

AMENDED IN SENATE APRIL 4, 2016

SENATE BILL

No. 1139

Introduced by Senator Lara

February 18, 2016

An act to *add Section 2064.3 to the Business and Professions Code, and to add Section 128371 to the Health and Safety Code, relating to health professionals.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1139, as amended, Lara. Health professionals: *medical residency programs: undocumented immigrants: scholarships, loans, and loan repayment.*

(1) Existing law, known as the Medical Practice Act, provides for licensing and regulation of physicians and surgeons by the Medical Board of California and imposes various requirements in that regard. Existing law requires an applicant for a license as a physician and surgeon to successfully complete a specified medical curriculum, a clinical instruction program, and a training program. Existing law provides that nothing in the Medical Practice Act shall be construed to prohibit a foreign medical graduate from engaging in the practice of medicine whenever and wherever required as part of a clinical service program, subject to certain conditions.

Existing law, known as the Donahoe Higher Education Act, sets forth, among other things, the missions and functions of California's public and independent segments of higher education and their respective institutions of higher education. Existing law establishes the University of California, under the administration of the Regents of the University of California, as one of the segments of public postsecondary education in this state. The University of California operates medical schools at

its Davis, Irvine, Los Angeles, San Diego, and San Francisco campuses, and a medical school will open at its Riverside campus in the 2016–17 academic year.

This bill would provide that any student, including a person without lawful immigration status, a person who is exempt from nonresident tuition pursuant to a specified statute, or a person who fits into both of those categories, who meets the requirements for admission is eligible to participate in a medical school program and a medical residency training program at any public or private postsecondary educational institution that offers such a program. The bill would also encourage the University of California to develop a process for awarding student financial aid that may include, but not be limited to, grants, scholarships, and stipends, in lieu of employment for students in a medical residency training program whose participation is authorized by this bill.

Existing

(2) *Existing* law requires the Office of Statewide Health Planning and Development to establish a nonprofit public benefit corporation known as the Health Professions Education Foundation to perform various duties with respect to implementing health professions scholarship and loan programs.

This bill would prohibit specified programs within the foundation, including programs which are funded by the continuously appropriated Health Professions Education Fund, the Medically Underserved Account for Physicians, and the Mental Health Services Fund, from denying an application based on the citizenship status or immigration status of the applicant.

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 2064.3 is added to the Business and*
- 2 *Professions Code, to read:*
- 3 *2064.3. Notwithstanding any other law:*
- 4 *(a) Any student, including a person without lawful immigration*
- 5 *status, a person who is exempt from nonresident tuition pursuant*
- 6 *to Section 68130.5 of the Education Code, or a person who is both*
- 7 *without lawful immigration status and exempt from nonresident*
- 8 *tuition pursuant to Section 68130.5 of the Education Code, who*

1 *meets the requirements for admission is eligible to participate in*
2 *a medical school program and a medical residency training*
3 *program at any public or private postsecondary educational*
4 *institution that offers such a program.*

5 *(b) The University of California is encouraged to develop a*
6 *process for awarding student financial aid that may include, but*
7 *not be limited to, grants, scholarships, and stipends, in lieu of*
8 *employment for students in a medical residency training program*
9 *whose participation is authorized by this section.*

10 **SECTION 4.**

11 *SEC. 2.* Section 128371 is added to the Health and Safety Code,
12 to read:

13 128371. (a) The Legislature finds and declares that it is in the
14 best interest of the State of California to provide persons who are
15 not lawfully present in the United States with the state benefits
16 provided by ~~the Health Professions Education Foundation~~
17 ~~Programs, programs,~~ and therefore, enacts this section pursuant
18 to ~~subsection (d) of Section 1621~~ *Section 1621(d)* of Title 8 of the
19 United States Code.

20 (b) A program within the Health Professions Education
21 Foundation shall not deny an application based on the citizenship
22 status or immigration status of the applicant.

23 (c) For any program within the Health Professions Education
24 Foundation, when mandatory disclosure of a social security number
25 is required, an applicant shall provide his or her social security
26 number, if one has been issued, or an individual tax identification
27 number that has been or will be submitted.

28 (d) This section shall apply to all of the following:

29 (1) Programs supported through the Health Professions
30 Education Fund pursuant to Section 128355.

31 (2) The Registered Nurse Education Fund created pursuant to
32 Section 128400.

33 (3) The Mental Health Practitioner Education Fund created
34 pursuant to Section 128458.

35 (4) The Vocational Nurse Education Fund created pursuant to
36 Section 128500.

37 (5) The Medically Underserved Account for Physicians created
38 pursuant to Section 128555.

39 (6) The Steven M. Thompson Medical School Scholarship
40 Account created pursuant to *Section* 128580.

- 1 (7) Loan forgiveness and scholarship programs created pursuant
- 2 to Section 5820 of the Welfare and Institutions Code.

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