

AMENDED IN SENATE APRIL 9, 2013

SENATE BILL

No. 218

Introduced by Senator Yee

February 11, 2013

An act to amend Sections 4935, 4955, 4955.1, 4955.2, 4956, 4960.2, 4961, 4965, 4966, 4967, and 4969 of, to add Section 4964.5 to, and to add Article 3 (commencing with Section 4950) to Chapter 12 of Division 2 of, the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

SB 218, as amended, Yee. Healing arts.

Existing law, the Acupuncture Licensure Act, establishes the Acupuncture Board and makes it responsible for enforcing and administering the act, including licensing persons who meet specified licensure requirements. Under the act, licensees are titled "acupuncturists," and are authorized to perform designated activities pursuant to their license. The unlawful practice of acupuncture, as specified, is a crime.

This bill would, commencing May 1, 2014, require the board to issue a certificate to practice as a traditional Chinese medicine traumatologist to an applicant who meets certain education, training, and clinical experience requirements and pays a specified fee. This bill would require the board to establish the California Traditional Chinese Medicine Traumatology Committee to provide advice and carry out specified duties, including investigation and evaluation of whether an applicant meets those education, training, and clinical experience requirements.

The bill would set forth procedures for the renewal of an unexpired or expired certificate to perform traditional Chinese medicine traumatology and would establish specified fees in that regard.

This bill would make it an unfair business practice to use the title of “certified traditional Chinese medicine traumatologist” without meeting these certification requirements and would authorize the board to suspend or revoke a certificate for unprofessional conduct, certain fraudulent acts, or specified crimes committed by the certificate holder. The bill would also make it a crime to use the title of “certified traditional Chinese medicine traumatologist” without meeting these certification requirements and to fraudulently buy or sell a certificate for traditional Chinese medicine traumatology, thereby imposing a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

~~Existing law provides for the licensure and regulation of various healing arts practitioners by boards under the Department of Consumer Affairs.~~

~~This bill would state the intent of the Legislature to enact legislation to provide for certification of California certified traditional Chinese medicine traumatologists.~~

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

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

1 SECTION 1. Section 4935 of the Business and Professions
2 Code is amended to read:
3 4935. (a) (1) It is a misdemeanor, punishable by a fine of not
4 less than one hundred dollars (\$100) and not more than two
5 thousand five hundred dollars (\$2,500), or by imprisonment in a
6 county jail not exceeding one year, or by both that fine and
7 imprisonment, for any person who does not hold a current and
8 valid license to practice acupuncture under this ~~chapter~~ or chapter,
9 to hold himself or herself out as practicing or engaging in the
10 practice of ~~acupuncture~~ acupuncture, or to hold himself or herself
11 out as a certified traditional Chinese medicine traumatologist or
12 use the title of “certified traditional Chinese medicine
13 traumatologist” without meeting the requirements of this chapter.

1 (2) It is a misdemeanor, punishable by a fine of not less than
2 one hundred dollars (\$100) and not more than two thousand five
3 hundred dollars (\$2,500), or by imprisonment in a county jail not
4 exceeding one year, or by both that fine and imprisonment, for
5 any person to fraudulently buy, sell, or obtain a license to practice
6 ~~acupuncture~~, *acupuncture or a certificate for traditional Chinese*
7 *medicine traumatology*, or to violate the provisions of this chapter.

8 (b) Notwithstanding any other provision of law, any person,
9 other than a physician and surgeon, a dentist, or a podiatrist, who
10 is not licensed under this article but is licensed under Division 2
11 (commencing with Section 500), who practices acupuncture
12 involving the application of a needle to the human body, performs
13 any acupuncture technique or method involving the application of
14 a needle to the human body, or directs, manages, or supervises
15 another person in performing acupuncture involving the application
16 of a needle to the human body is guilty of a misdemeanor.

17 (c) A person holds himself or herself out as engaging in the
18 practice of acupuncture by the use of any title or description of
19 services incorporating the words “acupuncture,” “acupuncturist,”
20 “certified acupuncturist,” “licensed acupuncturist,” “Asian
21 medicine,” “oriental medicine,” “*traditional Chinese medicine*,”
22 or any combination of those words, phrases, or abbreviations of
23 those words or phrases, ~~or~~ by representing that he or she is trained,
24 experienced, or an expert in the field of acupuncture, Asian
25 medicine, or Chinese ~~medicine~~ *medicine, or by representing that*
26 *he or she is trained, experienced, or an expert in the field of*
27 *traditional Chinese medicine traumatology*.

