

ASSEMBLY BILL

No. 1140

Introduced by Assembly Member Niello

February 27, 2009

An act to amend Section 680 of the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1140, as introduced, Niello. Healing arts.

Existing law requires a health care practitioner, as defined, to disclose, while working, his or her name and license status on a specified name tag. However, existing law exempts from this requirement a health care practitioner, in a practice or office, whose license is prominently displayed.

This bill would make a nonsubstantive, technical change to these provisions.

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

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

- 1 SECTION 1. Section 680 of the Business and Professions Code
- 2 is amended to read:
- 3 680. (a) Except as otherwise provided in this section, a health
- 4 care practitioner shall disclose, while working, his or her name
- 5 and practitioner's license status, as granted by this state, on a name
- 6 tag in at least 18-point type. A health care practitioner in a practice
- 7 or an office, whose license is prominently displayed, may opt to
- 8 not wear a name tag. If a health care practitioner or a licensed

1 clinical social worker is working in a psychiatric setting or in a
2 setting that is not licensed by the state, the employing entity or
3 agency shall have the discretion to make an exception from the
4 name tag requirement for individual safety or therapeutic concerns.
5 In the interest of public safety and consumer awareness, it shall
6 be unlawful for any person to use the title “nurse” in reference to
7 himself or herself and in any capacity, except for an individual
8 who is a registered nurse or a licensed vocational nurse, or as
9 otherwise provided in Section 2800. Nothing in this section shall
10 prohibit a certified nurse assistant from using his or her title.

11 (b) Facilities licensed by the State Department of Social
12 Services, the State Department of Mental Health, or the State
13 Department of *Public Health Services* shall develop and implement
14 policies to ensure that health care practitioners providing care in
15 those facilities are in compliance with subdivision (a). The State
16 Department of Social Services, the State Department of Mental
17 Health, and the State Department of *Public Health Services* shall
18 verify through periodic inspections that the policies required
19 pursuant to subdivision (a) have been developed and implemented
20 by the respective licensed facilities.

21 (c) For purposes of this article, “health care practitioner” ~~means~~
22 *shall mean* any person who engages in acts that are the subject of
23 licensure or regulation under this division or under any initiative
24 act referred to in this division.