

AMENDED IN SENATE JANUARY 25, 2016

AMENDED IN SENATE JUNE 4, 2015

AMENDED IN SENATE JUNE 2, 2015

AMENDED IN SENATE MAY 5, 2015

AMENDED IN SENATE APRIL 21, 2015

## SENATE BILL

**No. 22**

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### Introduced by Senator Roth

December 1, 2014

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An act to add ~~Chapter 6 (commencing with Section 128590) to Part 3 of Division 107 Article 7 (commencing with Section 128590) to Chapter 5 of Part 3 of Division 107~~ of the Health and Safety Code, relating to health care, and making an appropriation therefor.

#### LEGISLATIVE COUNSEL'S DIGEST

SB 22, as amended, Roth. Residency training.

Existing law, the Song-Brown Health Care Workforce Training Act, declares the intent of the Legislature to increase the number of students and residents receiving quality education and training in the specialty of family practice and as primary care physician's assistants and primary care nurse practitioners. Existing law establishes, for this purpose, a state medical contract program with accredited medical schools, programs that train primary care physician's assistants, programs that train primary care nurse practitioners, registered nurses, hospitals, and other health care delivery systems.

~~Existing law establishes the California Healthcare Workforce Policy Commission and requires the commission, among other things, to identify specific areas of the state where unmet priority needs for~~

~~primary care family physicians and registered nurses exist, establish standards for family practice training programs, family practice residency programs, primary care physician assistants programs, and programs that train primary care nurse practitioners, and review and make recommendations to the Director of Statewide Health Planning and Development concerning the funding of those programs that are submitted to the Healthcare Workforce Development Division for participation in the state medical contract program.~~

*Existing law requires the Office of Statewide Health Planning and Development to establish the Health Professions Education Foundation to solicit and receive funds for the purpose of providing financial assistance in the form of scholarships or loans to medical students from underrepresented groups. Under existing law, the foundation also administers other programs for the advancement of health professions, including the Registered Nurse Education Program.*

~~This bill would require the Office of Statewide Health Planning and Development to establish a nonprofit public benefit corporation, to be known as the California Medical Residency Training Foundation, to be governed by a board of trustees~~ *establish the Medical Residency Training Advisory Panel, consisting of a total of 13 members, members to be appointed as specified specified, within the Health Professions Education Foundation.*

~~The bill would create the Medical Residency Training Fund in the State Treasury, a continuously appropriated fund, and would require the foundation panel to solicit and accept funds from business, industry, foundations, and other private or public sources for the purpose of establishing and funding new graduate medical residency training programs in specified areas of the state, including medically underserved areas. By creating a continuously appropriated fund, the bill would make an appropriation. The bill would require the Office of Statewide Health Planning and Development, among other responsibilities, foundation to provide technical support and financial management for the foundation, and panel and to approve and send panel recommendations for new residency programs to the Office of Statewide Health Planning and Development for implementation if specified requirements are met, including sufficient funding. The bill would require the office to enter into contracts with public and private sector institutions and other health agencies and organizations in order to fund and establish recommended residency positions. The bill would authorize the Governor to include in the annual budget proposal an amount, as~~

he or she deems reasonable, to be appropriated for this purpose. The bill, if the Legislature appropriates money for this purpose, would require the office to hold the funds and distribute them into the fund, upon request of the ~~foundation, panel~~, in an amount matching the amount deposited into the ~~fund by the foundation~~. *fund, as specified*. The bill would require money that was appropriated, but that has not been distributed to the fund at the end of each fiscal year, to be returned to the General Fund.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

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

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

1     ~~SECTION 1. Chapter 6 (commencing with Section 128590)~~  
2     ~~is added to Part 3 of Division 107 of the Health and Safety Code,~~  
3     ~~to read:~~  
4  
5     ~~CHAPTER 6. CALIFORNIA MEDICAL RESIDENCY TRAINING~~  
6                     ~~FOUNDATION~~  
7  
8     ~~128590. As used in this chapter:~~  
9     ~~(a) "Board" means the Board of Trustees of the California~~  
10    ~~Medical Residency Training Foundation.~~  
11    ~~(b) "Commission" means the California Healthcare Workforce~~  
12    ~~Policy Commission.~~  
13    ~~(c) "Director" means the Director of Statewide Health Planning~~  
14    ~~and Development.~~  
15    ~~(d) "Foundation" means the California Medical Residency~~  
16    ~~Training Foundation.~~  
17    ~~(e) "Fund" means the Medical Residency Training Fund.~~  
18    ~~(f) "Office" means the Office of Statewide Health Planning and~~  
19    ~~Development.~~  
20    ~~(g) "Primary care" means the medical practice areas of family~~  
21    ~~medicine, general surgery, internal medicine, obstetrics and~~

