AB 583 (Hayashi)- Health Care Practitioners: Disclosure of Education

Introduced February 25, 2010, Chaptered September 29, 2010

This bill requires a health care practitioner to disclose his/her name, license type, highest level of academic degree, and for physicians and surgeons, and osteopaths, their board certification, as specified. Specifically, this bill:

1) Requires health care practitioners to disclose their name, license type, and highest level of academic degree in their office or in writing to their patients, as specified.

2) Requires physicians and surgeons, including osteopathic physicians, as specified, to disclose the name of their certifying board or association.

3) Requires health care practitioners disclosing the required information in writing to use at least 24-point type and a specified format.

4) Exempts nurses and pharmacists from the requirement to display their highest level of academic degree.

5) Requires health care practitioners providing information regarding health care services on an Internet Web site by their direct control or office personnel, to prominently display the information required by this bill.

6) Exempts the following health care practitioners from this bill:
   a) Those providing professional medical services to enrollees of a health care service plan that exclusively contracts with a single medical group in a specific geographic area;
   b) Those working in a licensed clinical laboratory or health facility, including hospitals, nursing facilities, intermediate care facilities, correctional treatment centers, as specified; and,
   c) Those licensed in one of the following professions: clinical laboratory technology, hearing aid dispensers, respiratory therapy, veterinary medicine, and social workers.

Assembly Bill No. 583

CHAPTER 436

An act to add Section 680.5 to the Business and Professions Code, relating to health care practitioners.

[Approved by Governor September 29, 2010. Filed with Secretary of State September 29, 2010.]

LEGISLATIVE COUNSEL'S DIGEST

AB 583, Hayashi. Health care practitioners: disclosure of education.

Existing law requires a health care practitioner to disclose, while working, his or her name and practitioner's license status on a name tag in at least 18-point type or to prominently display his or her license in his or her office, except as specified.

This bill would require each of those health care practitioners to disclose the type of license and, except as specified, the highest level of academic degree he or she holds either in a prominent display in his or her office or in writing, in a specified format given to a patient on his or her initial office visit. The bill would require a physician and surgeon, and an osteopathic physician and surgeon, who is certified in a medical specialty, as specified, to also disclose, in either of those manners the name of the certifying board or association. The bill would exempt specified health care practitioners, including, without limitation, persons working in certain licensed laboratories and health care facilities, as specified, from these requirements.

The people of the State of California do enact as follows:

SECTION 1. Section 680.5 is added to the Business and Professions Code, to read:

680.5. (a) (1) A health care practitioner licensed under Division 2 (commencing with Section 500) shall communicate to a patient his or her name, state-granted practitioner license type, and highest level of academic degree, by one or both of the following methods:

(A) In writing at the patient's initial office visit.

(B) In a prominent display in an area visible to patients in his or her office.

(2) An individual licensed under Chapter 6 (commencing with Section 2700) or Chapter 9 (commencing with Section 4000) is not required to disclose the highest level of academic degree he or she holds.

(b) A person licensed under Chapter 5 (commencing with Section 2000) or under the Osteopathic Act, who is certified by (1) an American Board of Medical Specialties member board, (2) a board or association with

requirements equivalent to a board described in paragraph (1) approved by that person's medical licensing authority, or (3) a board or association with an Accreditation Council for Graduate Medical Education approved postgraduate training program that provides complete training in the person's specialty or subspecialty, shall disclose the name of the board or association by either method described in subdivision (a).

(c) A health care practitioner who chooses to disclose the information required by subdivisions (a) and (b) pursuant to subparagraph (A) of paragraph (1) of subdivision (a) shall present that information in at least 24-point type in the following format:

HEALTH CARE PRACTITIONER INFORMATION

1. Name and license..... .
2. Highest level of academic degree..... .
3. Board certification (ABMS/MBC)..... .

(d) This section shall not apply to the following health care practitioners:

(1) A person who provides professional medical services to enrollees of a health care service plan that exclusively contracts with a single medical group in a specific geographic area to provide or arrange for professional medical services for the enrollees of the plan.

(2) A person who works in a facility licensed under Section 1250 of the Health and Safety Code or in a clinical laboratory licensed under Section 1265.

(3) A person licensed under Chapter 3 (commencing with Section 1200), Chapter 7.5 (commencing with Section 3300), Chapter 8.3 (commencing with Section 3700), Chapter 11 (commencing with Section 4800), Chapter 13 (commencing with Section 4980), or Chapter 14 (commencing with Section 4990.1).

(e) A health care practitioner, who provides information regarding health care services on an Internet Web site that is directly controlled or administered by that health care practitioner or his or her office personnel, shall prominently display on that Internet Web site the information required by this section.

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