

AMENDED IN ASSEMBLY MAY 1, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 1045

Introduced by Assembly Member Firebaugh

February 23, 2001

An act to ~~amend~~ *repeal and add* Section 853 of the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1045, as amended, Firebaugh. Healing arts: practice.

Existing law provides for a Task Force on Culturally and Linguistically Competent Physicians and Dentists in the Department of Consumer Affairs. Pursuant to existing law there is a subcommittee within the task force to examine the feasibility of a pilot program allowing Mexican and Caribbean licensed physicians and dentists to practice in nonprofit community health centers in medically under-serviced areas. Existing law requires the subcommittee to report to the task force by March 1, 2001, and requires the report to be forwarded to the Legislature by April 1, 2001, with any additional comments.

This bill would ~~require the report's recommendations to be incorporated into the relevant statutory provisions by the enactment a statute~~ *remove provisions for the subcommittee and create the Licensed Doctors and Dentists from Mexico Pilot Program, setting forth provisions related to eligibility, licensing, location, hiring, and employment benefits and salary. The bill would also provide for an evaluation of the program, and for funding of the program costs by philanthropic entities.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1.—Section 853 of the Business and Professions~~
2 ~~SECTION 1. Section 853 of the Business and Professions~~
3 ~~Code is repealed.~~
4 ~~853.—(a) A subcommittee of the task force established in~~
5 ~~Section 852 is hereby created to examine the feasibility of~~
6 ~~establishing a pilot program that would allow Mexican and~~
7 ~~Caribbean licensed physicians and dentists to practice in nonprofit~~
8 ~~community health centers in California’s medically underserved~~
9 ~~areas.~~
10 ~~(b) The subcommittee shall consist of the following members:~~
11 ~~(1) The State Director of Health Services, who shall serve as~~
12 ~~the chair.~~
13 ~~(2) The Executive Director of the Medical Board of California.~~
14 ~~(3) The Executive Director of the Dental Board of California.~~
15 ~~(4) The Director of the Office of Statewide Health Planning~~
16 ~~and Development.~~
17 ~~(c) Additional subcommittee members shall be appointed by~~
18 ~~the State Director of Health Services, including the following:~~
19 ~~(1) Representatives of organizations that advocate on behalf of~~
20 ~~California licensed physicians and dentists.~~
21 ~~(2) A representative of a nonprofit clinic association that~~
22 ~~advocates on behalf of members of language and ethnic minority~~
23 ~~groups and provides health services to a patient population that~~
24 ~~meets the following characteristics:~~
25 ~~(A) Over 77 percent of patients are members of ethnic groups.~~
26 ~~(B) Over 92 percent of patients have incomes less than 200~~
27 ~~percent of the poverty level.~~
28 ~~(C) Over 62 percent of patients do not speak English as their~~
29 ~~primary language.~~
30 ~~(d) The subcommittee shall report to the task force by March~~
31 ~~1, 2001, and the task force shall forward the report, with any~~
32 ~~additional comments, to the Legislature by April 1, 2001.~~
33 ~~(e) The Medical Board of California and the Dental Board of~~
34 ~~California shall pay the state administrative costs of implementing~~
35 ~~this section.~~



1 SEC. 2. Section 853 is added to the Business and Professions
2 Code, to read:

3 853. (a) The Licensed Doctors and Dentists from Mexico
4 Pilot Program is hereby created. This program shall allow up to
5 70 licensed doctors and 50 licensed dentists from Mexico to
6 practice medicine in California on a temporary basis, not to
7 exceed three years.

8 (b) The Medical Board of California and the Dental Board of
9 California shall issue temporary licenses to practice medicine to
10 licensed Mexican doctors and dentists, within the limits set forth
11 in subdivision (a), who satisfactorily pass the specific
12 requirements contained in this chapter.

13 (c) Doctors from Mexico eligible to participate in this program
14 shall:

15 (1) Be licensed and certified in their medical specialty in
16 Mexico.

17 (2) Have completed the following requirements:

18 (A) Passed the second and third parts of the United States
19 Medical Licensing Examination (USMLE), the National Boards,
20 or an equivalent examination developed by the Medical Board of
21 California.

22 (B) Satisfactorily completed a six-month residency in
23 California.

