

Introduced by Senator PriceFebruary 15, 2013

An act to amend Sections 2450, 2450.3, 3685, 3686, 3710, and 3716 of the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

SB 305, as introduced, Price. Healing arts: boards.

Existing law, the Osteopathic Act, establishes the Osteopathic Medical Board of California, which issues certificates to, and regulates, osteopathic physicians and surgeons.

This bill would require that the powers and duties of the board, as provided, be subject to review by the appropriate policy committees of the Legislature. The bill would require that review be performed as if those provisions were scheduled to be repealed as of January 1, 2018.

Existing law, the Naturopathic Doctors Act, provides for the licensure and regulation of naturopathic doctors by the Naturopathic Medicine Committee within the Osteopathic Medical Board of California. Existing law repeals these provisions on January 1, 2014. Existing law also specifies that the committee is subject to review by the appropriate policy committees of the Legislature.

This bill would instead repeal those provisions on January 1, 2018, and make conforming changes.

Existing law provides for the licensure and regulation of respiratory care practitioners by the Respiratory Care Board of California. Existing law authorizes the board to employ an executive officer. Existing law repeals these provisions on January 1, 2014 and subjects the board to review by the Joint Sunset Review Committee.

This bill would instead repeal those provisions on January 1, 2018, and provide that the committee is subject to review by the appropriate policy committees of the Legislature.

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 2450 of the Business and Professions
 2 Code is amended to read:

3 2450. There is a Board of Osteopathic Examiners of the State
 4 of California, established by the Osteopathic Act, which shall be
 5 known as the Osteopathic Medical Board of California which
 6 enforces this chapter relating to persons holding or applying for
 7 physician’s and surgeon’s certificates issued by the Osteopathic
 8 Medical Board of California under the Osteopathic Act.

9 Persons who elect to practice using the term of suffix “M.D.,”
 10 as provided in Section 2275, shall not be subject to this article,
 11 and the Medical Board of California shall enforce the provisions
 12 of this chapter relating to persons who made the election.

13 *Notwithstanding any other law, the powers and duties of the*
 14 *Osteopathic Medical Board of California, as set forth in this article*
 15 *and under the Osteopathic Act, shall be subject to review by the*
 16 *appropriate policy committees of the Legislature. The review shall*
 17 *be performed as if this chapter were scheduled to be repealed as*
 18 *of January 1, 2018.*

19 SEC. 2. Section 2450.3 of the Business and Professions Code
 20 is amended to read:

21 2450.3. There is within the jurisdiction of the Osteopathic
 22 Medical Board of California a Naturopathic Medicine Committee
 23 authorized under the Naturopathic Doctors Act (Chapter 8.2
 24 (commencing with Section 3610)). This section shall become
 25 inoperative on January 1, ~~2014~~, 2018, and, as of that date is
 26 repealed, unless a later enacted statute that is enacted before
 27 January 1, ~~2014~~, 2018, deletes or extends that date.
 28 Notwithstanding any other provision of law, the repeal of this
 29 section renders the Naturopathic Medicine Committee subject to
 30 review by the appropriate policy committees of the Legislature.

31 SEC. 3. Section 3685 of the Business and Professions Code is
 32 amended to read:

1 3685. ~~(a) The~~ *Notwithstanding any other law, the* repeal of
 2 this chapter renders the committee subject to ~~the review required~~
 3 ~~by Division 1.2 (commencing with Section 473):~~ *review by the*
 4 *appropriate policy committees of the Legislature.*

5 ~~(b) The committee shall prepare the report required by Section~~
 6 ~~473.2 no later than September 1, 2012.~~

7 SEC. 4. Section 3686 of the Business and Professions Code is
 8 amended to read:

9 3686. This chapter shall remain in effect only until January 1,
 10 ~~2014, 2018,~~ and as of that date is repealed, unless a later enacted
 11 statute, that is enacted before January 1, ~~2014, 2018,~~ deletes or
 12 extends that date.

13 SEC. 5. Section 3710 of the Business and Professions Code is
 14 amended to read:

15 3710. (a) The Respiratory Care Board of California, hereafter
 16 referred to as the board, shall enforce and administer this chapter.

17 (b) This section shall remain in effect only until January 1, ~~2014,~~
 18 ~~2018,~~ and as of that date is repealed, unless a later enacted statute,
 19 that is enacted before January 1, ~~2014, 2018,~~ deletes or extends
 20 that date. ~~The~~ *Notwithstanding any other law, the* repeal of this
 21 section renders the board subject to ~~the review required by Division~~
 22 ~~1.2 (commencing with Section 473):~~ *review by the appropriate*
 23 *policy committees of the Legislature.*

24 SEC. 6. Section 3716 of the Business and Professions Code is
 25 amended to read:

26 3716. The board may employ an executive officer exempt from
 27 civil service and, subject to the provisions of law relating to civil
 28 service, clerical assistants and, except as provided in Section 159.5,
 29 other employees as it may deem necessary to carry out its powers
 30 and duties.

31 This section shall remain in effect only until January 1, ~~2014,~~
 32 ~~2018,~~ and as of that date is repealed, unless a later enacted statute,
 33 that is enacted before January 1, ~~2014, 2018,~~ deletes or extends
 34 that date.