

Medical Board of California

FICTITIOUS NAME PERMITS (FNP)



FNP Q & A

How long has there been a requirement for a FNP?

- Almost 35 years, since January 1, 1980.

When do I need a fictitious name permit?

- If you are a licensed physician and surgeon, or podiatrist, and want to practice under a name other than the name on your license.
- If you have a professional corporation in a name other than your own.
- If you have a partnership or group practice or are using a name other than the name on your license, in any public communication, advertisement, sign or announcement.

FNP Q & A

Is the FNP the same as having the name registered as a trademarked name?

➤ No.

I have a city and/or county issued fictitious business name. Therefore, I do not need an FNP from the Board, correct?

➤ No. A city/county fictitious business name is not the same as the Board's FNP.



FNP Q & A

Why do physicians get into trouble when they do not have an FNP?

- Some physicians incorrectly believe that having a city/county fictitious business name is all that they need to practice under a name other than their own.
- It is unprofessional conduct to practice without an FNP when one is required.



FNP Q & A

Does each physician need a separate FNP?

- No. However, each physician owner will need to be listed on the FNP application. If the application is approved, only one FNP is issued.

Do I have to have an FNP if I am just working at a facility and I am not the owner?

- No. However, there are restrictions in statute as to who can employ a physician.



FNP Q & A

I am a licensed physician. Do I need an FNP if I am working for a partnership, group or professional corporation?

- No. Physicians who are employed by a partnership, a group, or a professional corporation that holds an FNP that is in a renewed and current status do not need an FNP.



EXAMPLE

Jane Doe, M.D.

Does not need an FNP to practice
under her own name

Jane Doe, M.D., Inc.

Does not need an FNP to practice under her own
name with Inc. or Inc., A Professional Corporation
added after her name



EXAMPLE

My name is John Smith, M.D., I am a licensed Physician and Surgeon in California, but I want to practice under the name "Sunrise Medical Group"

Needs an FNP to practice under "Sunrise Medical Group"



EXAMPLE

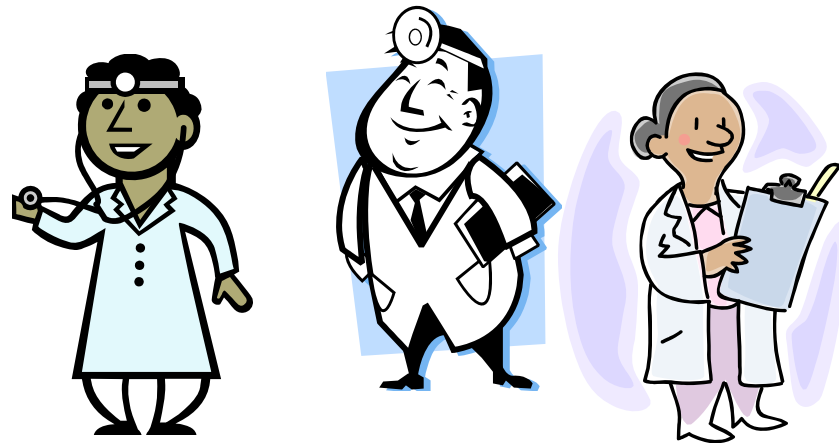
John Doe, M.D., Inc., A Professional Corp.
Specializing in Family Medicine



Does not need an FNP to practice under his own name with Inc. or Inc. A Professional Corporation added after his name

EXAMPLE

X, Y, & Z, Physician Partnership



These licensed physicians need an
FNP to practice under
“X, Y, & Z, Physician Partnership”



Are there laws or regulations that I should know about? **Yes!!!**

- Business and Professions Code (BPC)
- Corporation Code (CORP)
- Insurance Code (INS)
- Penal Code (PEN)
- Welfare and Institution Code (WIC)
- California Code of Regulations (CCR)



Common Sections of statutes and regulations relating to FNPs:

- BPC Sections: 2285– 2286, 2415 – 2417.5
- CORP Sections: 13400 – 13410
- INS Section: 1871.4
- PEN Sections: 549 – 550
- WIC Sections: 14107 or 14107.2
- CCR Sections: 1350 – 1350.
- Note: This is not an all inclusive list.



Do I need a lawyer to help me with FNP issues?

You decide! The Board cannot make that decision for you.



What happens if I do not have a renewed and current FNP when I am required to have a valid FNP?





At a minimum you would be in violation of
BPC Section 2285 and it is considered
unprofessional conduct!



Insurance companies are not required to reimburse for services rendered if you do not have an FNP when one is required.



FNP REQUIREMENTS

The Licensing Program will issue an FNP if the following is satisfied:

- The applicant or shareholders of the professional corporation hold valid and current licenses as physicians and surgeons, or doctors of podiatric medicine.
- The professional practice of the applicant(s) is wholly owned and entirely controlled by the applicant(s) or meets the requirements pursuant to Corporations Code Sections 13401 and 13401.5.
- The name under which the applicant(s) proposes to practice is not deceptive, misleading, or confusing.

FNP REQUIREMENTS CONT'D

- Each permit shall be accompanied by a notice that shall be displayed in a location readily visible to patients and staff.
- The notice shall be displayed at each place of business identified in the permit.
- The Licensing Program may revoke or suspend any permit issued if it finds that the holder(s) of the permit is not in compliance with the provisions of the law and regulations.
- An FNP issued to any licensee in a sole practice becomes invalid in the event the licensee's certificate to practice medicine or podiatric medicine is revoked.

PROGRAM INFORMATION

- The initial application and permit fee is \$50.
- An FNP has a 2-year renewal cycle.
- The renewal fee is \$40.



FNP Statistics

FY 13/14 FNPs Issued:

- Physicians/Surgeons – 1,104
- Podiatric – 26

FY 13/14 FNPs Renewed:

- Physicians/Surgeons – 3,833