28 (d) Subdivision (a) shall not prohibit a person from
29 administering acupuncture treatment as part of his or her
30 educational training if he or she:

31 (1) Is engaged in a course or tutorial program in acupuncture,
32 as provided in this chapter; or

33 (2) Is a graduate of a school of acupuncture approved by the
34 board and participating in a postgraduate review course that does
35 not exceed one year in duration at a school approved by the board.

36 *SEC. 2. Article 3 (commencing with Section 4950) is added to*
37 *Chapter 12 of Division 2 of the Business and Professions Code,*
38 *to read:*

Article 3. California Traditional Chinese Medicine
Traumatologist

4950. As used in this article:

(a) "California certified traditional Chinese medicine traumatologist" means a person who has been certified by the California Traditional Chinese Medicine Traumatology Committee to perform traditional Chinese medicine traumatology.

(b) "Committee" means, notwithstanding Section 4925, the California Traditional Chinese Medicine Traumatology Committee.

(c) "Traditional Chinese medicine traumatology" includes a range of treatments to address both acute and chronic musculoskeletal conditions through stimulation of acupressure points. Techniques include, but are not limited to, brushing, kneading, rolling, pressing, rubbing, pushing, holding, and lifting the areas between each of the joints to open the body's defensive chi and stimulate the energy movement in the meridians.

4950.1. (a) On or before March 1, 2014, the board shall establish the California Traditional Chinese Medicine Traumatology Committee within the board. The committee shall consist of the following five members appointed by the board:

(1) One representative from the California Medical Association.

(2) One representative from the California Orthopaedic Association.

(3) One representative from the Medical Board of California.

(4) Two representatives from a traditional Chinese medicine traumatology clinical setting. These representatives shall be selected by professional societies, associations, or other entities, whose memberships are comprised solely of practitioners of traditional Chinese medicine traumatology. To qualify as a professional society or association, an entity shall have a dues paying membership in the state of at least 30 individuals for the last three years and shall have bylaws that require its members to comply with a code of ethics.

(b) The board, in implementing this article, shall give specific consideration to the recommendations of the committee.

(c) (1) Pursuant to Section 4950.2, the committee shall meet and confer to determine an applicant's qualifications, as prescribed in Section 4950.2, including the level of experience and training

1 *needed to qualify for California traditional Chinese medicine*
2 *traumatology certification.*

3 *(2) The committee shall advise the board on any other issues*
4 *pursuant to this article.*

5 *4950.2. (a) Commencing May 1, 2014, the board shall issue*
6 *a certificate for certified traditional Chinese medicine*
7 *traumatology to any person who makes an application to the board*
8 *and meets all of the following requirements:*

9 *(1) Is at least 18 years of age.*

10 *(2) Is not subject to denial pursuant to Division 1.5 (commencing*
11 *with Section 475).*

12 *(3) Furnishes satisfactory evidence of education, training, and*
13 *clinical experience that meets one of the following standards:*

14 *(A) Passed an examination and received a certificate in*
15 *traditional Chinese medicine traumatology for completing a*
16 *curriculum in the subject. The curriculum for all applicants shall*
17 *provide for adequate instruction in the following subjects:*

18 *(i) Human anatomy and physiology.*

19 *(ii) Pathology.*

20 *(iii) Western diagnosis on traumatological injury.*

21 *(iv) Clinical management and medical ethics.*

22 *(v) Basic theory of traditional Chinese medicine.*

23 *(vi) Comparison of traditional Chinese medicine and western*
24 *medicine.*

25 *(vii) Meridian and acu-points.*

26 *(viii) Basic traditional Chinese medicine diagnosis.*

27 *(ix) Basic theory of traditional Chinese medicine traumatology.*

28 *(x) Traditional Chinese medicine diagnosis on traumatology.*

29 *(xi) Hands on Skills of Traditional Chinese Medicine*
30 *Traumatology I.*

31 *(xii) Hands on Skills of Traditional Chinese Medicine*
32 *Traumatology II.*

33 *(xiii) Chinese herbs and formulas for traumatology.*

34 *(xiv) Traditional Chinese medicine traumatology case study.*

35 *(xv) One thousand hours in a clinical internship on traditional*
36 *Chinese medicine traumatology.*

37 *(B) Apprenticed as a traditional Chinese medicine*
38 *traumatologist for 10 years prior to January 1, 2014.*

