

**ASSEMBLY BILL**

**No. 1070**

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**Introduced by Assembly Member Hill**

February 27, 2009

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An act to amend Section 2227 of the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1070, as introduced, Hill. Healing arts: discipline.

Existing law, the Medical Practice Act, provides for the licensure and regulation of physicians and surgeons and other healing arts practitioners, including doctors of podiatric medicine. Existing law prescribes the disciplinary action that may be taken against a physician and surgeon or podiatrist. Among other things, existing law authorizes the licensee to be publicly reprimanded.

This bill would authorize the public reprimand to include a requirement that the licensee complete educational courses selected 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 2227 of the Business and Professions
- 2 Code is amended to read:
- 3 2227. (a) A licensee whose matter has been heard by an
- 4 administrative law judge of the Medical Quality Hearing Panel as
- 5 designated in Section 11371 of the Government Code, or whose
- 6 default has been entered, and who is found guilty, or who has

1 entered into a stipulation for disciplinary action with the ~~division~~  
2 *board*, may, in accordance with the provisions of this chapter:

3 (1) Have his or her license revoked upon order of the ~~division~~  
4 *board*.

5 (2) Have his or her right to practice suspended for a period not  
6 to exceed one year upon order of the ~~division~~ *board*.

7 (3) Be placed on probation and be required to pay the costs of  
8 probation monitoring upon order of the ~~division~~ *board*.

9 (4) Be publicly reprimanded by the ~~division~~ *board*. *The public*  
10 *reprimand may include a requirement that the licensee complete*  
11 *relevant educational courses selected by the board*.

12 (5) Have any other action taken in relation to discipline as part  
13 of an order of probation, as the ~~division~~ *board* or an administrative  
14 law judge may deem proper.

15 (b) Any matter heard pursuant to subdivision (a), except for  
16 warning letters, medical review or advisory conferences,  
17 professional competency examinations, continuing education  
18 activities, and cost reimbursement associated therewith that are  
19 agreed to with the ~~division~~ *board* and successfully completed by  
20 the licensee, or other matters made confidential or privileged by  
21 existing law, is deemed public, and shall be made available to the  
22 public by the board pursuant to Section 803.1.