

## MEDICAL BOARD OF CALIFORNIA - 2020 TRACKER LIST January 16, 2020

BILL	AUTHOR	TITLE	STATUS	POSITION	AMENDED
<b>AB 1909</b>	Gonzalez	Healing Arts Licensees: Virginity	Introduced	Reco: Support	
<b>SB 480</b>	Archuleta	Radiologist Assistant Advisory	Sen. Approps	Reco: Oppose	1/14/20

Blue – For Discussion

MEDICAL BOARD OF CALIFORNIA  
LEGISLATIVE ANALYSIS

BILL NUMBER: AB 1909  
AUTHOR: Gonzalez  
BILL DATE: January 8, 2020, Introduced  
SUBJECT: Healing Arts Licensees: VirginitY Examinations or Tests  
SPONSOR: Author

DESCRIPTION OF CURRENT LEGISLATION:

This bill would prohibit a healing arts licensee from performing an examination or test to determine whether the patient is a virgin.

BACKGROUND:

According to the World Health Organization (WHO), “virginitY testing” has no scientific or clinical basis, “There is no examination that can prove a girl or woman has had sex. “VirginitY testing” is a violation of the human rights of girls and women and can be detrimental to women’s and girls’ physical, psychological and social well-being.” According to WHO, “given that these procedures are unnecessary and potentially harmful, it is unethical for doctors or other health providers to undertake them. Such procedures must never be carried out.” On October 17, 2018, WHO, United Nations (UN) Human Rights and UN Women issued a statement calling for elimination of “virginitY testing”.

ANALYSIS:

This bill would prohibit a healing arts licensee from performing an examination or test on a patient to determine whether the patient is a virgin. This bill would specify that a violation of the prohibition in this bill would constitute unprofessional conduct and would be grounds for disciplinary action by the appropriate licensing board. This bill would define a healing arts licensee as any person working within their scope of practice and engaging in acts that are the subject of licensure.

According to the author, “There is no medical reason for this examination. It’s time for California to listen to calls from the international community and ban this traumatizing, sexist and unnecessary practice.”

The type of exam that this bill is prohibiting has no scientific or clinical basis. For this reason, Board staff is recommending that the Board take a support position on this bill.

FISCAL: Minor and absorbable

SUPPORT: None on File

OPPOSITION: None on File

POSITION: Recommendation: Support

ATTACHMENT: [AB 1909, Gonzalez. Healing arts licensees: virginity examinations or tests.](#)

MEDICAL BOARD OF CALIFORNIA  
LEGISLATIVE ANALYSIS

BILL NUMBER: SB 480  
AUTHOR: Archuleta  
BILL DATE: January 14, 2020, Amended  
SUBJECT: Radiologist Assistant Advisory Committee  
SPONSOR: American Registry of Radiologic Technologists

DESCRIPTION OF CURRENT LEGISLATION:

This bill would require the Medical Board of California (Board) to establish a Radiologist Assistant Advisory Committee (RA Committee), as specified, for the purpose of identifying the appropriate training, qualifications, and scope of practice for individual providing assistance to radiologists.

BACKGROUND:

Existing law defines a medical assistant (MA) as a person at least 18 years of age who may be unlicensed, who performs basic administrative, clerical, and technical supportive services, as specified, for a licensed physician and surgeon or a licensed podiatrist, a physician or podiatrist group, a medical or podiatry corporation, a physician assistant, a nurse practitioner, a certified nurse midwife or for a health care service plan.

Existing law provides the California Department of Public Health's (CDPH) Radiologic Health Branch (RHB) with the responsibility for administering and enforcing the Radiologic Technology Act (RT Act). Existing law requires CDPH to approve radiologic technologists (RT) schools, to certify RTs who satisfactorily completed a course in an approved RT school, and prohibits individuals other than those certified by CDPH to use the designation "certified RT." Existing law establishes a certification committee (RT Committee) in CDPH to assist, advise, and make recommendations to CDPH on regulations.

