

Date of Hearing: April 25, 2017

ASSEMBLY COMMITTEE ON BUSINESS AND PROFESSIONS

Evan Low, Chair

AB 706 (Patterson) – As Introduced February 15, 2017

SUBJECT: Medical Board of California: licenses.

SUMMARY: Requires that all physician and surgeon's certificates, certificates to practice podiatric medicine, registrations of spectacle lens dispensers and contact lens dispensers, and certificates to practice midwifery would expire on the last day at the end of the two-year period for which the license was issued rather than at the end of the licensee's birth month.

EXISTING LAW:

- 1) Requires that specified licenses under the Jurisdiction of the Medical Board of California (MBC) expire and become invalid at midnight on the last day of February of each even-numbered year if not renewed and prescribes steps for renewal. (Business and Professions Code (BPC) Section 2422)
- 2) Requires all physician and surgeon's certificates, certificates to practice podiatric medicine, registrations of dispensing opticians, spectacle lens dispensers, and contact lens dispensers, and certificates to practice midwifery to expire at 12 midnight on the last day of the birth month of the licensee on the second year of a two-year license. (BPC Section 2423(a)(1)(2))
- 3) Requires The Division of Licensing, under the jurisdiction of the MBC, to establish regulatory procedures for the administration of the birth date renewal program. (BPC Section 2423(b))
- 4) Prescribes steps for renewing an unexpired license. (BPC Section 2423(c))

THIS BILL:

- 1) Deletes the current birth date renewal system the expiration date for physician and surgeon's certificates, certificates to practice podiatric medicine, registrations of dispensing opticians, spectacle lens dispensers, and contact lens dispensers as the last day of the month in which the license was issued at the end of a two-year term.

FISCAL EFFECT: Unknown. This bill is keyed fiscal by the Legislative Counsel.

COMMENTS:

Purpose. This bill is sponsored by the author. According to the author, "AB 706 will amend the Business and Professions Code to allow licenses issued by the Medical Board to be valid for two years after they are issued. Currently, these licenses expire on a birth month basis which can result in a license expiring before the full 24 months has elapsed. In some cases, licenses have expired just months after issuance. The result of the current birth month license structure it that newly licensed individuals are forced to pay a full renewal fee once their birth month occurs. This added expense comes at a time where licensees are just beginning their careers, often are still looking for employment and are trying to pay off their student loans. This is a hindrance that is exclusive to newly licensed professionals because those who are renewing their licenses will

receive the full two years before they have to renew. Birth month license renewal policies add an unnecessary burden to newly licensed professionals and can result in these professionals beginning their careers at a disadvantage. I have worked with the Medical Board to ensure that their newly licensed professionals receive the full term of their license and that they begin their careers equipped to succeed.”

Background. This bill adjusts the expiration date of specified licenses issued by the MBC from its current standard in which first time licensees are forced to pay the full cost of licensure for a partial year. The bill shifts the date of license expiration from the last day of the birth month of the licensee to the last day of the last month of the two-year license. According to the MBC this makes it more cost effective for licensees that may have sought licensure in the months before their birthday.

The birth date renewal system issues licenses for a period of time ranging between 12 and 24 months depending on the licensee’s birth month. If, for example, a licensee has a February birth date and his or her license is issued in March 2014, the license will expire at midnight on February 28, 2016. However, if a licensee has a March birthday and his or her license is issued in March 2014, the license will expire at midnight on March 31, 2015. In these examples, the license in the first scenario will expire after nearly 2 years, but in the second scenario, the license will expire after 12 months and 5 days. Despite the varying expiration dates, both licensees pay the same initial license and renewal fees.

Prior Related Legislation. AB 773 (Baker) Chapter 336, Statutes of 2015, revised the expiration date of a psychologist's license from the licensee's birthdate to two-years after the date of issuance.

AB 483 (Patterson) of 2015 would have prorated on a monthly basis, the licensing fee from the date between the application and the applicant’s birth month. *Status: Vetoed*

AB 1758 (Patterson) of 2014 would have required the initial license fee for the following licensing categories to be prorated on a monthly basis: dentists; dental hygienists; physicians and surgeons; hearing aid dispensers; occupational therapists; physical therapists; psychologists; veterinary technicians; veterinarians; acupuncturists; and architects. (Status: This bill was held in the Senate Appropriations Committee.)

SB 2014 (Machado) of 2002 would have directed the MBC to prorate its annual licensing fees in cases where the initial licensure period is less than two years, and deleted an obsolete oral examination fee authority. (Status: This bill was held in the Senate Appropriations Committee.)

ARGUMENTS IN SUPPORT:

The Medical Board of California writes, “the Board does not have any issues with peak times, so a two-year license will ensure that applicants are not overcharged and will not create any additional steps in the licensure process.”

ARGUMENTS IN OPPOSITION:

None on file.

REGISTERED SUPPORT:

Medical Board of California

REGISTERED OPPOSITION:

None on file.