39 *(C) In the case of an applicant who has completed education*
40 *and training outside of the United States or Canada, furnishes*

1 *satisfactory evidence of completing education, training, and at*
2 *least 10 years clinical experience in traditional Chinese medicine*
3 *traumatology.*

4 *(b) The committee shall investigate all of the documentation*
5 *provided by the applicant and verify its authenticity to evaluate*
6 *whether an applicant meets the certification standards, including*
7 *the level of education, experience, and training to sufficiently*
8 *qualify for the traumatology certification and shall report its*
9 *findings and determination to the board.*

10 4950.3. *(a) An applicant for traditional Chinese medicine*
11 *traumatology certification shall file an application for that*
12 *certificate with the board.*

13 *(b) When submitting his or her application to the board, the*
14 *applicant shall pay an application fee in a reasonable amount*
15 *determined by the board, not to exceed two hundred dollars (\$200),*
16 *for the regulatory cost to the board of processing the application.*

17 *(c) A certified traditional Chinese medicine traumatologist shall*
18 *renew his or her certificate every five years.*

19 *(d) An expired certificate may be renewed at any time within*
20 *three years after its expiration. The holder of the certificate shall*
21 *pay all accrued and unpaid renewal fees, plus a delinquency fee,*
22 *according to the following:*

23 *(1) An annual renewal fee of one hundred dollars (\$100).*

24 *(2) A delinquency fee of twenty-five dollars (\$25).*

25 *(3) A fee for a duplicate or replacement engraved wall certificate*
26 *of fifteen dollars (\$15).*

27 *(4) A fee for a duplicate or replacement renewal receipt/pocket*
28 *certificate of ten dollars (\$10).*

29 *(e) Moneys received under this section shall be deposited in the*
30 *Acupuncture Fund for the purposes of carrying out this article.*

31 4950.4. *It is an unfair business practice for any person to hold*
32 *himself or herself out as a certified traditional Chinese medicine*
33 *traumatologist or use the title of “certified traditional Chinese*
34 *medicine traumatologist” without meeting the requirements of this*
35 *article.*

36 4950.5. *(a) A California certified traditional Chinese medicine*
37 *traumatologist shall not practice medicine, as provided in Section*
38 *2052.*

1 (b) A California certified traditional Chinese medicine
2 traumatologist shall not practice within the scope of activities
3 regulated by the State Board of Chiropractic Examiners.

4 SEC. 3. Section 4955 of the Business and Professions Code is
5 amended to read:

6 4955. The board may deny, suspend, or revoke, or impose
7 probationary conditions upon, the license of any acupuncturist or
8 the certificate of any traditional Chinese medicine traumatologist
9 if he or she is guilty of unprofessional conduct. As used in this
10 section, "licensee" includes a certified traditional Chinese
11 medicine traumatologist.

12 Unprofessional conduct shall include, but not be limited to, the
13 following:

14 (a) Using or possessing any controlled substance as defined in
15 Division 10 (commencing with Section 11000) of the Health and
16 Safety Code, or dangerous drug or alcoholic beverage to an extent
17 or in a manner dangerous to himself or herself, or to any other
18 person, or to the public, and to an extent that the use impairs his
19 or her ability to engage in the practice of acupuncture or
20 traumatology with safety to the public.

21 (b) Conviction of a crime substantially related to the
22 qualifications, functions, or duties of an ~~acupuncturist,~~
23 *acupuncturist or certified traditional Chinese medicine*
24 *traumatologist*, the record of conviction being conclusive evidence
25 thereof.

26 (c) False or misleading advertising.

27 (d) Aiding or abetting in, or violating or conspiring in, directly
28 or indirectly, the violation of the terms of this chapter or any
29 regulation adopted by the board pursuant to this chapter.

30 (e) Except for good cause, the knowing failure to protect patients
31 by failing to follow infection control guidelines of the board,
32 thereby risking transmission of blood-borne infectious diseases
33 from licensee to patient, from patient to patient, and from patient
34 to licensee. In administering this subdivision, the board shall
35 consider referencing the standards, regulations, and guidelines of
36 the State Department of *Public Health Services* developed pursuant
37 to Section 1250.11 of the Health and Safety Code and the
38 standards, regulations, and guidelines pursuant to the California
39 Occupational Safety and Health Act of 1973 (Part 1 (commencing
40 with Section 6300) of Division 5 of the Labor Code) for preventing

1 the transmission of HIV, hepatitis B, and other blood-borne
 2 pathogens in health care settings. As necessary, the board shall
 3 consult with the Medical Board of California, the California Board
 4 of Podiatric Medicine, the Dental Board of California, the Board
 5 of Registered Nursing, and the Board of Vocational Nursing and
 6 Psychiatric Technicians, to encourage appropriate consistency in
 7 the implementation of this subdivision.

