

AMENDED IN ASSEMBLY JULY 9, 2002
AMENDED IN ASSEMBLY JUNE 30, 2002
AMENDED IN ASSEMBLY JUNE 13, 2002
AMENDED IN ASSEMBLY JUNE 11, 2002
AMENDED IN ASSEMBLY MAY 29, 2002
AMENDED IN SENATE APRIL 1, 2002

SENATE BILL

No. 2019

Introduced by Senator Speier

February 22, 2002

An act to add Section 685 to the Business and Professions Code, relating to student loans, ~~and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 2019, as amended, Speier. Health care practitioners: student loans.

Existing law provides for the licensure and regulation of health care practitioners, as defined.

This bill would authorize a licensing board or agency having jurisdiction over a licensee or an applicant for licensure to cite and fine a licensed health care practitioner or an applicant for licensure as a health care practitioner who is in default on a United States Department of Health and Human Services education loan or service obligation or on a loan made under the Federal Family Education Loan Program. ~~The bill would set the fine amount at not more than 15% of the outstanding loan.~~ The bill would require a board, prior to issuing a citation, to take into account the population served by the health care practitioner and

his or her economic status. The bill would authorize the board to deny a license to an applicant to become a health care practitioner or deny renewal of a license if he or she is in default of a loan until the applicant or licensee clears the default or makes satisfactory repayment arrangements.

~~This bill would create the Assumption Program of Loans for Nursing Education Fund, a continuously appropriated fund, and would provide that all proceeds collected from fines imposed pursuant to the bill shall be deposited into the fund for the purpose of funding the Assumption Program of Loans for Nursing Education.~~

This bill would provide that these fines would be retained by each individual board and deposited into a new account of each board, and would provide that the fine revenue would be available for expenditure only upon appropriation by the Legislature.

This bill would become operative on July 1, 2003.

The bill would provide that the provisions relating to the State Board of Chiropractic Examiners and its licensees would not become operative until approved by the voters.

Vote: ~~2/3~~ majority. Appropriation: ~~yes~~-no. Fiscal committee: yes. State-mandated local program: no.

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

- 1 SECTION 1. Section 685 is added to the Business and
- 2 Professions Code, to read:
- 3 685. (a) (1) A board may cite and fine a currently licensed
- 4 health care practitioner or an applicant for a health care
- 5 practitioner’s license if he or she is in default on a United States
- 6 Department of Health and Human Services education loan,
- 7 including a Health Education Assistance Loan, or service
- 8 obligation, or is in default on a loan made under the Federal Family
- 9 Education Loan Program.
- 10 ~~(b) The amount of the fine imposed may be up to but not more~~
- 11 ~~than 15 percent of the outstanding loan. All proceeds collected~~
- 12 ~~from any fine imposed pursuant to this section shall be deposited~~
- 13 ~~in the Assumption Program of Loans for Nursing Education Fund,~~
- 14 ~~which is hereby created in the General Fund and are continuously~~
- 15 ~~appropriated to carry out the provisions of Article 8.3~~
- 16 ~~(commencing with Section 69660) of Chapter 2 of Part 42 of the~~
- 17 ~~Education Code.~~



1 ~~(c) A board may annually submit a claim to the Controller for~~
2 ~~payment from the Assumption Program of Loans for Nursing~~
3 ~~Education Fund for the costs incurred in issuing citations and~~
4 ~~imposing fines pursuant to this section and for reasonable costs~~
5 ~~related to appeals of citations issued and fines imposed pursuant~~
6 ~~to this section. The Controller shall pay board claims in accordance~~
7 ~~with this section.~~

8 ~~(d)~~

9 *(2) Each board shall retain the money from these fines in a new*
10 *account which is hereby created and may only expend these funds*
11 *upon appropriation by the Legislature.*

12 *(b) The board may deny a license to an applicant to be a health*
13 *care practitioner or deny renewal of a license if he or she is in*
14 *default on a United States Department of Health and Human*
15 *Services education loan, including a Health Education Assistance*
16 *Loan, or service obligation, or is in default on a loan made under*
17 *the Federal Family Education Loan Program until the default is*
18 *cleared or until the applicant or licensee has made satisfactory*
19 *repayment arrangements.*

20 ~~(e)~~

21 *(c) In determining whether to issue a citation and the amount*
22 *of the fine to a health care practitioner or to deny a license to an*
23 *applicant to be a health care practitioner or to deny the renewal of*
24 *a license, a board shall take into consideration the following:*

25 *(1) The population served by the health care practitioner.*

26 *(2) The health care practitioner's economic status.*

27 ~~(f)~~

28 *(d) For purposes of this section, the following terms shall have*
29 *the following meanings:*

30 *(1) "Board" means a licensing board or agency having*
31 *jurisdiction of a licensee.*

32 *(2) "Health care practitioner" means a person licensed or*
33 *certified pursuant to this division or licensed pursuant to the*
34 *Osteopathic Initiative Act or the Chiropractic Initiative Act.*

35 ~~(g)~~

36 *(e) This section shall become operative on July 1, 2003.*



1 SEC. 2. Section 1 of this act, as it relates to the State Board of
2 Chiropractic Examiners and its licensees, shall not become
3 operative until approved by the voters.

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