

AMENDED IN ASSEMBLY APRIL 21, 2005  
AMENDED IN ASSEMBLY MARCH 31, 2005  
CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1195**

---

---

**Introduced by Assembly Member Coto  
(Principal coauthor: Assembly Member Chu)**

February 22, 2005

---

---

An act to add Section 2190.6 to the Business and Professions Code, relating to physicians and surgeons.

LEGISLATIVE COUNSEL'S DIGEST

AB 1195, as amended, Coto. Continuing education: cultural and linguistic competency.

Existing law, the Medical Practice Act, provides for the licensure and regulation of physicians and surgeons by the Medical Board of California. Under the act, a physician and surgeon is required to demonstrate satisfaction of continuing education requirements. The act also creates a voluntary program for interested physicians and surgeons to learn a foreign language and cultural beliefs and practices that may impact patient health care practices.

This bill would require a physician and surgeon to complete a mandatory continuing education course in the subjects of cultural and linguistic competency care, as defined, unless exempted from this requirement by the board.

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 2190.6 is added to the Business and  
2 Professions Code, to read:

3 2190.6. (a) All physicians and surgeons shall complete a  
4 mandatory continuing education course in the subjects of cultural  
5 and linguistic competency care. This course shall be a one-time  
6 requirement, consisting of 16 credit hours that include a review  
7 and explanation of relevant federal and state laws and regulations  
8 regarding linguistic access, including, but not limited to, the  
9 federal Civil Rights Act of 1964 (42 U.S.C. Sec. 1981, et seq.),  
10 Executive Order 13166 of August 11, 2000, of the President of  
11 the United States, and the ~~Dymally-Alatorre~~ *Dymally-Alatorre*  
12 Bilingual Services Act (Chapter 17.5 (commencing with Section  
13 7290) of Division 7 of Title 1 of the Government Code). A  
14 physician and surgeon who was issued a certificate before  
15 January 1, 2006, shall complete this requirement prior to January  
16 1, 2011, and a physician and surgeon who was issued a certificate  
17 on ~~and~~ or after January 1, 2006, shall complete this requirement  
18 within four years of the issuance date of his or her certificate or  
19 by the date of the second renewal of the certificate, whichever  
20 occurs first. The board may verify completion of this requirement  
21 on the application form to renew the physician's and surgeon's  
22 certificate.

23 (b) The board by regulation may exempt a physician and  
24 surgeon by practice status category from the requirement of  
25 subdivision (a) if the physician and surgeon does not engage in  
26 direct patient care, does not provide patient consultation, or does  
27 not reside in this state.

28 (c) For the purposes of this section, "cultural competency"  
29 means the delivery of culturally competent health care that  
30 incorporates pertinent cultural concepts and data in the clinical  
31 assessment and treatment of patients across ethnic and cultural  
32 groups. At a minimum, cultural competency skill includes the  
33 following:

34 (1) Applying linguistic skills to communicate effectively with  
35 the target population.

36 (2) Utilizing cultural information to establish therapeutic  
37 relationships.

1 (3) Eliciting and incorporating pertinent cultural data in  
2 diagnosis and treatment.

3 (4) Understanding and applying cultural and ethnic data to the  
4 process of clinical care.

5 (d) For the purposes of this section, “linguistic competency”  
6 means the ability of the physician and surgeon to provide patients  
7 who do not speak English or have limited ability to speak  
8 English, direct communication in the patient’s primary language.