

AMENDED IN SENATE JUNE 16, 2008

AMENDED IN ASSEMBLY MARCH 25, 2008

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 2442

Introduced by Assembly Member Nakanishi

February 21, 2008

An act to repeal Sections 821.5 and 821.6 of the Business and Professions Code, relating to healing arts, *making an appropriation therefor*, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 2442, as amended, Nakanishi. ~~Medicine: peer review proceedings.~~
Medicine.

Existing

(1) *Existing* law requires peer review bodies that review physicians and surgeons to report certain information regarding investigations of physicians and surgeons who may be suffering from a disabling mental or physical condition to the diversion program of the Medical Board of California, which program becomes inoperative *on* July 1, 2008, and requires the diversion program administrator to carry out specified duties in this regard. Existing law requires the board to adopt regulations implementing the monitoring responsibility of the diversion program administrator on or before January 1, 1997, as specified.

This bill would delete these provisions.

(2) *Under the Medical Practice Act, the Medical Board of California regulates physicians and surgeons and provides for their licensure. All moneys paid to, and received by, the board are paid into the State*

Treasury and credited to the Contingent Fund of the Medical Board of California.

Under existing law, the Medically Underserved Account for Physicians is established within the Health Professions Education Fund for purposes of providing funding for the ongoing operations of the Steven M. Thompson Physician Corps Loan Repayment Program, as specified. Funds placed in the account are continuously appropriated for the repayment of loans.

This bill would transfer \$500,000 from the Contingent Fund of the Medical Board of California to the Medically Underserved Account for Physicians, a continuously appropriated account, thereby making an appropriation.

This

(3) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: ~~no~~-yes. Fiscal committee: yes.
State-mandated local program: no.

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

- 1 SECTION 1. Section 821.5 of the Business and Professions
- 2 Code is repealed.
- 3 SEC. 2. Section 821.6 of the Business and Professions Code
- 4 is repealed.
- 5 SEC. 3. *Notwithstanding Section 2445 of the Business and*
- 6 *Professions Code, the amount of five hundred thousand dollars*
- 7 *(\$500,000) shall be transferred, one time only, from the Contingent*
- 8 *Fund of the Medical Board of California to the Medically*
- 9 *Underserved Account for Physicians created by Section 128555*
- 10 *of the Health and Safety Code for the Steven M. Thompson*
- 11 *Physician Corps Loan Repayment Program.*
- 12 ~~SEC. 3.~~
- 13 SEC. 4. This act is an urgency statute necessary for the
- 14 immediate preservation of the public peace, health, or safety within
- 15 the meaning of Article IV of the Constitution and shall go into
- 16 immediate effect. The facts constituting the necessity are:
- 17 In order to ensure that reporting requirements administered by
- 18 the diversion program of the Medical Board of California are
- 19 deleted when that program becomes inoperative, *and that the*
- 20 *Medically Underserved Account for Physicians receives funding*

- 1 *at the earliest possible time*, it is necessary that this act take effect
- 2 immediately.

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