

Introduced by Senators Burton and Brulte

January 28, 1997

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

LEGISLATIVE COUNSEL'S DIGEST

SB 212, as introduced, Burton. Workers' compensation.

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
8 and within the scope of their practice as defined by
9 California state law.

10 (b) "Psychologist" means a licensed psychologist with
11 a doctoral degree in psychology, or a doctoral degree



1 deemed equivalent for licensure by the Board of
2 Psychology pursuant to Section 2914 of the Business and
3 Professions Code, and who either has at least two years of
4 clinical experience in a recognized health setting, or has
5 met the standards of the National Register of the Health
6 Service Providers in Psychology.

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

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

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

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

25 ~~(g) This section shall remain in effect until January 1,~~
26 ~~1999, and as of that date is repealed.~~

27 SEC. 2. Section 3209.3 of the Labor Code, as amended
28 by Section 2 of Chapter 26 of the Statutes of 1996, is
29 repealed.

30 ~~3209.3. (a) “Physician” includes physicians and~~
31 ~~surgeons holding an M.D. or D.O. degree, psychologists,~~
32 ~~optometrists, dentists, podiatrists, and chiropractic~~
33 ~~practitioners licensed by California state law and within~~
34 ~~the scope of their practice as defined by California state~~
35 ~~law.~~

36 ~~(b) “Psychologist” means a licensed psychologist with~~
37 ~~a doctoral degree in psychology, or a doctoral degree~~
38 ~~deemed equivalent for licensure by the Board of~~
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1 ~~clinical experience in a recognized health setting, or has~~
2 ~~met the standards of the National Register of the Health~~
3 ~~Service Providers in Psychology.~~

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

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