8 The board shall seek to ensure that licensees are informed of the
 9 responsibility of licensees and others to follow infection control
 10 guidelines, and of the most recent scientifically recognized
 11 safeguards for minimizing the risk of transmission of blood-borne
 12 infectious diseases.

13 (f) The use of threats or harassment against any patient or
 14 licensee for providing evidence in a disciplinary action, other legal
 15 action, or in an investigation contemplating a disciplinary action
 16 or other legal action.

17 (g) Discharging an employee primarily for attempting to comply
 18 with the terms of this chapter.

19 (h) Disciplinary action taken by any public agency for any act
 20 substantially related to the qualifications, functions, or duties of
 21 an ~~acupuncturist~~ *acupuncturist, certified traditional Chinese*
 22 *medicine traumatologist*, or any professional health care licensee.

23 (i) Any action or conduct that would have warranted the denial
 24 of the acupuncture ~~license~~ *license or the traumatology certificate*.

25 (j) The violation of any law or local ordinance on ~~an~~
 26 ~~acupuncturist's~~ *a licensee's* business premises by ~~an~~
 27 ~~acupuncturist's~~ *a licensee's* employee or a person who is working
 28 under the ~~acupuncturist's~~ *licensee's* professional license or business
 29 permit, that is substantially related to the qualifications, functions,
 30 or duties of ~~an acupuncturist~~ *the licensee*. These violations shall
 31 subject the ~~acupuncturist~~ *licensee* who employed the individuals,
 32 or under whose ~~acupuncturist~~ *license or traumatology certificate*
 33 the employee is working, to disciplinary action.

34 (k) The abandonment of a patient by the ~~licentiate~~ *licensee*
 35 without written notice to the patient that treatment is to be
 36 discontinued and before the patient has had a reasonable
 37 opportunity to secure the services of another practitioner.

38 (l) ~~the~~ *The* failure to notify the board of the use of any false,
 39 assumed, or fictitious name other than the name under which he
 40 or she is licensed as an individual to practice ~~acupuncture~~

1 *acupuncture or as an individual certified in traditional Chinese*
2 *medicine traumatology.*

3 *SEC. 4. Section 4955.1 of the Business and Professions Code*
4 *is amended to read:*

5 4955.1. The board may deny, suspend, revoke, or impose
6 probationary conditions upon the license of any acupuncturist *or*
7 *certified traditional Chinese medicine traumatologist* if he or she
8 is guilty of committing a fraudulent ~~act~~ *act*, including, but not ~~be~~
9 limited to, ~~any of~~ the following:

10 (a) Securing a license by fraud or deceit.

11 (b) Committing a fraudulent or dishonest act as an ~~acupuncturist~~
12 *acupuncturist or certified traditional Chinese medicine*
13 *traumatologist.*

14 (c) Committing any act involving dishonesty or corruption with
15 respect to the qualifications, functions, or duties of an ~~acupuncturist~~
16 *acupuncturist or certified traditional Chinese medicine*
17 *traumatologist.*

18 (d) Altering or modifying the medical record of any person,
19 with fraudulent intent, or creating any false medical record.

20 (e) Failing to maintain adequate and accurate records relating
21 to the provision of services to ~~their~~ *his or her* patients.

22 *SEC. 5. Section 4955.2 of the Business and Professions Code*
23 *is amended to read:*

24 4955.2. The board may deny, suspend, revoke, or impose
25 probationary conditions upon the license of any acupuncturist *or*
26 *certified traditional Chinese medicine traumatologist* if he or she
27 is guilty of committing any one of the following:

28 (a) Gross negligence.

29 (b) Repeated negligent acts.

30 (c) Incompetence.

31 *SEC. 6. Section 4956 of the Business and Professions Code is*
32 *amended to read:*

33 4956. A plea or verdict of guilty or a conviction following a
34 plea of nolo contendere made to a charge ~~which~~ *that* is substantially
35 related to the qualifications, functions, or duties of an acupuncturist
36 *or certified traditional Chinese medicine traumatologist* is deemed
37 to be a conviction within the meaning of this chapter.

