

**Introduced by Senator Machado**

February 22, 2002

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An act to amend Section 2435 of the Business and Professions Code, relating to medical practice.

LEGISLATIVE COUNSEL'S DIGEST

SB 2014, as introduced, Machado. Physicians and surgeons, licensure.

Existing law, the Medical Practice Act, regulates licensing fees for physicians and surgeons. Existing law provides that an applicant who is required to take an oral examination shall pay a fee. Existing law provides that an applicant enrolled in an approved postgraduate training program shall be required to pay 50% of the initial licensing fee.

This bill would delete the provision that requires an applicant to pay an oral examination fee. This bill would provide that the amount paid by an applicant enrolled in an approved postgraduate training program shall be prorated if the initial licensing period is less than 2 years.

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

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

- 1 SECTION 1. Section 2435 of the Business and Professions
- 2 Code is amended to read:
- 3 2435. The following fees apply to the licensure of physicians
- 4 and surgeons:
- 5 (a) Each applicant for a certificate based upon a national board
- 6 diplomate certificate, and each applicant for a certificate based on
- 7 reciprocity, and each applicant for a certificate based upon written

1 examination, shall pay a nonrefundable application and  
2 processing fee, as set forth in subdivision (b), at the time the  
3 application is filed.

4 (b) The application and processing fee shall be fixed by the  
5 Division of Licensing by May 1 of each year, to become effective  
6 on July 1 of that year. The fee shall be fixed at an amount necessary  
7 to recover the actual costs of the licensing program as projected for  
8 the fiscal year commencing on the date the fees become effective.

9 (c) Each applicant for a certificate by written examination,  
10 unless otherwise provided by this chapter, shall pay an  
11 examination fee fixed by the board, which shall equal the actual  
12 cost to the board of the purchase of the written examination  
13 furnished by the organization pursuant to Section 2176, plus the  
14 actual cost to the board of administering the written examination.  
15 The actual cost to the board of administering the written  
16 examination that shall be charged to the applicant shall not exceed  
17 one hundred dollars (\$100). The board may charge the  
18 examination fee provided for in this section for any subsequent  
19 reexamination of the applicant.

20 ~~(d) The board shall charge each applicant who is required to~~  
21 ~~take the oral examination as a condition of licensure an oral~~  
22 ~~examination fee that is equal to the amount necessary to recover~~  
23 ~~the actual cost of that examination. The board shall charge the oral~~  
24 ~~examination fee provided for in this subdivision for any~~  
25 ~~subsequent oral examination taken by the applicant.~~

26 ~~(e) Each applicant who qualifies for a certificate, as a condition~~  
27 ~~precedent to its issuance, in addition to other fees required herein,~~  
28 ~~shall pay an initial license fee, if any. The initial license fee shall~~  
29 ~~be fixed by the board at an amount not to exceed six hundred~~  
30 ~~dollars (\$600), in accordance with paragraph (2) of subdivision~~  
31 ~~(f). Any applicant enrolled in an approved postgraduate training~~  
32 ~~program shall be required to pay only 50 percent of the initial~~  
33 ~~license fee and that amount shall be prorated if the initial license~~  
34 ~~period is less than two full years.~~

35 ~~(f)~~

36 (e) (1) The biennial renewal fee shall be fixed by the board at  
37 an amount not to exceed six hundred dollars (\$600), in accordance  
38 with paragraph (2).

39 (2) The board shall fix the biennial renewal fee and the initial  
40 license fee so that, together with the amounts from other revenues,



1 the reserve balance in the board's contingent fund shall be equal  
2 to approximately two months of annual authorized expenditures.  
3 Any change in the renewal and initial license fees shall be effective  
4 upon a determination by the board, by emergency regulations  
5 adopted pursuant to Section 2436, that changes in the amounts are  
6 necessary to maintain a reserve balance in the board's contingent  
7 fund equal to two months of annual authorized expenditures in the  
8 state fiscal year in which the expenditures are to occur.

9 ~~(g)~~

10 (f) Notwithstanding Section 163.5, the delinquency fee is 10  
11 percent of the biennial renewal fee.

12 ~~(h)~~

13 (g) The duplicate certificate and endorsement fees shall each be  
14 fifty dollars (\$50), and the certification and letter of good standing  
15 fees shall each be ten dollars (\$10).

16 ~~(i)~~

17 (h) It is the intent of the Legislature that, in setting fees pursuant  
18 to this section, the board shall seek to maintain a reserve in the  
19 Contingent Fund of the Medical Board of California equal to  
20 approximately two months' operating expenditures.

21 ~~(j)~~

22 (i) The board shall report to the appropriate policy and fiscal  
23 committees of each house of the Legislature whenever the board  
24 proposes or approves a fee increase pursuant to this section. The  
25 board shall specify the reasons for each increase and identify the  
26 percentage of funds to be derived from an increase in the fees that  
27 will be used for investigation or enforcement related activities by  
28 the board.

