

AMENDED IN SENATE JULY 3, 2012
AMENDED IN SENATE JUNE 20, 2012
AMENDED IN ASSEMBLY MAY 25, 2012
AMENDED IN ASSEMBLY MARCH 27, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2214

Introduced by Assembly Member Monning

February 24, 2012

An act to add Section 1227.5 to the Business and Professions Code, and to add Sections 106967 and 107156 to, and to add and repeal Part 3.5 (commencing with Section 128590) of Division 107 of, the Health and Safety Code, relating to health workforce development.

LEGISLATIVE COUNSEL'S DIGEST

AB 2214, as amended, Monning. Health workforce development.

Existing law requires the Office of Statewide Health Planning and Development within the California Health and Human Services Agency to, among other things, (1) develop a Health Manpower Plan for California that consists of, among other things, appropriate standards for determining the adequacy of supply of specified health personnel, (2) maintain a Health Professions Career Opportunity Program that includes supporting and encouraging minority health professionals in training to practice in health professional shortage areas, and (3) establish a health care workforce clearinghouse to serve as the central source of health care workforce and educational data in the state.

Existing law, the Song-Brown Health Care Workforce Training Act, creates the California Healthcare Workforce Policy Commission to,

among other things, identify specific areas of the state where unmet priority needs for primary care family physicians and registered nurses exist.

Existing law establishes the California Workforce Investment Board within the Labor and Workforce Development Agency to assist the Governor in the development, oversight, and continuous improvement of California's workforce investment system.

This bill would require, until January 1, 2019, the California Workforce Investment Board to establish the Health Workforce Development Council to help expand California's health workforce in order to provide access to quality health care for all Californians. The bill would require the council to perform certain duties, including seeking expertise from multisector representatives to enhance the understanding of the issues and policies needed to ensure that California has the necessary workforce to provide access to quality, and culturally and linguistically appropriate, health care, as specified. The bill would require the council to inform the Legislature of its health initiatives and progress, as specified.

Existing law provides for the licensure and regulation of persons who engage in clinical laboratory practice, conduct radiologic technology, and perform nuclear medicine technology, as defined, by the State Department of Public Health, and makes a violation of those provisions a crime.

This bill would require every person described above to report to the department, upon issuance and renewal of his or her license, certificate, or permit, his or her practice status, as specified, and, unless the licensee declines to state them, his or her cultural background and foreign language proficiency. This bill would exempt the failure to report this information from those criminal provisions. This bill would require the department to collect the information as provided under those provisions, and authorize the department to aggregate and post this information on the department's Internet Web site.

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 1227.5 is added to the Business and
- 2 Professions Code, to read:

1227.5. (a) Each person licensed under this chapter shall report to the department, immediately upon issuance of an initial license and upon renewal, his or her practice status, which shall be designated as one of the following:

(1) Full-time practice in California.

(2) Part-time practice in California.

(3) Full-time practice outside of California.

(4) Retired.

(5) Other practice status, as may be determined by the department.

(b) The license holder described in subdivision (a) shall report to the department, immediately upon issuance of an initial license and upon renewal, information regarding his or her cultural background and foreign language proficiency. *The department shall use the racial and foreign language categories used by the United States Census Bureau.* The department shall provide an option for the licensee to decline to state his or her cultural background and foreign language proficiency.

(c) The department shall collect any information as provided under subdivisions (a) and (b), and may aggregate and post this information on the department's Internet Web site.

(d) A failure to report under this section does not constitute a violation within the meaning of Section 1287.

(e) *For purposes of this section:*

(1) *"Full-time practice" means a holder of a certificate or permit described in subdivision (a) who works more than 35 hours per week or is determined by his or her employer to be employed full-time.*

(2) *"Part-time practice" means a holder of a certificate or permit described in subdivision (a) who works less than 35 hours per week or is determined by his or her employer to be employed part-time.*

SEC. 2. Section 106967 is added to the Health and Safety Code, to read:

106967. (a) A radiologic technologist certified pursuant to subdivision (b) of Section 114870 of the Radiologic Technology Act (Section 27) and a limited X-ray technician granted a limited permit pursuant to subdivision (c) of Section 114870 of the Radiologic Technology Act (Section 27) shall report to the department, immediately upon issuance of an initial certificate or

1 permit and upon renewal, his or her practice status, which shall be
2 designated as one of the following:

- 3 (1) Full-time practice in California.
- 4 (2) Part-time practice in California.
- 5 (3) Full-time practice outside of California.
- 6 (4) Retired.
- 7 (5) Other practice status, as may be determined by the
8 department.