38 The board may order a license *or certificate* suspended or
39 revoked, or may deny a license *or certificate*, or may impose
40 probationary conditions upon a license *or certificate*, when the

1 time for appeal has elapsed, or the judgment of conviction has
 2 been affirmed on appeal, or when an order granting probation is
 3 made suspending the imposition of sentence irrespective of a
 4 subsequent order under ~~the provisions of~~ Section 1203.4 of the
 5 Penal Code allowing the person to withdraw his or her pleas of
 6 guilty and to enter a plea of not guilty, or setting aside the verdict
 7 of guilty, or dismissing the accusation, complaint, information, or
 8 indictment.

9 *SEC. 7. Section 4960.2 of the Business and Professions Code*
 10 *is amended to read:*

11 4960.2. The board in all cases of revocation shall certify the
 12 fact of the revocation, under the seal of the board, to the business
 13 licensing entity of the cities or counties in which the license of the
 14 acupuncturist *or the certificate of the traditional Chinese medicine*
 15 *traumatologist* has been revoked. The record of the revocation
 16 made by the county or city clerk shall be sufficient evidence of
 17 the revocation, and of the regularity of all proceedings of the board
 18 in the matter of the revocation.

19 *SEC. 8. Section 4961 of the Business and Professions Code is*
 20 *amended to read:*

21 4961. (a) Every person who is now or hereafter licensed to
 22 practice acupuncture *or certified to practice traditional Chinese*
 23 *medicine traumatology* in this state shall register, on forms
 24 prescribed by the ~~Acupuncture Board,~~ board, his or her place of
 25 practice, or, if he or she has more than one place of practice, all
 26 of the places of practice. If the licensee *or certificate holder* has
 27 no place of practice, he or she shall notify the board of that fact.
 28 A person licensed *or certified* by the board shall register within
 29 30 days after the date of his or her ~~license~~ *license or*
 30 *certification*.

31 (b) ~~An acupuncturist licensee~~ *A licensee or certificate holder*
 32 shall post his or her license *or certificate* in a conspicuous location
 33 in his or her place of practice at all times. If an acupuncturist *or*
 34 *certified traditional Chinese medicine traumatologist* has more
 35 than one place of practice, he or she shall obtain from the board a
 36 duplicate license *or certificate* for each additional location and
 37 post the duplicate license *or certificate* at each location.

38 (c) Any licensee *or certificate holder* that changes the location
 39 of his or her place of practice shall register each change within 30
 40 days of making that change. ~~In the event~~ *If a licensee or certificate*

1 holder fails to notify the board of any change in the address of a
2 place of practice within the time prescribed by this section, the
3 board may deny renewal of ~~licensure~~ *licensure or certification*.
4 An applicant for renewal of *licensure or certification* shall specify
5 in his or her application whether or not there has been a change in
6 the location of his or her place of practice and, if so, the date of
7 that change. The board may accept that statement as evidence of
8 the change of address.

9 *SEC. 9. Section 4964.5 is added to the Business and Professions*
10 *Code, immediately following Section 4964, to read:*

11 *4964.5. The provisions of this article apply to both licensed*
12 *acupuncturists and certified traditional Chinese medicine*
13 *traumatologists.*

14 *SEC. 10. Section 4965 of the Business and Professions Code*
15 *is amended to read:*

16 4965. (a) ~~Licenses~~(1) A license to practice acupuncture issued
17 pursuant to this chapter shall expire on the last day of the birth
18 month of the licensee during the second year of a two-year term,
19 if not renewed.

20 ~~(b)~~

21 (2) The board shall establish and administer a birth date renewal
22 ~~program~~ program for purposes of this subdivision.

23 ~~(c)~~

24 (3) To renew an unexpired license, the holder shall apply for
25 renewal on a form provided by the board and pay the renewal fee
26 fixed by the board.

27 (b) A certificate for traditional Chinese medicine traumatology
28 issued pursuant to this chapter shall expire five years after the
29 date of issuance, if not renewed. To renew an unexpired certificate,
30 the holder shall apply for renewal on a form provided by the board
31 and pay the renewal fee set forth in Section 4950.3.