24 (d) Dentists from Mexico eligible to participate in the program
25 shall be required to be licensed in Mexico and to pass the
26 California licensure examination. Preference shall be given to
27 graduates from Mexican dental schools who have applied to the
28 Dental Board of California for reciprocity under Chapter 792 of
29 the Statutes of 1998, which allows a foreign dental school to apply
30 for academic reciprocity and provides that, if granted, its
31 graduates need not complete two years of accredited studies prior
32 to taking the dental licensure examination, commencing January
33 1, 2003.

34 (e) Doctors and dentists from Mexico having met the
35 applicable requirements set forth in subdivisions (c) and (d) shall
36 be placed in a pool of candidates who are eligible to be recruited
37 for employment by nonprofit community health centers in
38 California located in the Counties of Ventura, Los Angeles, San
39 Bernardino, Imperial, Monterey, San Benito, Sacramento, Santa



1 Cruz, Yuba, Colusa, Glenn, Sutter, Kern, Tulare, Fresno,
2 Stanislaus, San Luis Obispo, and San Diego.

3 (f) Nonprofit community health centers in the counties listed in
4 subdivision (e) shall apply to the Medical Board of California and
5 the Dental Board of California to hire eligible applicants who will
6 then be required to complete a six-month residency that includes
7 working in the nonprofit community center and corresponding
8 local hospital. Upon satisfactory completion of this residency, and
9 upon payment of the required fees, the Medical Board of California
10 and the Dental Board of California shall issue a temporary and
11 limited license to practice medicine or dentistry in California for
12 a period of three years from the date of issuance. A licensee shall
13 practice only in the nonprofit community health center that offered
14 him or her employment and the corresponding local hospital. This
15 temporary and limited license shall be deemed to be a license in
16 good standing pursuant to the provisions of this chapter for the
17 purpose of participation and reimbursement in all federal, state,
18 and local health programs.

19 (g) The temporary license shall terminate upon notice by
20 certified mail, return receipt requested, to the licensee's address of
21 record, if, in the Medical Board of California or Dental Board of
22 California's sole discretion, it has determined that either:

23 (1) The license was issued by mistake.

24 (2) A complaint has been received by either board against the
25 licensee that warrants terminating the license pending an
26 investigation and resolution of the complaint.

27 (h) All applicable employment benefits, salary, and policies
28 provided by nonprofit community health centers to their current
29 employees shall be provided to medical practitioners from Mexico
30 participating in this pilot program. This shall include nonprofit
31 community health centers providing malpractice insurance
32 coverage.

33 (i) Beginning 12 months after this pilot program has
34 commenced, an evaluation of the program shall be undertaken
35 with funds provided from philanthropic foundations. The
36 evaluation shall be conducted jointly by one medical school in
37 California and the National University of Mexico (UNAM). This
38 evaluation shall include, but not be limited to, the following issues
39 and concerns:



1 (1) *Quality of care provided by doctors and dentists licensed*
2 *under this pilot program.*

3 (2) *Adaptability of these licensed practitioners to California*
4 *medical and dental standards.*

5 (3) *Impact on working and administrative environment in*
6 *nonprofit community health centers and impact on interpersonal*
7 *relations with medical licensed counterparts in health centers.*

8 (4) *Response and approval by patients.*

9 (5) *Impact on cultural and linguistic services.*

10 (6) *Increases in medical encounters provided by participating*
11 *practitioners to limited English-speaking patient populations and*
12 *increases in the number of limited English-speaking patients*
13 *seeking health care services from nonprofit community health*
14 *centers.*

15 (7) *Recommendations on whether the program should be*
16 *continued, expanded, altered, or terminated.*

17 (j) *Costs for administering this pilot program shall be secured*
18 *from philanthropic entities.*

19 ~~code is amended to read:~~

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- 7 ~~1, 2001, and the task force shall forward the report, with any~~
- 8 ~~additional comments, to the Legislature by April 1, 2001. The~~
- 9 ~~report's recommendations shall be incorporated into this chapter~~
- 10 ~~by the enactment of a statute.~~
- 11 ~~(e) The Medical Board of California and the Dental Board of~~
- 12 ~~California shall pay the state administrative costs of implementing~~
- 13 ~~this section.~~