9 (b) The holder of a certificate or permit described in subdivision
10 (a) shall report to the department, immediately upon issuance of
11 an initial certificate or permit and upon renewal, information
12 regarding his or her cultural background and foreign language
13 proficiency. *The department shall use the racial and foreign*
14 *language categories used by the United States Census Bureau.*
15 The department shall provide an option for the holder of the
16 certificate or permit to decline to state his or her cultural
17 background and foreign language proficiency.

18 (c) The department shall collect any information as provided
19 under subdivisions (a) and (b), and may aggregate and post this
20 information on the department's Internet Web site.

21 (d) A failure to report under this section does not constitute a
22 violation within the meaning of Section 107075.

23 (e) *For purposes of this section:*

24 (1) *"Full-time practice" means a holder of a certificate or*
25 *permit described in subdivision (a) who works more than 35 hours*
26 *per week or is determined by his or her employer to be employed*
27 *full-time.*

28 (2) *"Part-time practice" means a holder of a certificate or*
29 *permit described in subdivision (a) who works less than 35 hours*
30 *per week or is determined by his or her employer to be employed*
31 *part-time.*

32 SEC. 3. Section 107156 is added to the Health and Safety Code,
33 to read:

34 107156. (a) A person who is certified as meeting the standards
35 of competence in nuclear medicine technology pursuant to this
36 article shall report to the department, immediately upon issuance
37 of an initial certificate and upon renewal, his or her practice status,
38 which shall be designated as one of the following:

- 39 (1) Full-time practice in California.
- 40 (2) Part-time practice in California.

1 (3) Full-time practice outside of California.

2 (4) Retired.

3 (5) Other practice status, as may be determined by the
4 department.

5 (b) The holder of a certificate described in subdivision (a) shall
6 report to the department, immediately upon issuance of an initial
7 certificate and at the time of renewal, information regarding his
8 or her cultural background and foreign language proficiency. *The*
9 *department shall use the racial and foreign language categories*
10 *used by the United States Census Bureau.* The department shall
11 provide an option for the holder of the certificate to decline to state
12 his or her cultural background and foreign language proficiency.

13 (c) The department shall collect any information as provided
14 under subdivisions (a) and (b), and may aggregate and post this
15 information on the department's Internet Web site.

16 (d) A failure to report under this section does not constitute a
17 violation within the meaning of Section 107170.

18 (e) *For purposes of this section:*

19 (1) *"Full-time practice" means a holder of a certificate*
20 *described in subdivision (a) who works more than 35 hours per*
21 *week or is determined by his or her employer to be employed*
22 *full-time.*

23 (2) *"Part-time practice" means a holder of a certificate*
24 *described in subdivision (a) who works less than 35 hours per*
25 *week or is determined by his or her employer to be employed*
26 *part-time.*

27 SEC. 4. Part 3.5 (commencing with Section 128590) is added
28 to Division 107 of the Health and Safety Code, to read:

29
30 PART 3.5. HEALTH WORKFORCE DEVELOPMENT
31

32 128590. (a) The California Workforce Investment Board shall
33 establish a special committee known as the Health Workforce
34 Development Council to help expand the state's health workforce
35 in order to provide access to quality health care for all Californians.
36 In this regard, it is the intent of the Legislature to expand the state's
37 full-time primary care workforce between 2013 and 2023. The
38 membership of the council shall consist of the appropriate
39 representatives from the board's existing membership, as well as
40 representatives from other state agencies and departments, higher

1 education, labor, the health care industry, workforce groups,
2 philanthropic and nongovernmental entities, and other appropriate
3 health advocates.

4 (b) The council shall do all of the following:

5 (1) Develop a comprehensive statewide plan and implementation
6 strategy for health workforce development through strategic
7 partnerships.

8 (2) Examine proven strategies and policies to increase health
9 workforce supply that can be replicated and deployed through
10 sector strategy and other models.

11 (3) Provide guidance on the development and maturation of
12 regional health workforce partnerships to address regional health
13 care and delivery system needs.

14 (4) Use regional partnerships to identify and inform regional
15 and statewide health workforce development priorities.

16 (5) Seek expertise from multisector representatives to enhance
17 the understanding of the issues and policies needed to ensure that
18 California has the necessary workforce to provide access to quality,
19 and culturally and linguistically appropriate, health care.

20 (c) The board representative on the council shall be the chair
21 of the council.

22 (d) (1) The council shall inform the Legislature of its health
23 initiatives and progress by providing the Legislature with a copy
24 of the board's annual report to the federal Department of Labor.

25 (2) The report submitted pursuant to paragraph (1) shall be
26 submitted in compliance with Section 9795 of the Government
27 Code.

28 (e) For purposes of this part:

29 (1) "Board" means the California Workforce Investment Board.

30 (2) "Council" means the Health Workforce Development
31 Council.

32 128591. This part shall remain in effect only until January 1,
33 2019, and as of that date is repealed, unless a later enacted statute,
34 that is enacted before January 1, 2019, deletes or extends that date.