

## MEDICAL BOARD STAFF REPORT

DATE REPORT ISSUED: March 21, 2013  
ATTENTION: Education & Wellness Committee Members  
SUBJECT: SB 380 (Wright, Chapter 236, Statutes of 2011)  
STAFF CONTACT: Jennifer Simoes, Chief of Legislation

This memo provides information regarding the requirements contained in SB 380 (Wright, Chapter 236, Statutes of 2011) and staff's plan for implementation.

**BILL INFORMATION:**

SB 380 was signed into law in 2011 and was sponsored by the California Academy of Preventive Medicine. This bill requires the Medical Board of California (Board) to convene a working group of interested parties to discuss nutrition and lifestyle behavior for the prevention and treatment of chronic disease at a quarterly Board meeting within three years of the effective date of this bill. This bill requires the Board to periodically disseminate information and educational material regarding the prevention and treatment of chronic disease by the application of changes in nutrition and lifestyle behavior to each licensed physician and surgeon and to each general acute care hospital in California.

In addition to the mandates in this bill, this bill also allows the Board (but does not require) to set content standards for any educational activity concerning a chronic disease that includes appropriate information on the impact, prevention, and cure of the chronic disease by the application of changes in nutrition and lifestyle behavior.

**BACKGROUND:**

SB 380 made findings and declarations related to health care costs for chronic disease treatment and the last World Health Organization Report that concluded diet was a major factor in the cause of chronic diseases. The findings also stated that practicing physicians rate their nutrition knowledge and skills as inadequate. Every physician has the opportunity to treat patients at risk for chronic disease or that suffer from poor nutrition or lifestyle choices. According to the author's office, chronic conditions are avoidable, but responsible for 7 out of 10 deaths among Americans each year. The author's office believes that education is the key in prevention and reducing health care costs, but states that medical students receive fewer than 20 contact hours of nutrition instruction during their entire medical school careers. One of the Board's medical consultants confirmed this to be true. The Board's medical consultant also stated that little emphasis is put on nutrition and lifestyle behavior as it relates to preventing and treating chronic diseases in medical schools and residencies.

There is a noted prevalence of preventable chronic diseases in California and it is true that medical students do not receive much training in nutrition instruction. The purpose of this bill is to ensure that physicians receive educational material on the prevention and treatment of chronic disease by the application of changes in nutrition and lifestyle behavior and also open up this topic for

discussion at one of the Board's quarterly meetings, in particular, the Education Committee. The Board took a Neutral position on this bill.

IMPLEMENTATION:

Board staff has had discussions with the author's office and the sponsors on the mandate to hold a working group meeting, and it would be best to hold this meeting in Sacramento. Board staff thinks it would be appropriate to hold the working group as part of the Education and Wellness Committee. Additionally, staff believe the working group meeting could be held, via this Committee, in conjunction with the Board Meeting in Sacramento on July 18, 2013. Board staff will continue to work with the author's office, the California Academy of Preventive Medicine, and other interested parties, as well as this Committee, in the planning of, and the agenda for the working group meeting required by SB 380.

**Senate Bill No. 380**

CHAPTER 236

An act to amend Section 2190 of, and to add Sections 2196.6 and 2196.7 to, the Business and Professions Code, relating to medicine.

[Approved by Governor September 6, 2011. Filed with  
Secretary of State September 6, 2011.]

**legislative counsel's digest**

SB 380, Wright. Continuing medical education.

Existing law, the Medical Practice Act, provides for the licensure and regulation of physicians and surgeons by the Medical Board of California. Under that act, the board is required to adopt and administer standards for the continuing education of physicians and surgeons. Existing law requires physicians and surgeons to complete a mandatory continuing education course in the subjects of pain management and the treatment of terminally ill and dying patients, except that it does not apply to physicians and surgeons practicing in pathology or radiology specialty areas. Existing law also requires the board to periodically disseminate information and educational material regarding detection of spousal or partner abuse to physicians and surgeons and acute care hospitals.

This bill would authorize the board to also set content standards for an educational activity concerning chronic disease, as specified. The bill would require the board to periodically disseminate information and educational material regarding nutritional and lifestyle behavior for prevention and treatment of chronic disease to physicians and surgeons and acute care hospitals. The bill would require the board to convene a working group regarding nutrition and lifestyle behavior, as specified.

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

SECTION 1. The Legislature finds and declares all of the following: (a)

In 2008, U.S. health care spending was about \$7,681 per resident and accounted for 16.2 percent of the nation's gross domestic product; this is among the highest of all industrialized countries. Expenditures in the United States on health care surpassed \$2.3 trillion in 2008, more than three times the \$714 billion spent in 1990, and over eight times the \$253 billion spent in 1980.

(b) It is estimated that health care costs for chronic disease treatment account for over 75 percent of national health expenditures.

(c) Seven out of 10 deaths among Americans each year are from chronic diseases. Heart disease, cancer, and stroke account for more than 50 percent of all deaths each year.

(d) The last major report from the World Health Organization in March 2003 concluded diet was a major factor in the cause of chronic diseases.

(e) Dramatic increases in chronic diseases have been seen in Asian countries since the end of WWII with the increase in the gross national product and change to the western diet.

(f) Only 19 percent of students believed that they had been extensively trained in nutrition counseling. Fewer than 50 percent of primary care physicians include nutrition or dietary counseling in their patient visits.

(g) Practicing physicians continually rate their nutrition knowledge and

skills as inadequate. More than one-half of graduating medical students report that the time dedicated to nutrition instruction is inadequate.

SEC. 2. Section 2190 of the Business and Professions Code is amended to read:

2190. In order to ensure the continuing competence of licensed physicians and surgeons, the board shall adopt and administer standards for the continuing education of those licensees. The board may also set content standards for any educational activity concerning a chronic disease that includes appropriate information on prevention of the chronic disease, and on treatment of patients with the chronic disease, by the application of changes in nutrition and lifestyle behavior. The board shall require each licensed physician and surgeon to demonstrate satisfaction of the continuing education requirements at intervals of not less than four nor more than six years.

SEC. 3. Section 2196.6 is added to the Business and Professions Code, to read:

2196.6. The board shall periodically disseminate information and educational material regarding the prevention and treatment of chronic disease by the application of changes in nutrition and lifestyle behavior to each licensed physician and surgeon and to each general acute care hospital in the state.

SEC. 4. Section 2196.7 is added to the Business and Professions Code, to read:

2196.7. The board shall convene a working group of interested parties to discuss nutrition and lifestyle behavior for the prevention and treatment of chronic disease at one of its quarterly meetings within three years after the operative date of this section.