal number of representatives from the clinical and academic settings of physicians and surgeons, pharmacists, and naturopathic doctors.

(c) The naturopathic formulary advisory subcommittee shall review naturopathic education, training, and practice and make specific recommendations regarding the prescribing, ordering, and furnishing authority of a naturopathic doctor and the required supervision and protocols for those functions.

(d) The committee shall **make recommendations to the Legislature not later than January 1, 2007**, regarding the prescribing and furnishing authority of a naturopathic doctor and the required supervision and protocols, including those for the utilization of intravenous and ocular routes of prescription drug administration. The naturopathic formulary advisory subcommittee and the committee shall consult with physicians and surgeons, pharmacists, and licensed naturopathic doctors in developing the findings and recommendations submitted to the Legislature.

*(Amended by Stats. 2009, 4th Ex. Sess., Ch. 18, Sec. 17. Effective October 23, 2009. Repealed as of January 1, 2014, pursuant to Section 3686.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
ABX4-20	Audra Strickland, Huber	Consumer affairs: regulatory boards: operations: reorganization.	Chaptered 07/28/2009	07/28/2009 - Chaptered by Secretary of State. Chapter 18, Statutes of 2009-10 Fourth Extraordinary Session.	Secretary of State-Chaptered	Yes	Majority
AB-302	Committee on Business and Professions	Professions and vocations.	Chaptered 10/04/2005	10/04/2005 - Chaptered by Secretary of State - Chapter 506, Statutes of 2005. 10/04/2005 - Approved by the Governor.	-	Yes	Two Thirds
SB-907	Burton	Professions and vocations: naturopathic doctors.	Chaptered 09/22/2003	09/22/2003 - Chaptered by Secretary of State. Chapter 485, Statutes of 2003. 09/22/2003 - Approved by Governor.	-		

### COMMENTS/RECOMMENDATIONS

This one-time report requirement was completed.

## REPORT NO. 11

### BUSINESS AND PROFESSIONS CODE

#### DIVISION 2. HEALING ARTS [500. - 4999.129.]

( Division 2 enacted by Stats. 1937, Ch. 399. )

#### CHAPTER 8.2. Naturopathic Doctors Act [3610. - 3686.]

( Chapter 8.2 added by Stats. 2003, Ch. 485, Sec. 5. )

#### ARTICLE 2. Administration [3620. - 3628.]

( Article 2 added by Stats. 2003, Ch. 485, Sec. 5. )

### 3628

(a) The committee shall establish a naturopathic childbirth attendance advisory subcommittee to issue recommendations concerning the practice of naturopathic childbirth attendance based upon a review of naturopathic medical education and training.

(b) The naturopathic childbirth attendance advisory subcommittee shall be composed of an equal number of representatives from the clinical and academic settings of physicians and surgeons, midwives, and naturopathic doctors.

(c) The naturopathic childbirth attendance advisory subcommittee shall review naturopathic education, training, and practice and make specific recommendations to the Legislature regarding the practice of naturopathic childbirth attendance.

(d) The committee shall make **recommendations to the Legislature not later than January 1, 2007.**

The naturopathic childbirth attendance advisory subcommittee and the committee shall consult with physicians and surgeons, midwives, and licensed naturopathic doctors in developing the findings and recommendations submitted to the Legislature.

[\(Amended by Stats. 2009, 4th Ex. Sess., Ch. 18, Sec. 18. Effective October 23, 2009. Repealed as of January 1, 2014, pursuant to Section 3686.\)](#)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
ABX4-20	Audra Strickland, Huber	Consumer affairs: regulatory boards: operations: reorganization.	Chaptered 07/28/2009	07/28/2009 - Chaptered by Secretary of State. Chapter 18, Statutes of 2009-10 Fourth Extraordinary Session.	Secretary of State-Chaptered	Yes	Majority
AB-302	Committee on Business and Professions	Professions and vocations.	Chaptered 10/04/2005	10/04/2005 - Chaptered by Secretary of State - Chapter 506, Statutes of 2005. 10/04/2005 - Approved by the Governor.	-	Yes	Two Thirds
SB-907	Burton	Professions and vocations: naturopathic doctors.	Chaptered 09/22/2003	09/22/2003 - Chaptered by Secretary of State. Chapter 485, Statutes of 2003. 09/22/2003 - Approved by Governor.	-		

### COMMENTS/RECOMMENDATIONS

This one-time report requirement was completed.

