

ASSEMBLY BILL

No. 204

Introduced by Assembly Members Migden and Villaraigosa
(Coauthor: Senator Burton)

February 3, 1997

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

LEGISLATIVE COUNSEL'S DIGEST

AB 204, as introduced, Migden. Workers' compensation: acupuncturists.

Existing law, until January 1, 1999, defines the term "physician" as including acupuncturists for purposes of treating injured employees entitled to workers' compensation medical benefits.

This bill would delete the repeal date and would make conforming changes.

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 3209.3 of the Labor Code, as
2 amended by Section 1 of Chapter 26 of the Statutes of
3 1996, is amended to read:

4 3209.3. (a) "Physician" includes physicians and
5 surgeons holding an M.D. or D.O. degree, psychologists,
6 acupuncturists, optometrists, dentists, podiatrists, and
7 chiropractic practitioners licensed by California state law

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

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

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

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

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

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

29 ~~(g) This section shall remain in effect until January 1,~~
30 ~~1999, and as of that date is repealed.~~

31 SEC. 2. Section 3209.3 of the Labor Code, as amended
32 by Section 2 of Chapter 26 of the Statutes of 1996, is
33 repealed.

34 ~~3209.3. (a) “Physician” includes physicians and~~
35 ~~surgeons holding an M.D. or D.O. degree, psychologists,~~
36 ~~optometrists, dentists, podiatrists, and chiropractic~~
37 ~~practitioners licensed by California state law and within~~
38 ~~the scope of their practice as defined by California state~~
39 ~~law.~~



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

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

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

