

AMENDED IN ASSEMBLY MARCH 27, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1896

Introduced by Assembly Member Chesbro

February 22, 2012

An act to amend the heading of Article 10 (commencing with Section 710) of Chapter 1 of Division 2 of, and to add Section 719 to, the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1896, as amended, Chesbro. Tribal health programs: health care practitioners.

Under existing federal law, licensed health professionals employed by a tribal health program are required to be exempt, if licensed in any state, from the licensing requirements of the state in which the tribal health program performs specified services. A tribal health program is defined as an Indian tribe or tribal organization that operates any health program, service, function, activity, or facility funded, in whole or part, by the Indian Health Service.

Existing law provides for the licensure and regulation of health care practitioners by various healing arts boards *within the Department of Consumer Affairs*.

This bill would codify that federal requirement by specifying that a *person who is licensed as a health care practitioner in any other state and is employed by a tribal health program is exempt from any state licensing requirement with respect to acts authorized under the person's license where the tribal health program performs specified services.*

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. The heading of Article 10 (commencing with
2 Section 710) of Chapter 1 of Division 2 of the Business and
3 Professions Code is amended to read:

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5 Article 10. Federal Personnel and Tribal Health Programs

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7 SEC. 2. Section 719 is added to the Business and Professions
8 Code, to read:

9 719. (a) *A person who is licensed as a health care practitioner*
10 *in any other state and is employed by a tribal health program, as*
11 *defined in Section 1603 of Title 25 of the United States Code, shall*
12 *be exempt from any licensing requirement described in this division*
13 *with respect to acts authorized under the person’s license where*
14 *the tribal health program performs the services described in the*
15 *contract or compact of the tribal health program under the Indian*
16 *Self-Determination and Education Assistance Act (25 U.S.C. Sec.*
17 *450 et seq.).*

18 (b) For purposes of this section, “health care practitioner” means
19 any person who engages in acts that are the subject of licensure
20 or regulation under ~~this division or any initiative act referred to in~~
21 ~~this division~~ *the law of any other state.*

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