## REPORT NO. 12

### BUSINESS AND PROFESSIONS CODE

#### DIVISION 2. HEALING ARTS [500. - 4999.129.]

( Division 2 enacted by Stats. 1937, Ch. 399. )

#### CHAPTER 8.2. Naturopathic Doctors Act [3610. - 3686.]

( Chapter 8.2 added by Stats. 2003, Ch. 485, Sec. 5. )

#### ARTICLE 4. Application of Chapter [3640. - 3645.]

( Article 4 added by Stats. 2003, Ch. 485, Sec. 5. )

### 3640.1

The committee shall make **recommendations to the Legislature not later than January 1, 2007**, regarding the potential development of scope and supervision requirements of a naturopathic doctor for the performance of minor office procedures. The committee shall consult with physicians and surgeons and licensed naturopathic doctors in developing the findings and recommendations submitted to the Legislature. [\(Amended by Stats. 2009, 4th Ex. Sess., Ch. 18, Sec. 27. Effective October 23, 2009. Repealed as of January 1, 2014, pursuant to Section 3686.\)](#)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
ABX4-20	Audra Strickland, Huber	Consumer affairs: regulatory boards: operations: reorganization.	Chaptered 07/28/2009	07/28/2009 - Chaptered by Secretary of State. Chapter 18, Statutes of 2009-10 Fourth Extraordinary Session.	Secretary of State-Chaptered	Yes	Majority
AB-302	Committee on Business and Professions	Professions and vocations.	Chaptered 10/04/2005	10/04/2005 - Chaptered by Secretary of State - Chapter 506, Statutes of 2005. 10/04/2005 - Approved by the Governor.	-	Yes	Two Thirds
SB-907	Burton	Professions and vocations: naturopathic doctors.	Chaptered 09/22/2003	09/22/2003 - Chaptered by Secretary of State. Chapter 485, Statutes of 2003. 09/22/2003 - Approved by Governor.	-		

#### COMMENTS/RECOMMENDATIONS:

This one-time report requirement was completed.

## **REPORT NO. 13**

### **BUSINESS AND PROFESSIONS CODE**

#### **DIVISION 2. HEALING ARTS [500. - 4999.129.]**

*( Division 2 enacted by Stats. 1937, Ch. 399. )*

#### **CHAPTER 9. Pharmacy [4000. - 4426.]**

*( Chapter 9 repealed and added by Stats. 1996, Ch. 890, Sec. 3. )*

#### **ARTICLE 4. Requirements for Prescriptions [4070. - 4078.]**

*( Article 4 added by Stats. 1996, Ch. 890, Sec. 3. )*

#### **4076.5**

(a) The board shall promulgate regulations that require, on or before January 1, 2011, a standardized, patient-centered, prescription drug label on all prescription medicine dispensed to patients in California.

(b) To ensure maximum public comment, the board shall hold public meetings statewide that are separate from its normally scheduled hearings in order to seek information from groups representing consumers, seniors, pharmacists or the practice of pharmacy, other health care professionals, and other interested parties.

(c) When developing the requirements for prescription drug labels, the board shall consider all of the following factors:

- (1) Medical literacy research that points to increased understandability of labels.
- (2) Improved directions for use.
- (3) Improved font types and sizes.
- (4) Placement of information that is patient-centered.
- (5) The needs of patients with limited English proficiency.
- (6) The needs of senior citizens.
- (7) Technology requirements necessary to implement the standards.

(d) The board may exempt from the requirements of regulations promulgated pursuant to subdivision (a) prescriptions dispensed to a patient in a health facility, as defined in Section 1250 of the Health and Safety Code, if the prescriptions are administered by a licensed health care professional. Prescriptions dispensed to a patient in a health facility that will not be administered by a licensed health care professional or that are provided to the patient upon discharge from the facility shall be subject to the requirements of this section and the regulations promulgated pursuant to subdivision (a). Nothing in this subdivision shall alter or diminish existing statutory and regulatory informed consent, patients' rights, or pharmaceutical labeling and storage requirements, including, but not limited to, the requirements of Section 1418.9 of the Health and Safety Code or Section 72357, 72527, or 72528 of Title 22 of the California Code of Regulations.

(e) (1) The board may exempt from the requirements of regulations promulgated pursuant to subdivision (a) a prescription dispensed to a patient if all of the following apply:

- (A) The drugs are dispensed by a JCAHO-accredited home infusion or specialty pharmacy.
- (B) The patient receives health-professional-directed education prior to the beginning of therapy by a nurse or pharmacist.
- (C) The patient receives weekly or more frequent followup contacts by a nurse or pharmacist.
- (D) Care is provided under a formal plan of care based upon a physician and surgeon's orders.