1 gynecology, pediatrics, psychiatry, and related specialties and  
2 subspecialties as the office deems appropriate.

3 (h) “Residency position” means a graduate medical education  
4 residency position in the field of primary care.

5 128591. (a) (1) The office shall establish a nonprofit public  
6 benefit corporation to be known as the California Medical  
7 Residency Training Foundation.

8 (2) The foundation shall be governed by a board of trustees  
9 consisting of a total of 13 members. Seven members shall be  
10 appointed by the Governor, one member shall be appointed by the  
11 Speaker of the Assembly, one member shall be appointed by the  
12 Senate Committee on Rules, two members of the Medical Board  
13 of California shall be appointed by the Medical Board of California,  
14 and two members of the Osteopathic Medical Board of California  
15 shall be appointed by the Osteopathic Medical Board of California.

16 (3) The members of the foundation board appointed by the  
17 Governor, the Speaker of the Assembly, and the Senate Committee  
18 on Rules shall consist of representatives of designated and  
19 nondesignated public hospitals, private hospitals, community  
20 clinics, public and private health insurance providers, the  
21 pharmaceutical industry, associations of health care practitioners,  
22 and other appropriate members of health or related professions.

23 (4) All persons considered for appointment shall have an interest  
24 in increasing the number of medical residencies in the state, an  
25 interest in increasing access to health care in underserved areas of  
26 California, and the ability and desire to solicit funds for the  
27 purposes of this chapter, as determined by the appointing power.

28 (5) The chairperson of the commission shall also be a nonvoting,  
29 ex officio member of the board.

30 (b) The Governor shall appoint the president of the board from  
31 among those members appointed by the Governor, the Speaker of  
32 the Assembly, the Senate Committee on Rules, the Medical Board  
33 of California, and the Osteopathic Medical Board of California.

34 (c) Of the members of the board first appointed by the Governor,  
35 three members shall be appointed to serve a one-year term, three  
36 members shall be appointed to serve a two-year term, and one  
37 member shall be appointed to serve a three-year term.

38 (d) Of the members of the board first appointed by the Speaker  
39 of the Assembly and the Senate Committee on Rules, each member  
40 shall be appointed to serve a three-year term.

1     ~~(e) The members appointed by the Medical Board of California~~  
2     ~~and the Osteopathic Medical Board of California shall be appointed~~  
3     ~~to serve a four-year term.~~

4     ~~(f) Upon the expiration of the initial appointments to the board~~  
5     ~~by the Governor, the Speaker of the Assembly, the Senate~~  
6     ~~Committee on Rules, the Medical Board of California, and the~~  
7     ~~Osteopathic Medical Board of California, each member shall be~~  
8     ~~appointed to serve a four-year term.~~

9     ~~(g) The director, after consultation with the president of the~~  
10    ~~board, may appoint a council of advisers comprised of up to nine~~  
11    ~~members. The council shall advise the director and the board on~~  
12    ~~technical matters and programmatic issues related to the~~  
13    ~~foundation.~~

14    ~~(h) (1) Members of the board appointed by the Governor, the~~  
15    ~~Speaker of the Assembly, and the Senate Committee on Rules,~~  
16    ~~and members of the council shall serve without compensation, but~~  
17    ~~shall be reimbursed for any actual and necessary expenses incurred~~  
18    ~~in connection with his or her duties as a member of the board or~~  
19    ~~the council.~~

20    ~~(2) The members appointed by the Medical Board of California~~  
21    ~~and the Osteopathic Medical Board of California shall serve~~  
22    ~~without compensation, but shall be reimbursed by the Medical~~  
23    ~~Board of California and the Osteopathic Medical Board of~~  
24    ~~California, respectively, for any actual and necessary expenses~~  
25    ~~incurred in connection with his or her duties as a member of the~~  
26    ~~foundation board.~~

