



Legislative Update July 22, 2010

By now, all bills that are still moving through the legislative process have advanced out of their first house and out of all policy committees to their second. For the most part, legislators have spent July in their home districts, at a time when they would normally be in the Capitol finishing next year’s Budget package. However, the Budget gap is so large (\$19.1 billion) and the parties so far apart, that little progress is expected before the cash runs out and IOUs get issued. Almost all policy bills that would require new General Fund spending or additional workload for State departments have been held in the “suspense” files of the legislative fiscal committees. Here’s the status of the key bills CalDerm has been lobbying:

[Assembly Bill 223 \(Ma\)](#)

[Redacted]												
2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Assembly Bill 223 enacts the Safe Body Art Act which prohibits a person from performing body art without registering annually with the local enforcement agency. This bill would require practitioners to pay a registration fee and comply with reporting requirements including evidence of current Hepatitis B vaccination; evidence of completion of training in blood borne pathogens, first aid, and CPR. This bill would exempt ear piercing from the definition of body art if preformed with a disposable, single-use, pre-sterilized stud or solid needle using a mechanical device. These facilities that perform ear piercing or body art would be required to obtain, maintain, and clearly display a health permit from the local enforcement agency. This bill received minimal amendments on June 17 and is scheduled to be heard on the Senate Floor’s third reading file on August 2. (CalDerm Position: Approve)

[Assembly Bill 646 \(Swanson\)](#)

[Redacted]												
2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Assembly Bill 646 would expand an existing pilot project which authorizes qualified health care district hospitals to directly employ a limited number of physicians. Health care districts that include a Medically Underserved Area or Health Professional Shortage Area could employ up to five physicians and surgeons for up to 10 years (through December 31, 2020). Requires a study to be done regarding the program and submitted to the Legislature by June 1, 2018. AB 646 stalled in the Senate Health Committee. (CalDerm Position: Oppose)

[Assembly Bill 1235 \(Havashi\)](#)

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2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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Assembly Bill 1235 aims to improve the peer review system by ensuring that procedures, such as the filing of Section 805 reports, are not manipulated or unreasonably delayed. The goal of the CMA-sponsored bill is to encourage greater physician participation in the process. No movement has been made on AB 1235 since late March and has been placed on the Senate Floor's third reading file to be heard on August 2. (CalDerm Position: Approve)

[AB 2566 \(Carter\)](#)

[Redacted]												
2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Assembly Bill 2566 takes a slightly different approach to the medi-spa physician supervision issue than last year's AB 252 (Carter) which was vetoed by the Governor. While AB 252 focused on the absentee physician "medical directors" of such facilities, AB 2566 would make the owners of a facility guilty of fraud for violating the bar on the corporate practice of medicine. AB 2566 is in the Senate Appropriations committee, a hearing date has not yet been set. (CalDerm Position: Co-Sponsor)

[Assembly Bill 2600 \(Ma\)](#)

[Redacted]												
2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Assembly Bill 2600, as amended, provides that the Medical Board of California "consider" adding a CME requirement on the diagnosis and treatment of hepatitis for physicians "whose practices may require such knowledge." The bill is in Senate Appropriations but is not yet scheduled for hearing. CalDerm Position: Close Watch)

[Senate Bill 726 \(Ashburn\)](#)

[Redacted]												
2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Senate Bill 726 would authorize the direct employment of physicians by qualified health care districts and qualified rural hospitals under an expanded pilot project. The bill would limit contract length to 10 years and would extend the pilot project until January 1, 2018. This bill is on the Senate Floor Unfinished Business file. (CalDerm Position: Oppose)

[Senate Bill 1050 \(Yee\)](#)

[Redacted]												
2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Senate Bill 1050 would remove the newly appointed naturopathic doctors from the membership of the Osteopathic Medical Board of California by adding two additional public members, thereby changing the membership of the board to 5 osteopathic physicians and surgeons and 4 public members. This bill will revise the membership of the Naturopathic Medicine Committee (NMC) to 5 naturopathic doctors, 2 physicians and surgeons, and 2 public members. It will also authorize the NMC to appoint an executive officer and employ other officers and employees as necessary. The NMC is solely responsible

for implementation of the Naturopathic Medicine Act and responsible for reviewing the quality of the practice of naturopathic medicine carried out by licensed naturopathic doctors. SB 1050 moved through the Assembly and is awaiting a vote on the Assembly Floor on August 2. (CalDerm Position: Approve)

[Senate Bill 1246 \(Negrete McLeod\)](#)

[Redacted]												
2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Senate Bill 1246 would allow medical assistants supervised by naturopathic doctors to perform waived tests. CMA and other physician organizations have withdrawn opposition to the bill with the adoption of provisions ensuring that the medical assistants have no greater scope of practice than those supervised by MDs. The bill is schedule to be heard Aug. 4 in Assembly Appropriations (CalDerm Position: Close Watch)

[Senate Bill 1150 \(Negrete McLeod\)](#)

[Redacted]												
2YR/Dead	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Senate Bill 1150 would require the Medical Board of California (MBC) to adopt regulations on or before January 1, 2012, regarding the required level of physician availability in clinics using laser or intense pulse light devices for elective cosmetic surgery. The bill also requires that any advertising by a chiropractor, dentist, physician and surgeon, osteopathic physician and surgeon, podiatrist, registered nurse, licensed vocational nurse, psychologist, optometrist, physician assistant or naturopathic doctor include the practitioner’s professional designation following his or her name. SB 1150 is expected to be heard in the Assembly Appropriations committee on August 4. (CalDerm Position: Support)