

Introduced by Senator Aanestad

January 20, 2009

An act to add Section 805.3 to the Business and Professions Code, relating to physicians and surgeons.

LEGISLATIVE COUNSEL'S DIGEST

SB 58, as introduced, Aanestad. Physicians and surgeons: peer review.

Existing law provides for the professional review of specified healing arts licentiates through a peer review process. Existing law, the Medical Practice Act, provides for the licensure and regulation of physicians and surgeons by the Medical Board of California.

This bill require the board to conduct a pilot program to redesign the peer review process applicable to physicians and surgeons based on recommendations made in a specified report. The bill would state the intent of the Legislature to enact legislation that would establish guidelines for the board to follow in conducting that pilot program.

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 805.3 is added to the Business and
- 2 Professions Code, to read:
- 3 805.3. (a) The Legislature finds and declares all of the
- 4 following:
- 5 (1) A legislatively mandated report released in July 2008,
- 6 "Comprehensive Study of Peer Review in California: Final
- 7 Report," highlighted variations among health care entities in

1 conducting, selecting, and applying criteria for peer review of
2 physicians and surgeons.

3 (2) The report indicated that the peer review process fails in its
4 purpose to ensure the quality and safety of medical care in
5 California.

6 (3) In light of these serious patient safety concerns, an overhaul
7 of the peer review process applicable to physicians and surgeons
8 is necessary.

9 (b) The Medical Board of California shall conduct a pilot
10 program to redesign the peer review process, as it applies to
11 physicians and surgeons, based on the recommendations made in
12 the report identified in subdivision (a).

13 (c) It is the intent of the Legislature to enact legislation that
14 would establish guidelines for the Medical Board of California to
15 follow in conducting the pilot program described in subdivision
16 (b).