27    ~~(i) Notwithstanding any law relating to incompatible activities,~~  
28    ~~no member of the foundation board shall be considered to be~~  
29    ~~engaged in activities inconsistent and incompatible with his or her~~  
30    ~~duties solely as a result of membership on the Medical Board of~~  
31    ~~California or the Osteopathic Medical Board of California.~~

32    ~~(j) The foundation shall be subject to the Nonprofit Public~~  
33    ~~Benefit Corporation Law (Part 2 (commencing with Section 5110)~~  
34    ~~of Division 2 of Title 2 of the Corporations Code), except that if~~  
35    ~~there is a conflict with this chapter and the Nonprofit Public Benefit~~  
36    ~~Corporation Law (Part 2 (commencing with Section 5110) of~~  
37    ~~Division 2 of Title 2 of the Corporations Code), this chapter shall~~  
38    ~~prevail.~~

39    ~~128592. The foundation shall do the following:~~

1     ~~(a) Solicit and accept funds from business, industry, foundations,~~  
2     ~~and other private or public sources for the purpose of establishing~~  
3     ~~and funding new residency positions in areas of the state described~~  
4     ~~in subdivision (c).~~

5     ~~(b) Encourage public and private sector institutions, including~~  
6     ~~hospitals, colleges, universities, community clinics, and other~~  
7     ~~health agencies and organizations to identify and provide locations~~  
8     ~~for the establishment of new residency positions in areas of the~~  
9     ~~state described in subdivision (c). The foundation shall solicit~~  
10    ~~proposals for medical residency programs, as described in~~  
11    ~~subdivision (c), and provide the office a copy of all proposals it~~  
12    ~~receives.~~

13    ~~(c) Upon the sufficient solicitation of funds and at the~~  
14    ~~foundation's discretion, approve proposals and recommend to the~~  
15    ~~office the establishment of new residency positions. A~~  
16    ~~recommendation shall include all pertinent information necessary~~  
17    ~~for the office to enter into the necessary contracts to establish the~~  
18    ~~residency positions. The foundation shall only approve and~~  
19    ~~recommend to the office proposals that would establish residency~~  
20    ~~positions that will serve in any of the following medical service~~  
21    ~~areas:~~

22    ~~(1) A service area that is designated as a primary care shortage~~  
23    ~~area by the office.~~

24    ~~(2) A service area that is designated as a health professional~~  
25    ~~shortage area for primary care, by either population or geographic~~  
26    ~~designation, by the Health Resources and Services Administration~~  
27    ~~of the United States Department of Health and Human Services.~~

28    ~~(3) A service area that is designated as a medically underserved~~  
29    ~~area or medically underserved population by the Health Resources~~  
30    ~~and Services Administration of the United States Department of~~  
31    ~~Health and Human Services.~~

32    ~~(d) Upon office approval of a recommendation, deposit into the~~  
33    ~~fund necessary moneys as required to establish and fund the~~  
34    ~~residency position.~~

35    ~~(e) Recommend to the director that a portion of the funds~~  
36    ~~solicited from the private sector be used for the administrative~~  
37    ~~requirements of the foundation.~~

38    ~~(f) Prepare and submit an annual report to the Legislature~~  
39    ~~documenting the amount of money solicited, the amount of money~~  
40    ~~deposited from the foundation into the fund, the recommendations~~

1 for the location and fields of practice of residency positions, total  
2 expenditures for the year, and prospective fundraising goals.

