

Assembly Bill No. 1002

CHAPTER 26

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

[Approved by Governor April 8, 1996. Filed with
Secretary of State April 8, 1996.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1002, 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 extend the repeal date of January 1, 1997, to January 1, 1999.

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

SECTION 1. Section 3209.3 of the Labor Code, as amended by Section 3 of Chapter 1118 of the Statutes of 1994, is amended to read:

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

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

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

(d) "Acupuncturist" means a person who holds an acupuncturist's certificate issued pursuant to Chapter 12 (commencing with Section 4925) of Division 2 of the Business and Professions Code.

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

(f) The administrative director shall evaluate the participation of acupuncturists in the medical treatment of workers' compensation



cases and shall report his or her findings to the Legislature on or before December 31, 1995.

(g) This section shall remain in effect until January 1, 1999, and as of that date is repealed.

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

3209.3. (a) "Physician" includes physicians and surgeons holding an M.D. or D.O. degree, psychologists, optometrists, dentists, podiatrists, and chiropractic practitioners licensed by California state law and within the scope of their practice as defined by California state law.

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

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

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

