

AMENDED IN ASSEMBLY JANUARY 24, 1996

AMENDED IN ASSEMBLY MARCH 30, 1995

CALIFORNIA LEGISLATURE—1995–96 REGULAR SESSION

ASSEMBLY BILL

No. 1002

Introduced by Assembly Member Burton

February 23, 1995

An act to amend ~~and repeal~~ Section 3209.3 of the Labor Code, relating to workers' compensation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1002, as amended, Burton. Workers' compensation: acupuncturists.

Existing law, until January 1, 1997, defines the term "physician" as including acupuncturists for purposes of treating injured employees entitled to workers' compensation medical benefits.

This bill would ~~delete~~ *extend* the repeal date of January 1, 1997, to *January 1, 1999*.

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.—Section 3209.3 of the Labor Code, as~~
- 2 *SECTION 1. Section 3209.3 of the Labor Code, as*
- 3 *amended by Section 3 of Chapter 1118 of the Statutes of*
- 4 *1994, is amended to read:*



1 3209.3. (a) “Physician” includes physicians and
2 surgeons holding an M.D. or D.O. degree, psychologists,
3 acupuncturists, optometrists, dentists, podiatrists, and
4 chiropractic practitioners licensed by California state law
5 and within the scope of their practice as defined by
6 California state law.

7 (b) “Psychologist” means a licensed psychologist with
8 a doctoral degree in psychology, or a doctoral degree
9 deemed equivalent for licensure by the Board of
10 Psychology pursuant to Section 2914 of the Business and
11 Professions Code, and who either has at least two years of
12 clinical experience in a recognized health setting, or has
13 met the standards of the National Register of the Health
14 Service Providers in Psychology.

15 (c) When treatment or evaluation for an injury is
16 provided by a psychologist, provision shall be made for
17 appropriate medical collaboration when requested by
18 the employer or the insurer.

19 (d) “Acupuncturist” means a person who holds an
20 acupuncturist’s certificate issued pursuant to Chapter 12
21 (commencing with Section 4925) of Division 2 of the
22 Business and Professions Code.

23 (e) Nothing in this section shall be construed to
24 authorize acupuncturists to determine disability for the
25 purposes of Article 3 (commencing with Section 4650) of
26 Chapter 2 of Part 2, or under Section 2708 of the
27 Unemployment Insurance Code.

28 (f) The administrative director shall evaluate the
29 participation of acupuncturists in the medical treatment
30 of workers’ compensation cases and shall report his or her
31 findings to the Legislature on or before December 31,
32 1995.

33 (g) This section shall remain in effect until January 1,
34 ~~1997~~ 1999, and as of that date is repealed.

35 *SEC. 2. Section 3209.3 of the Labor Code, as amended*
36 *by Section 4 of Chapter 1118 of the Statutes of 1994, is*
37 *amended to read:*

38 3209.3. (a) “Physician” includes physicians and
39 surgeons holding an M.D. or D.O. degree, psychologists,
40 optometrists, dentists, podiatrists, and chiropractic



1 practitioners licensed by California state law and within
2 the scope of their practice as defined by California state
3 law.

4 (b) “Psychologist” means a licensed psychologist with
5 a doctoral degree in psychology, or a doctoral degree
6 deemed equivalent for licensure by the Board of
7 Psychology pursuant to Section 2914 of the Business and
8 Professions Code, and who either has at least two years of
9 clinical experience in a recognized health setting, or has
10 met the standards of the National Register of the Health
11 Service Providers in Psychology.

12 (c) When treatment or evaluation for an injury is
13 provided by a psychologist, provision shall be made for
14 appropriate medical collaboration when requested by
15 the employer or the insurer.

16 (d) This section shall be operative on January 1, 1997
17 1999.

18 ~~amended by Section 3 of Chapter 1118 of the Statutes of~~
19 ~~1994, is amended to read:~~

20 ~~3209.3. (a) “Physician” includes physicians and~~
21 ~~surgeons holding an M.D. or D.O. degree, psychologists,~~
22 ~~acupuncturists, optometrists, dentists, podiatrists, and~~
23 ~~chiropractic practitioners licensed by California state law~~
24 ~~and within the scope of their practice as defined by~~
25 ~~California state law.~~

26 ~~(b) “Psychologist” means a licensed psychologist with~~
27 ~~a doctoral degree in psychology, or a doctoral degree~~
28 ~~deemed equivalent for licensure by the Board of~~
29 ~~Psychology pursuant to Section 2914 of the Business and~~
30 ~~Professions Code, and who either has at least two years of~~
31 ~~clinical experience in a recognized health setting, or has~~
32 ~~met the standards of the National Register of the Health~~
33 ~~Service Providers in Psychology.~~

34 ~~(c) When treatment or evaluation for an injury is~~
35 ~~provided by a psychologist, provision shall be made for~~
36 ~~appropriate medical collaboration when requested by~~
37 ~~the employer or the insurer.~~

38 ~~(d) “Acupuncturist” means a person who holds an~~
39 ~~acupuncturist’s certificate issued pursuant to Chapter 12~~



1 ~~(commencing with Section 4925) of Division 2 of the~~
2 ~~Business and Professions Code.~~

3 ~~(e) Nothing in this section shall be construed to~~
4 ~~authorize acupuncturists to determine disability for the~~
5 ~~purposes of Article 3 (commencing with Section 4650) of~~
6 ~~Chapter 2 of Part 2, or under Section 2708 of the~~
7 ~~Unemployment Insurance Code.~~

8 ~~(f) The administrative director shall evaluate the~~
9 ~~participation of acupuncturists in the medical treatment~~
10 ~~of workers' compensation cases and shall report his or her~~
11 ~~findings to the Legislature on or before December 31,~~
12 ~~1995.~~

13 ~~SEC. 2. Section 3209.3 of the Labor Code, as amended~~
14 ~~by Section 4 of Chapter 1118 of the Statutes of 1994, is~~
15 ~~repealed.~~