3 ~~128593. The office shall do all of the following:~~

4 ~~(a) Provide technical and staff support to the foundation in~~  
5 ~~meeting all of its responsibilities.~~

6 ~~(b) Provide financial management for the foundation.~~

7 ~~(c) Upon receipt of a recommendation made by the foundation~~  
8 ~~pursuant to subdivision (c) of Section 128592, approve the~~  
9 ~~recommendation if the recommendation fulfills the requirements~~  
10 ~~of subdivision (c) of Section 128592 and the recommendation~~  
11 ~~fulfills the goals of this chapter. Upon sufficient funds being~~  
12 ~~available, an approval shall signal the office's intent to establish~~  
13 ~~the residency position.~~

14 ~~(d) Establish a uniform process by which the foundation may~~  
15 ~~solicit proposals from public and private sector institutions,~~  
16 ~~including hospitals, colleges, universities, community clinics, and~~  
17 ~~other health agencies and organizations that train primary care~~  
18 ~~residents. The office shall require that these proposals contain all~~  
19 ~~necessary and pertinent information, including, but not limited to,~~  
20 ~~all of the following:~~

21 ~~(1) The location of the proposed residency position.~~

22 ~~(2) The medical practice area of the proposed residency position.~~

23 ~~(3) Information that demonstrates the area's need for the~~  
24 ~~proposed residency position and for additional primary care~~  
25 ~~practitioners.~~

26 ~~(4) The amount of funding required to establish and operate the~~  
27 ~~residency position.~~

28 ~~(e) Enter into contracts with public and private sector~~  
29 ~~institutions, including hospitals, colleges, universities, community~~  
30 ~~clinics, and other health agencies and organizations in order to~~  
31 ~~fund and establish residency positions at, or in association with,~~  
32 ~~these institutions.~~

33 ~~(f) Ensure that the residency position has been, or will be,~~  
34 ~~approved by the Accreditation Council for Graduate Medical~~  
35 ~~Education.~~

36 ~~(g) Provide all of the following information to the board:~~

37 ~~(1) The areas of the state that are deficient in primary care~~  
38 ~~services.~~

~~(2) The areas of the state that have the highest number of Medi-Cal enrollees and persons eligible to enroll in Medi-Cal, by proportion of population.~~

~~(3) Other information that the office or board finds relevant to assist the board in making its recommendations on possible locations for new residency positions.~~

~~(h) Monitor the residencies established pursuant to this chapter.~~

~~(i) (1) Prepare and submit an annual report to the foundation and the Legislature documenting the amount of money contributed to the fund by the foundation, the amount of money expended from the fund, the purposes of those expenditures, the number and location of residency positions established and funded, and recommendations for the location of future residency positions.~~

~~(2) The report pursuant to paragraph (1) shall be made to the Legislature pursuant to Section 9795 of the Government Code.~~

~~128594. (a) The Medical Residency Training Fund is hereby created within the State Treasury.~~

~~(b) The primary purpose of the fund is to allocate funding for new residency positions throughout the state. Money in the fund shall also be used to pay for the cost of administering the goals of the foundation, and for any other purpose authorized by this chapter.~~

~~(c) The level of expenditure by the office for the administrative support of the foundation is subject to review and approval annually through the state budget process.~~

~~(d) The office and foundation may solicit and accept public and private donations to be deposited into the fund. All money in the fund is continuously appropriated to the office for the purposes of this chapter. The office shall manage this fund prudently in accordance with applicable laws.~~

~~128595. Any regulations the office adopts to implement this chapter shall be adopted as emergency regulations in accordance with Section 11346.1 of the Government Code, except that the regulations shall be exempt from the requirements of subdivisions (e), (f), and (g) of that section. The regulations shall be deemed to be emergency regulations for the purposes of Section 11346.1 of the Government Code.~~

~~128596. Notwithstanding any other law, the office may exempt from public disclosure any document in the possession of the office~~



1 that pertains to a donation made pursuant to this chapter if the  
2 donor has requested anonymity.

3 128597. (a) The Governor may include in the annual budget  
4 proposal an amount, as he or she deems reasonable, to be  
5 appropriated to the office to be used as provided in this chapter.

6 (b) If the Legislature appropriates money for purposes of this  
7 chapter, the money shall be appropriated to the office, which shall  
8 hold the money for distribution to the fund.

9 (c) Funds appropriated to the office shall be paid into the fund,  
10 upon request of the foundation, in an amount matching the amount  
11 deposited into the fund by the foundation for the purposes of this  
12 chapter. Any money that was appropriated to the office and that  
13 has not been distributed to the fund at the end of each fiscal year  
14 shall be returned to the General Fund.

