

AMENDED IN SENATE JUNE 19, 2007

AMENDED IN ASSEMBLY MARCH 29, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 329**

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**Introduced by Assembly Member Nakanishi**  
*(Coauthors: Assembly Members Arambula, Fuller, and Maze)*  
*(Coauthors: Senators Cogdill and Ridley-Thomas)*

February 13, 2007

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An act to add Section 2028.5 to the Business and Professions Code, relating to medicine.

LEGISLATIVE COUNSEL'S DIGEST

AB 329, as amended, Nakanishi. Chronic diseases: telemedicine.

Existing law, the Medical Practice Act, creates the Medical Board of California that is responsible for issuing a ~~physician~~ *physician's* and surgeon's certificate to practice medicine and for regulating the practice of physicians and surgeons. The act also regulates the practice of telemedicine, defined as the practice of health care delivery, diagnosis, consultation, treatment, transfer of medical data, and education using interactive audio, video, or data communications.

This bill would ~~require~~ *authorize* the board to establish a pilot program to expand the practice of telemedicine and would authorize the board to implement the program by convening a working group ~~to discuss the means.~~ *The bill would specify that the purpose of the pilot program shall be to develop methods, using a telemedicine model, of delivering health care to those with chronic diseases using and delivering other health information technologies.* The bill would require the board to make recommendations regarding its findings to the Legislature ~~on or~~

before January 1, 2009 within one calendar year of the commencement date of the pilot program.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

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

- 1 SECTION 1. Section 2028.5 is added to the Business and  
2 Professions Code, to read:  
3 2028.5. (a) The board ~~shall~~ *may* establish a pilot program to  
4 expand the practice of telemedicine in this state.  
5 ~~(b) The board may implement this pilot program by convening~~  
6 *(b) To implement this pilot program, the board may convene a*  
7 *working group of interested parties from the public and private*  
8 *sectors, including, but not limited to, state health-related agencies,*  
9 *health care providers, health plan administrators, information*  
10 *technology groups, and groups representing health care consumers.*  
11 ~~(c) The members of the working group shall discuss the means~~  
12 ~~of delivering health care to those with chronic diseases, and assist~~  
13 ~~in developing a plan for offering the best practices in a telemedicine~~  
14 ~~model in order to reach all Californians, using innovative health~~  
15 ~~information technologies as a means by which to share nationally~~  
16 ~~accepted chronic disease management techniques throughout the~~  
17 ~~state.~~  
18 *(c) The purpose of the pilot program shall be to develop*  
19 *methods, using a telemedicine model, to deliver throughout the*  
20 *state health care to persons with chronic diseases as well as*  
21 *information on the best practices for chronic disease management*  
22 *services and techniques and other health care information as*  
23 *deemed appropriate.*  
24 (d) The board shall make a report with its recommendations  
25 regarding its findings to the Legislature ~~on or before January 1,~~  
26 ~~2009 within one calendar year of the commencement date of the~~  
27 ~~pilot program.~~ The report shall include an evaluation of the  
28 improvement and affordability of health care services and the  
29 reduction in the number of complications achieved by the pilot  
30 program.

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