Analysis Prepared by: Jimmy Fremgen / B. & P. / 916-319-3301

Date of Hearing: April 25, 2017

ASSEMBLY COMMITTEE ON BUSINESS AND PROFESSIONS

Evan Low, Chair

AB 706 (Patterson) – As Introduced February 15, 2017

SUBJECT: Medical Board of California: licenses.

SUMMARY: Requires that all physician and surgeon's certificates, certificates to practice podiatric medicine, registrations of spectacle lens dispensers and contact lens dispensers, and certificates to practice midwifery would expire on the last day at the end of the two-year period for which the license was issued rather than at the end of the licensee's birth month.

EXISTING LAW:

- 1) Requires that specified licenses under the Jurisdiction of the Medical Board of California (MBC) expire and become invalid at midnight on the last day of February of each even-numbered year if not renewed and prescribes steps for renewal. (Business and Professions Code (BPC) Section 2422)
- 2) Requires all physician and surgeon's certificates, certificates to practice podiatric medicine, registrations of dispensing opticians, spectacle lens dispensers, and contact lens dispensers, and certificates to practice midwifery to expire at 12 midnight on the last day of the birth month of the licensee on the second year of a two-year license. (BPC Section 2423(a)(1)(2))
- 3) Requires The Division of Licensing, under the jurisdiction of the MBC, to establish regulatory procedures for the administration of the birth date renewal program. (BPC Section 2423(b))
- 4) Prescribes steps for renewing an unexpired license. (BPC Section 2423(c))

THIS BILL:

- 1) Deletes the current birth date renewal system the expiration date for physician and surgeon's certificates, certificates to practice podiatric medicine, registrations of dispensing opticians, spectacle lens dispensers, and contact lens dispensers as the last day of the month in which the license was issued at the end of a two-year term.

FISCAL EFFECT: Unknown. This bill is keyed fiscal by the Legislative Counsel.

COMMENTS:

Purpose. This bill is sponsored by the author. According to the author, "AB 706 will amend the Business and Professions Code to allow licenses issued by the Medical Board to be valid for two years after they are issued. Currently, these licenses expire on a birth month basis which can result in a license expiring before the full 24 months has elapsed. In some cases, licenses have expired just months after issuance. The result of the current birth month license structure it that newly licensed individuals are forced to pay a full renewal fee once their birth month occurs. This added expense comes at a time where licensees are just beginning their careers, often are still looking for employment and are trying to pay off their student loans. This is a hindrance that is exclusive to newly licensed professionals because those who are renewing their licenses will

receive the full two years before they have to renew. Birth month license renewal policies add an unnecessary burden to newly licensed professionals and can result in these professionals beginning their careers at a disadvantage. I have worked with the Medical Board to ensure that their newly licensed professionals receive the full term of their license and that they begin their careers equipped to succeed.”

Background. This bill adjusts the expiration date of specified licenses issued by the MBC from its current standard in which first time licensees are forced to pay the full cost of licensure for a partial year. The bill shifts the date of license expiration from the last day of the birth month of the licensee to the last day of the last month of the two-year license. According to the MBC this makes it more cost effective for licensees that may have sought licensure in the months before their birthday.

The birth date renewal system issues licenses for a period of time ranging between 12 and 24 months depending on the licensee’s birth month. If, for example, a licensee has a February birth date and his or her license is issued in March 2014, the license will expire at midnight on February 28, 2016. However, if a licensee has a March birthday and his or her license is issued in March 2014, the license will expire at midnight on March 31, 2015. In these examples, the license in the first scenario will expire after nearly 2 years, but in the second scenario, the license will expire after 12 months and 5 days. Despite the varying expiration dates, both licensees pay the same initial license and renewal fees.

Prior Related Legislation. AB 773 (Baker) Chapter 336, Statutes of 2015, revised the expiration date of a psychologist's license from the licensee's birthdate to two-years after the date of issuance.

AB 483 (Patterson) of 2015 would have prorated on a monthly basis, the licensing fee from the date between the application and the applicant’s birth month. *Status: Vetoed*

AB 1758 (Patterson) of 2014 would have required the initial license fee for the following licensing categories to be prorated on a monthly basis: dentists; dental hygienists; physicians and surgeons; hearing aid dispensers; occupational therapists; physical therapists; psychologists; veterinary technicians; veterinarians; acupuncturists; and architects. (Status: *This bill was held in the Senate Appropriations Committee.*)

SB 2014 (Machado) of 2002 would have directed the MBC to prorate its annual licensing fees in cases where the initial licensure period is less than two years, and deleted an obsolete oral examination fee authority. (Status: *This bill was held in the Senate Appropriations Committee.*)

ARGUMENTS IN SUPPORT:

The Medical Board of California writes, “the Board does not have any issues with peak times, so a two-year license will ensure that applicants are not overcharged and will not create any additional steps in the licensure process.”

ARGUMENTS IN OPPOSITION:

None on file.

REGISTERED SUPPORT:

Medical Board of California

REGISTERED OPPOSITION:

None on file.

Analysis Prepared by: Jimmy Fremgen / B. & P. / 916-319-3301