(2) For purposes of paragraph (1), home infusion and specialty therapies include parenteral therapy or other forms of administration that require regular laboratory and patient monitoring.

(f) (1) On or before January 1, 2010, the board shall report to the Legislature on its progress under this section as of the time of the report.

(2) On or before January 1, 2013, the board shall report to the Legislature the status of implementation of the prescription drug label requirements adopted pursuant to this section.

*(Amended by Stats. 2010, Ch. 653, Sec. 25.1. Effective January 1, 2011.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-1399	Richardson	Pharmacies: prescription labels.	Introduced 02/23/2007	02/01/2008 - From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.	Assembly-Died - Health	Yes	Majority
SB-472	Corbett	Prescription drugs: labeling requirements.	Chaptered 10/11/2007	10/11/2007 - Chaptered by Secretary of State. Chapter 470, Statutes of 2007.	Secretary of State-Chaptered	Yes	Majority
SB-1390	Corbett	Prescription drug labels.	Amended Assembly 06/15/2010	11/30/2010 - From Assembly without further action.	Assembly-Died - Business, Professions and Consumer Protection	Yes	Majority
SB-1489	Committee on Business, Professions and Economic Development	Healing arts.	Chaptered 09/30/2010	09/30/2010 - Chaptered by Secretary of State. Chapter 653, Statutes of 2010.	Secretary of State-Chaptered	Yes	Majority

## COMMENTS/RECOMMENDATIONS

DCARB recommends deleting the report under section (f)(1). The one-time report requirement was completed. DCARB also recommends not deleting the reporting requirement in (f)(2) until after the due date or submission of report, on or before January 1, 2013.



**REPORT NO. 14**

**BUSINESS AND PROFESSIONS CODE**

**AB 1535 (CHAPTER 309, STATUTES OF 2009) SECTION 55**

**SEC. 55.**

(a) The Legislature finds and declares that the license fees for audiologists who sell hearing aids and the license fees for hearing aid dispensers will need to be adjusted to reflect the transfer of duties, powers, purposes, and responsibilities from the Hearing Aid Dispensers Bureau to the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board pursuant to this act, and to ensure that the fees paid to support the board in its regulation of licensed audiologists who sell hearing aids and hearing aid dispensers are fairly appropriated.

(b) The Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board shall, no later than January 1, 2011, review the license fees paid by audiologists and hearing aid dispensers in order to assess whether that revenue is adequate to support the functions of the board that relate to the functions authorized by Chapter 5.3 (commencing with Section 2530) and Chapter 7.5 (commencing with Section 3300) of Division 2 of the Business and Professions Code.

**COMMENTS/RECOMMENDATIONS:**

This report is required to be completed no later than January 1, 2011 and is a one-time report. DCARB states that this information is already captured annually in the fund detail reports in the Governor's Budget.

## REPORT NO. 15

### HEALTH AND SAFETY CODE

**DIVISION 107. STATEWIDE HEALTH PLANNING AND DEVELOPMENT [127000. - 130070.]**

*( Division 107 added by Stats. 1995, Ch. 415, Sec. 9. )*

**PART 3. HEALTH PROFESSIONS DEVELOPMENT [127750. - 128558.]**

*( Part 3 added by Stats. 1995, Ch. 415, Sec. 9. )*

**CHAPTER 5. Health Professions Education Foundation Programs [128330. - 128558.]**

*( Heading of Chapter 5 amended by Stats. 1999, Ch. 149, Sec. 4. )*

**ARTICLE 5. California Physician Corps Program [128550. - 128558.]**

*( Article 5 added by Stats. 2005, Ch. 317, Sec. 5. )*

128557.5.

On or **before January 1, 2010**, the foundation, the office, the Medical Board of California, and the advisory committee described in Section 128551 shall evaluate the success of the programs' operation and the foundation's fundraising and shall make recommendations to the Legislature for improvements to the programs or for the programs to be carried out by another agency or a foundation to be established within the Medical Board of California.

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-920	Aghazarian	California Physicians Corps Program.	Chaptered 09/22/2005	09/22/2005 - Chaptered by Secretary of State - Chapter 317, Statutes of 2005. 09/22/2005 - Approved by the Governor.		Yes	Two Thirds

### COMMENTS/RECOMMENDATIONS:

DCARB cites Section 128557.6 of the HSC as the requirement citation. The correct citation that creates the required report for the Steven M. Thompson Physician Corps Loan Repayment Program and the Physician Volunteer Program is Section 128557.5 of the HSC. DCARB recommends deleting this report. This one-time report requirement was completed.