15 *SECTION 1. Article 7 (commencing with Section 128590) is*  
16 *added to Chapter 5 of Part 3 of Division 107 of the Health and*  
17 *Safety Code, to read:*

18  
19 *Article 7. California Medical Residency Training Program*

20  
21 *128590. As used in this article:*

22 (a) “Director” means the Director of Statewide Health Planning  
23 and Development.

24 (b) “Foundation” means the Health Professions Education  
25 Foundation.

26 (c) “Fund” means the Medical Residency Training Fund.

27 (d) “Office” means the Office of Statewide Health Planning  
28 and Development.

29 (e) “Panel” means the Medical Residency Training Advisory  
30 Panel, established pursuant to Section 128591.

31 (f) “Primary care” means the medical practice areas of family  
32 medicine, general surgery, internal medicine, obstetrics and  
33 gynecology, pediatrics, psychiatry, and related specialties and  
34 subspecialties as the office deems appropriate.

35 (g) “Residency position” means a graduate medical education  
36 residency position in the field of primary care.

37 128591. (a) (1) There is established within the foundation the  
38 Medical Residency Training Advisory Panel.

39 (2) The panel shall consist of 13 members. Seven members shall  
40 be appointed by the Governor, one member shall be appointed by

1 *the Speaker of the Assembly, one member shall be appointed by*  
2 *the Senate Committee on Rules, two members of the Medical Board*  
3 *of California shall be appointed by the Medical Board of*  
4 *California, and two members of the Osteopathic Medical Board*  
5 *of California shall be appointed by the Osteopathic Medical Board*  
6 *of California.*

7 *(3) The members of the panel appointed by the Governor, the*  
8 *Speaker of the Assembly, and the Senate Committee on Rules shall*  
9 *consist of representatives of designated and nondesignated public*  
10 *hospitals, private hospitals, community clinics, public and private*  
11 *health insurance providers, the pharmaceutical industry,*  
12 *associations of health care practitioners, and other appropriate*  
13 *members of health or related professions.*

14 *(4) All persons considered for appointment shall have an interest*  
15 *in increasing the number of medical residencies in the state, an*  
16 *interest in increasing access to health care in underserved areas*  
17 *of California, and the ability and desire to solicit funds for the*  
18 *purposes of this article, as determined by the appointing power.*

19 *(b) The Governor shall appoint the president of the panel from*  
20 *among those members appointed by the Governor, the Speaker of*  
21 *the Assembly, the Senate Committee on Rules, the Medical Board*  
22 *of California, and the Osteopathic Medical Board of California.*

23 *(c) (1) Of the members of the panel first appointed by the*  
24 *Governor, three members shall be appointed to serve a one-year*  
25 *term, three members shall be appointed to serve a two-year term,*  
26 *and one member shall be appointed to serve a three-year term.*

27 *(2) Each member of the panel first appointed by the Speaker of*  
28 *the Assembly and the Senate Committee on Rules shall be*  
29 *appointed to serve a three-year term.*

30 *(3) Each member of the panel appointed by the Medical Board*  
31 *of California and the Osteopathic Medical Board of California*  
32 *shall be appointed to serve a four-year term.*

33 *(4) Upon the expiration of the initial appointments to the panel*  
34 *by the Governor, the Speaker of the Assembly, the Senate*  
35 *Committee on Rules, the Medical Board of California, and the*  
36 *Osteopathic Medical Board of California, each member shall be*  
37 *appointed to serve a four-year term.*

38 *(d) (1) Members of the panel appointed by the Governor, the*  
39 *Speaker of the Assembly, and the Senate Committee on Rules shall*  
40 *serve without compensation, but shall be reimbursed for any actual*

1 *and necessary expenses incurred in connection with their duties*  
2 *as members of the panel.*

3 *(2) The members appointed by the Medical Board of California*  
4 *and the Osteopathic Medical Board of California shall serve*  
5 *without compensation, but shall be reimbursed by the Medical*  
6 *Board of California and the Osteopathic Medical Board of*  
7 *California, respectively, for any actual and necessary expenses*  
8 *incurred in connection with their duties as members of the panel.*

9 *(e) Notwithstanding any law relating to incompatible activities,*  
10 *no member of the panel shall be considered to be engaged in*  
11 *activities inconsistent and incompatible with his or her duties*  
12 *solely as a result of membership on the Medical Board of*  
13 *California or the Osteopathic Medical Board of California.*