32 *SEC. 11. Section 4966 of the Business and Professions Code*
33 *is amended to read:*

34 4966. (a) Except as provided in Section 4969, a license to
35 practice acupuncture that has expired may be renewed at any time
36 within three years after its expiration by filing ~~of~~ an application
37 for renewal on a form provided by the board, paying all accrued
38 and unpaid renewal fees, and providing proof of completing
39 continuing education requirements. If the license is not renewed

1 prior to its expiration, the acupuncturist, as a condition precedent
 2 to renewal, shall also pay the prescribed delinquency fee. ~~Renewal~~

3 (b) *Except as provided in Section 4969, a certificate for*
 4 *traditional Chinese medicine traumatology that has expired may*
 5 *be renewed at any time within three years after its expiration by*
 6 *filing an application for renewal on a form provided by the board,*
 7 *and paying all accrued and unpaid renewal fees. If the certificate*
 8 *is not renewed prior to its expiration, the traditional Chinese*
 9 *medicine traumatologist, as a condition precedent to renewal,*
 10 *shall also pay a delinquency fee, set in accordance with Section*
 11 *163.5.*

12 (c) *Renewal* under this section shall be effective on the date on
 13 which the application is filed, on the date on which the renewal
 14 fee is paid, or on the date the delinquency fee is paid, whichever
 15 occurs last. If so renewed, the license *or certificate* shall continue
 16 in effect through the expiration date provided in Section 4965,
 17 after the effective date of the renewal, when it shall expire and
 18 become invalid if it is not again renewed.

19 *SEC. 12. Section 4967 of the Business and Professions Code*
 20 *is amended to read:*

21 4967. A person who fails to renew his or her license *or*
 22 *certificate* within three years after its expiration may not renew it,
 23 and it may not be restored, reissued, or reinstated thereafter, but
 24 that person may apply for and obtain a new license *or certificate*
 25 if he or she meets all of the following requirements:

26 (a) Has not committed any acts or crimes constituting grounds
 27 for denial of licensure *or certification* under Division 1.5
 28 (commencing with Section 475).

29 (b) ~~Takes~~ *If an acupuncturist takes* and passes the examination,
 30 if any, which would be required of him or her if an initial
 31 application for licensure was being made, ~~or~~ *or, if an acupuncturist*
 32 *or certified traditional Chinese medicine traumatologist otherwise*
 33 *establishes to the satisfaction of the board that, with due regard*
 34 *for the public interest, he or she is qualified to practice as an*
 35 ~~acupuncturist~~ *acupuncturist or certified traditional Chinese*
 36 *medicine traumatologist.*

37 (c) Pays all of the fees that would be required if an initial
 38 application for licensure *or certification* was being made. ~~The~~

39 (d) *The board may provide for the waiver or refund of all or any*
 40 *part of an examination fee in those cases in which a license to*

1 *practice acupuncture* is issued without an examination pursuant
2 to this section.

3 *SEC. 13. Section 4969 of the Business and Professions Code*
4 *is amended to read:*

5 4969. (a) A suspended license *or certificate* is subject to
6 expiration and shall be renewed as provided in this article, but the
7 renewal does not entitle the ~~acupuncturist~~, *acupuncturist or*
8 *certified traditional Chinese medicine traumatologist*, while the
9 license *or certificate* remains suspended, and until it is reinstated,
10 to engage in the practice of ~~acupuncture~~, *acupuncture or traditional*
11 *Chinese medicine traumatology*, or in any other activity or conduct
12 in violation of the order or judgment by which the license *or*
13 *certificate* was suspended.

14 (b) A revoked license *or certificate* is subject to expiration as
15 provided in this article, but it may not be renewed. If it is reinstated
16 after its expiration, the former ~~licensee~~, *licensee or certificate*
17 *holder*, as a condition to reinstatement, shall pay a reinstatement
18 fee in an amount equal to the renewal fee in effect on the last
19 regular renewal date before the date on which the license *or*
20 *certificate* was reinstated, plus the delinquency fee, if any, accrued
21 at the time of its expiration.

22 *SEC. 14. No reimbursement is required by this act pursuant*
23 *to Section 6 of Article XIII B of the California Constitution because*
24 *the only costs that may be incurred by a local agency or school*
25 *district will be incurred because this act creates a new crime or*
26 *infraction, eliminates a crime or infraction, or changes the penalty*
27 *for a crime or infraction, within the meaning of Section 17556 of*
28 *the Government Code, or changes the definition of a crime within*
29 *the meaning of Section 6 of Article XIII B of the California*
30 *Constitution.*

31 ~~SECTION 1. It is the intent of the Legislature to enact~~
32 ~~legislation to provide for certification of California certified~~
33 ~~traditional Chinese medicine traumatologists.~~