



California Society of Dermatology & Dermatologic Surgery

## Legislative Update as of 3/18/2010

### [AB 223\(Ma\)](#) Safe Body Art Act.

**Introduced:** 02/04/2009

**Status:** 02/11/2010-Referred to Com. on HEALTH.

**Location:** 02/11/2010-S HEALTH

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

**Summary:** Would as of July 1, 2011, repeal these provisions and, instead, enact the Safe Body Art Act. The act would prohibit a person from performing body art, as defined, without registering annually with the local enforcement agency. The bill would require practitioners to comply with specified requirements, including, among other things, client information and questionnaires, vaccination, bloodborne pathogen training, and sanitation. The bill would also require the owner of a body art facility, as defined, to obtain and annually renew a health permit from the local enforcement agency, as specified, and to maintain the body art facility in a specified manner. This bill contains other related provisions and other existing laws.

### [AB 549\(Furutani\)](#) Licensure: clinical laboratory personnel.

**Introduced:** 02/25/2009

**Status:** 02/11/2010-Referred to Com. on B., P. & E.D.

**Location:** 02/11/2010-S B., P. & E.D.

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

**Summary:** Would require the department to issue a clinical biochemical geneticist license to a person meeting these requirements in the subspecialty of biochemical genetics. For these specialties and subspecialties, it would specify that a formal letter or written documentation from an accredited training program indicating that an applicant completed the program, and from a clinical laboratory confirming the applicant's employment experience, shall constitute sufficient evidence. The bill would also require an applicant to provide evidence of satisfactory performance on a written examination in the applicant's specialty or subspecialty administered by an appropriate accrediting body recognized by the department. The bill would also make conforming changes.

### [AB 583\(Hayashi\)](#) Health care practitioners: disclosure of education and office hours.

**Introduced:** 02/25/2009

**Status:** 08/17/2009-To inactive file on motion of Senator Negrete McLeod.

**Location:** 08/17/2009-S INACTIVE FILE

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

**Summary:** Would require each of those health care practitioners to also display the type of license and, except for nurses, the highest level of academic degree he or she holds either on a name tag in at least 18-point type, in his or her office, or in writing given to patients. The bill would require a physician and surgeon, osteopathic physician and surgeon, and doctor of podiatric medicine who is certified in a medical specialty, as specified, to disclose the name of the certifying board or association either on a name tag in at least 18-point type, in writing given to the patient on the patient's first office visit, or in his or her office. The bill would require a physician and surgeon who supervises an office in addition to his or her primary practice location to conspicuously post in each office a schedule of the regular hours when he or she will be present in that office and the office hours during which he or she will not be present. The bill would also require an office that is part of a group practice with more than one physician and surgeon to post a current schedule of the hours when a physician and surgeon is present. The bill would exempt health care practitioners working in certain licensed laboratories and health care facilities, as specified, from the requirements to disclose license type, highest level of academic degree, and name of certifying board or association providing certification in the practitioner's specialty or subspecialty.

**Notes:** This is a CMA sponsored or co-sponsored bill.

**AB 1235(Hayashi) Healing arts: peer review.**

**Introduced:** 02/27/2009

**Status:** 02/25/2010-Re-referred to Com. on B., P. & E.D.

**Location:** 02/25/2010-S B., P. & E.D.

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

**Calendar:** 03/22/10 1:30 p.m. - Room 3191 SEN BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT

**Summary:** Would encourage a peer review body to obtain external peer review, as defined, for the evaluation or investigation of an applicant, privilegeholder, or member of the medical staff in specified circumstances. This bill contains other related provisions and other existing laws.

**Notes:** CMA sponsored bill

**AB 1904(Villines) Out-of-state carriers.**

**Introduced:** 02/16/2010

**Status:** 03/04/2010-Referred to Com. on HEALTH.

**Location:** 03/04/2010-A HEALTH

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

**Summary:** Would allow a carrier domiciled in another state to offer, sell, or renew a health care service plan or a health insurance policy in this state without holding a license issued by the department or a certificate of authority issued by the commissioner and would exempt the carrier's plan or policy from requirements otherwise applicable to plans and insurers providing health care coverage in this state if the plan or policy complies with the domiciliary state's

requirements, and the carrier is lawfully authorized to issue the plan or policy in that state and to transact business there.

**[AB 2470\(De La Torre\)](#) Individual health care coverage.**

**Introduced:** 02/19/2010

**Status:** 03/11/2010-Referred to Com. on HEALTH.

**Location:** 03/11/2010-A HEALTH

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

**Calendar:** 03/23/10 1:30 p.m. - State Capitol Room 4202 ASM HEALTH

**Summary:** Would require the director and the commissioner to jointly, by regulation, establish standard information and health history questions to be used by health care service plans and health insurers for their individual health care coverage application forms, as specified, and, on and after January 1, 2012, would require all individual health care service plan and health insurance applications to be reviewed and approved by the director or the commissioner, respectively, before use by a health care service plan or health insurer. This bill contains other related provisions and other existing laws.

**Notes:** This is a CMA sponsored bill.

**[AB 2491\(Adams\)](#) Medical liens.**

**Introduced:** 02/19/2010

**Status:** 03/18/2010-From PRINT: To JUD..

**Location:** 03/18/2010-A JUD.

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

**Summary:** Would provide that the provider of any medical care or services to an injured party shall have an implied lien upon any damages recovered by that person by judgment, settlement, or compromise in the amount of the reasonable charges of the provider for that care or services, if the attorney for the injured party submits a claim for settlement purposes to an insurance company for that medical care or services on behalf of the injured party. The implied lien would be limited in application to only the attorney, and would not apply as to the insurance company. This bill contains other existing laws.