14 *(f) The panel shall be subject to the Nonprofit Public Benefit*  
15 *Corporation Law (Part 2 (commencing with Section 5110) of*  
16 *Division 2 of Title 2 of the Corporations Code), except that if there*  
17 *is a conflict with this article and the Nonprofit Public Benefit*  
18 *Corporation Law (Part 2 (commencing with Section 5110) of*  
19 *Division 2 of Title 2 of the Corporations Code), this article shall*  
20 *prevail.*

21 *128592. The panel shall do all of the following:*

22 *(a) Solicit and accept funds from business, industry, foundations,*  
23 *and other private or public sources for the purpose of establishing*  
24 *and funding new residency positions in areas of the state described*  
25 *in subdivision (c).*

26 *(b) Encourage public and private sector institutions, including*  
27 *hospitals, colleges, universities, community clinics, and other*  
28 *health agencies and organizations to identify and provide locations*  
29 *for the establishment of new residency positions in areas of the*  
30 *state described in subdivision (c). The panel shall solicit proposals*  
31 *for medical residency programs, as described in subdivision (c),*  
32 *and shall provide to the foundation a copy of all proposals it*  
33 *receives.*

34 *(c) Upon the sufficient solicitation of funds and at the panel's*  
35 *discretion, recommend to the foundation the establishment of new*  
36 *residency positions. A recommendation shall include all pertinent*  
37 *information required to enter into the necessary contracts to*  
38 *establish the residency positions. The panel shall only approve*  
39 *and recommend to the foundation proposals that would establish*

1 *residency positions that will serve in any of the following medical*  
2 *service areas:*

3 *(1) A service area that is designated as a primary care shortage*  
4 *area by the office.*

5 *(2) A service area that is designated as a health professional*  
6 *shortage area for primary care, by either population or geographic*  
7 *designation, by the Health Resources and Services Administration*  
8 *of the United States Department of Health and Human Services.*

9 *(3) A service area that is designated as a medically underserved*  
10 *area or medically underserved population by the Health Resources*  
11 *and Services Administration of the United States Department of*  
12 *Health and Human Services.*

13 *(d) Upon foundation approval of a recommendation, deposit*  
14 *into the fund necessary moneys required to establish and fund the*  
15 *residency position.*

16 *(e) Recommend to the director that a portion of the funds*  
17 *solicited from the private sector be used for the administrative*  
18 *requirements of the panel and the foundation.*

19 *(f) Prepare and submit an annual report to the Legislature*  
20 *documenting the amount of money solicited, the amount of money*  
21 *deposited by the panel into the fund, the recommendations for the*  
22 *location and fields of practice of residency positions, total*  
23 *expenditures for the year, and prospective fundraising goals.*

24 *128593. The foundation shall do all of the following:*

25 *(a) Provide technical and staff support to the panel in meeting*  
26 *all of its responsibilities.*

27 *(b) Upon receipt of a recommendation made by the panel*  
28 *pursuant to subdivision (c) of Section 128592, approve the*  
29 *recommendation if the recommendation fulfills the requirements*  
30 *of subdivision (c) of Section 128592 and the recommendation*  
31 *fulfills the goals of this article. Upon sufficient funds being*  
32 *available, an approval shall be sent to the office for implementation*  
33 *pursuant to Section 128594.*

34 *128594. The office shall do all of the following:*

35 *(a) Establish a uniform process by which the panel may solicit*  
36 *proposals from public and private sector institutions, including*  
37 *hospitals, colleges, universities, community clinics, and other*  
38 *health agencies and organizations that train primary care*  
39 *residents. The office shall require that the proposals contain all*

1 necessary and pertinent information, including, but not limited to,  
2 all of the following:

3 (1) The location of the proposed residency position.

4 (2) The medical practice area of the proposed residency  
5 position.

6 (3) Information that demonstrates the area's need for the  
7 proposed residency position and for additional primary care  
8 practitioners.

9 (4) The amount of funding required to establish and operate  
10 the residency position.

11 (b) Enter into contracts with public and private sector  
12 institutions, including hospitals, colleges, universities, community  
13 clinics, and other health agencies and organizations in order to  
14 fund and establish residency positions at, or in association with,  
15 these institutions.

