

CONSIDERATION OF LEGISLATION

Attached are a Legislative Report and copies of bills

- A. Report and Recommendations
- B. AB 374 (Hayashi) - Provides for licensure of athletic trainers.
- C. AB 415 (Logue) – Telemedicine.
- D. AB 783 (Hayashi) – Professional corporations.
- E. AB 958 (Berryhill) – Statute of limitations for disciplinary actions.
- F. SB 541 (Price) – Exemptions for boards from the Public Contract Code requirements.
- G. SB 544 (Price) - Amendments to the Business and Professions Code; the general provisions and the Occupational Therapy Practice Act.
- H. SB 924 (Walters) – Direct patient access to physical therapy.
- I. SB 946 (Committee on Health) – Telemedicine.

A. AB 374 (Hayashi) - Provides for licensure of athletic trainers.

This bill was last amended May 27, 2011. Recent amendments changed this bill from providing for licensure for Athletic Trainers (AT) to simply making it unlawful to hold one's self out as an AT unless certified by the board of Certification Inc.

Recommendation: Take Neutral position and do nothing further unless the bill is amended. IF the bill amended, review language and consider position at that point.

B. AB 415 (Logue) - Replaces "telemedicine" with "telehealth," would allow a health care provider, as defined, to provide health care via telehealth, defines "health care provider" as a person licensed under Division 2 of the Business and Professions Code, and makes numerous other amendments.

This bill was last amended May 27, 2011. Recent amendments would require a health care provider to verbally advise a patient that telehealth would be used and obtain verbal consent and provides for payment of telehealth by health care service plans and health insurers.

Recommendation: Submit a Support position letter.

C. AB 783 (Hayashi) – Amends the Corporations Code and adds occupational therapists to the list of healing arts licensees which may be employed by a variety of professional corporations.

This bill was last amended April 7, 2011. Next hearing: June 13, 2011 – Senate B&P

Recommendation: Take Neutral position and do nothing further unless the bill is amended or new information is received by the Board.

D. AB 958 (Berryhill) – Amends the Business and Professions Code to impose specified limitation periods in which boards may file disciplinary actions against a licensee.

This bill was introduced February 18, 2011. It has been held by Assembly B&P and won't be considered until next year.

Recommendation: Take Oppose Unless Amend position; and monitor bill.

- E. SB 541 (Price) - Amends the Business and Professions Code to exempt the boards from the Public Contract Code requirements, when entering into a personal services contract in specified situations (use of expert witnesses/consultants).**

This bill was last amended April 13, 2011. Held in Assembly B&P Committee.

Recommendation: Submit a Support position letter.

- F. SB 544 (Price) - Makes numerous amendments to the Business and Professions Code, in both the general provisions and the OTPA, to additional enforcement tools, provide broader authority.**

This bill was last amended April 14, 2011. The hearing was cancelled at the request of the author and has become a 2-year bill.

Recommendation: Discuss at December 1, 2011, Board meeting.

- G. SB 924 (Walters) - Allows patients to access physical therapy directly, among other things.**

This bill was introduced February 18, 2011. It has been held by Senate Appropriations and won't be considered until next year.

Recommendation: Take Neutral position and do nothing further unless the bill is amended or new information is received by the Board.

- H. SB 946 (Committee on Health) - Replaces "telemedicine" with "telehealth" and makes numerous other amendments.**

This bill was last amended May 10, 2011. The bill is being held in Assembly.

Recommendation: Monitor bill for future amendments.