**[AB 2566\(Carter\)](#) Practice of medicine: cosmetic surgery: employment of physicians and surgeons.**

**Introduced:** 02/19/2010

**Status:** 02/22/2010-Read first time.

**Location:** 02/19/2010-A PRINT

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

**Summary:** Would make a business organization that provides outpatient elective cosmetic medical procedures or treatments, that is owned and operated in violation of the prohibition against employment of licensed physicians and surgeons and podiatrists, and that contracts with

or employs these licensees to facilitate the offer or provision of those procedures or treatments that may only be provided by these licensees, guilty of a violation of the prohibition against knowingly making or causing to be made any false or fraudulent claim for payment of a health care benefit. Because the bill would expand a public offense, it would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

**[ABX8 8](#)(Committee on Budget) Franchise Tax Board: State Board of Equalization: administration.**

**Introduced:** 01/15/2010

**Status:** 03/11/2010-From committee without further action.

**Location:** 02/22/2010-A RLS.

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

**Summary:** Would require a state governmental licensing entity, as defined, issuing professional or occupational licenses, certificates, registrations, or permits to provide to the Franchise Tax Board the name and social security number or federal taxpayer identification number of each individual licensee of that entity. The bill would require the Franchise Tax Board, if an individual licensee fails to pay taxes for which a notice of state tax lien has been recorded, as specified, to send a notice of suspension to the licensee. The bill would provide that the license of a licensee who fails to satisfy the unpaid taxes by a certain date shall be automatically suspended, except as specified, and would require the Franchise Tax Board to mail a notice of suspension to the applicable state governmental licensing entity and to the licensee, and would provide that the suspension be canceled upon compliance with the tax obligation. The bill would require the Franchise Tax Board to meet certain requirements and would make related changes. This bill contains other related provisions and other existing laws.

**[SB 726](#)(Ashburn) Health care districts: rural hospitals: employment of physicians and surgeons.**

**Introduced:** 02/27/2009

**Status:** 09/11/2009-Placed on inactive file on request of Assembly Member Torrico.

**Location:** 09/11/2009-A INACTIVE FILE

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

**Summary:** Would revise the pilot project to authorize the direct employment by qualified health care districts and qualified rural hospitals, as defined, of an unlimited number of physicians and surgeons under the pilot project, and would authorize such a district or hospital to employ up to 5 physicians and surgeons at a time if certain requirements are met. The bill would require that the term of a contract with a physician and surgeon not exceed 10 years and would extend the pilot project until January 1, 2018. The bill would require the board to provide a preliminary report to the Legislature not later than July 1, 2013, and a final report not later than July 1, 2016, evaluating the effectiveness of the pilot project, and would make conforming changes.

**[SB 975](#)(Price) Tissue bank licensing.**

**Introduced:** 02/08/2010

**Status:** 03/17/2010-From committee with author's amendments. Read second time. Amended.

Re-referred to Com. on HEALTH.

**Location:** 03/17/2010-S HEALTH

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

**Calendar:** 04/14/10 1:30 p.m. - John L. Burton Hearing Room (4203) SEN HEALTH

**Summary:** Would require the collection, processing, storage, or distribution of human tissue for use in California to comply with the edition of Standards for Tissue Banking in effect on January 1, 2011, as published by the American Association of Tissue Banks, and would require the department to evaluate future amendments of these standards to determine which changes to adopt as regulations . This bill would also allow the department to impose on licensed tissue banks, as an alternative to suspension or revocation of a tissue bank' s license, a civil administrative penalty of \$100 per day of noncompliance per violation not to exceed an aggregate of \$3,000 . This bill contains other related provisions and other existing laws.

**[SB 1050\(Yee\)](#) Osteopathic Medical Board of California: membership.**

**Introduced:** 02/16/2010

**Status:** 03/09/2010-Set for hearing April 5.

**Location:** 02/25/2010-S B., P. & E.D.

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

**Calendar:** 04/05/10 1 p.m. - Room 3191 SEN BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT

**Summary:** Would exclude those naturopathic doctors from the membership of the board, thereby reducing the membership of the board to 5 osteopathic physicians and surgeons.

**[SB 1150\(Negrete McLeod\)](#) Healing arts.**

**Introduced:** 02/18/2010

**Status:** 03/09/2010-Set for hearing April 5.

**Location:** 02/25/2010-S B., P. & E.D.

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

**Calendar:** 04/05/10 1 p.m. - Room 3191 SEN BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT

**Summary:** Would require certain healing arts licensees to include in advertisements, as defined, certain words or designations following their names indicating the particular educational degree they hold or healing art they practice, as specified. By changing the definition of a crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

**[SBX8 65\(Huff\)](#) Out-of-state carriers.**

**Introduced:** 02/16/2010

**Status:** 03/11/2010-Returned to Secretary of Senate pursuant to Joint Rule 62(a).

**Location:** 03/11/2010-S SENATE

[REDACTED]												
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**Summary:** Would allow a carrier domiciled in another state to offer, sell, or renew a health care service plan contract or a health insurance policy in this state without holding a license issued by the department or a certificate of authority issued by the commissioner. The bill would exempt the carrier's plan contract or policy from requirements otherwise applicable to plans and insurers providing health care coverage in this state if the plan contract or policy complies with the domiciliary state's requirements, and the carrier is lawfully authorized to issue the plan or policy in that state and to transact business there. This bill contains other related provisions and other existing laws.

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