16 (c) Ensure that the residency position has been, or will be,  
17 approved by the Accreditation Council for Graduate Medical  
18 Education.

19 (d) Provide all of the following information to the panel and  
20 the foundation as requested:

21 (1) The areas of the state that are deficient in primary care  
22 services.

23 (2) The areas of the state that have the highest number of  
24 Medi-Cal enrollees and persons eligible to enroll in Medi-Cal, by  
25 proportion of population.

26 (3) Other information relevant to assist the panel and the  
27 foundation in making recommendations on possible locations for  
28 new residency positions.

29 (e) Monitor the residencies established pursuant to this article.

30 (f) (1) Prepare and submit an annual report to the panel, the  
31 foundation, and the Legislature documenting the amount of money  
32 contributed to the fund by the panel, the amount of money expended  
33 from the fund, the purposes of those expenditures, the number and  
34 location of residency positions established and funded, and  
35 recommendations for the location of future residency positions.

36 (2) The report pursuant to paragraph (1) shall be made to the  
37 Legislature pursuant to Section 9795 of the Government Code.

38 128595. (a) The Medical Residency Training Fund is hereby  
39 created within the State Treasury.

1     (b) *The primary purpose of the fund is to allocate funding for*  
2 *new residency positions throughout the state. Money in the fund*  
3 *shall also be used to pay for the cost of administering the goals of*  
4 *the panel and the foundation as established by this article, and for*  
5 *any other purpose authorized by this article.*

6     (c) *The level of expenditure by the office for the administrative*  
7 *support of the panel and the foundation is subject to review and*  
8 *approval annually through the state budget process.*

9     (d) *In addition to funds raised by the panel, the office and the*  
10 *foundation may solicit and accept public and private donations to*  
11 *be deposited into the fund. All money in the fund is continuously*  
12 *appropriated to the office for the purposes of this article. The office*  
13 *shall manage this fund prudently in accordance with applicable*  
14 *laws.*

15     128596. *Any regulations the office adopts to implement this*  
16 *article shall be adopted as emergency regulations in accordance*  
17 *with Section 11346.1 of the Government Code, except that the*  
18 *regulations shall be exempt from the requirements of subdivisions*  
19 *(e), (f), and (g) of that section. The regulations shall be deemed*  
20 *to be emergency regulations for the purposes of Section 11346.1*  
21 *of the Government Code.*

22     128597. *Notwithstanding any other law, the office may exempt*  
23 *from public disclosure any document in the possession of the office*  
24 *that pertains to a donation made pursuant to this article if the*  
25 *donor has requested anonymity.*

26     128598. (a) *The Governor may include in the annual budget*  
27 *proposal an amount, as he or she deems reasonable, to be*  
28 *appropriated to the office to be used as provided in this article.*

29     (b) *If the Legislature appropriates money for purposes of this*  
30 *article, the money shall be appropriated to the office, which shall*  
31 *hold the money for distribution to the fund.*

32     (c) *Funds appropriated to the office shall be paid into the fund,*  
33 *upon request of the panel, in an amount matching the amount*  
34 *deposited into the fund by the panel or by the foundation and office*  
35 *pursuant to subdivision (d) of Section 128595 for the purposes of*  
36 *this article. Any money that was appropriated to the office and*  
37 *that has not been distributed to the fund at the end of each fiscal*  
38 *year shall be returned to the General Fund.*

39     SEC. 2. *The Legislature finds and declares that Section 1 of*  
40 *this act, which adds Chapter 6 Article 7 (commencing with Section*

1 128590) to *Chapter 5* of Part 3 of Division 107 of the Health and  
2 Safety Code, imposes a limitation on the public's right of access  
3 to the meetings of public bodies or the writings of public officials  
4 and agencies within the meaning of Section 3 of Article I of the  
5 California Constitution. Pursuant to that constitutional provision,  
6 the Legislature makes the following findings to demonstrate the  
7 interest protected by this limitation and the need for protecting  
8 that interest:

9 The need to protect individual privacy of donations made by a  
10 donor to fund new *medical* residency positions in underserved  
11 areas of the state outweighs the interest in the public disclosure of  
12 that information.

O