The Senate Business, Professions and Economic Development Committee analysis includes the following background information: "According to information provided by the Sponsors, RAs, include individuals registered with the American Registry of Radiologic Technologists (known as RRAs) and individuals certified by the Certification Board for Radiology Practitioner Assistants (RPAs). According a 2014 article in the journal Radiologic Technology (the scholarly journal of the American Society of RTs), compared with the careers of physician assistants and nurse practitioners, the RA is relatively new to the field of medicine, with the first training programs developed in the 1970s and the first advanced practice imaging program developed in 1996. Discussions among the American College of Radiology, the American Society of Radiologic Technologists, and the American Registry of Radiologic Technologists culminated in a 2003 consensus statement that defined a RA as an advanced level RT who works under the supervision of a radiologist by assisting in the diagnostic imaging setting,

including performing patient assessment, patient management, and certain imaging procedures. RAs do not interpret radiologic examinations. These are in essence advance practice RTs with additional educational training and commensurate additional certification beyond that obtained as a RT. Some states in turn allow for expanded practice authority through licensure of RAs that reflects this more advanced level of training, experience, and passage of a certification examination.”

#### ANALYSIS:

This bill would require the Board to establish the RA Committee to identify the appropriate training, qualifications, and scope of practice for individual providing assistance to radiologists. This bill would require the RA committee to be composed of the following: two members of the Board, appointed by the Board; one member of CDPH’s RT Committee, appointed by CDPH; one representative from the California Department of Veterans Affairs (CDVA), appointed by CDVA; two radiologists, appointed by the Governor; two certified RTs, appointed by the Governor; two representatives of a RT training program or a RA training program, appointed by the Governor; one member appointed by the Assembly; and one member appointed by the Senate.

This bill would require the RA Committee to research and recommend potential statutory changes to grant expanded practice authority to certified RTs or MAs working under the supervision of a radiologist by doing all of the following: 1. Analyzing the effectiveness of MAs and the practice of RAs; 2. Determining the appropriateness of specialty MA licensure; 3. Determining any necessary revisions to regulations to promote workforce development in the fields and ensure patient access to services; 4. Evaluating the regulatory recognition of RAs in other states, if appropriate; and 5. Evaluating where equivalencies in military training and experience exist and where the transfer of skills gained through military service may be utilized in determining the requirements for work in radiographic technology, including as an RA, and in the MA field.

This bill would specify that members of the RA Committee are required to serve without compensation. This bill would require the RA Committee to submit a report that includes the research and recommendations required by this bill to the Board, the Governor, and the Legislature on or before January 1, 2022. This bill would require the RA Committee to serve in an advisory capacity, but the Board and CDPH must adopt regulations to implement relevant recommendations and information contained in the report required by this bill.

This bill would be repealed on January 1, 2023.

Requiring a new advisory committee in the Board to research and identify the scope of practice for individuals providing assistance to radiologists is not an appropriate function for the Board. The Board currently does not look at the scope of individuals who provide assistance to any type of physician specialty, and there are many different physician specialty assistants in California that may seek similar legislation if this bill were to pass.

The Board already has regulations in place for medical assistants, who can provide technical and supportive services to all physicians. In addition, the Board does not have oversight over any radiologic health licensees; these individuals are currently licensed by CDPH's Radiologic Health Branch. It may be confusing for the Board to take the lead on radiologist assistants, while CDPH has oversight over all other radiologic health licensees. For these reasons, staff is recommending that the Board take an oppose position on this bill.

FISCAL: The bill will result in additional workload to the Board to coordinate the membership of the task force and the meetings, as well as to work with the task force on the required research and the legislative report that is required that must include specified recommendations. The Board is estimating that it will need .5 limited term AGPA, with ongoing costs per year until January 2023 (when the bill is repealed) of \$57,000 per year.

SUPPORT: American Registry of Radiologic Technologists (Sponsor)  
California Radiological Society

OPPOSITION: None on File

POSITION: Recommendation: Oppose

ATTACHMENT: [SB 480, Archuleta. Radiologist Assistant Advisory Committee.](#)

**MBC TRACKER II BILLS  
1/23/2020**

<b>BILL</b>	<b>AUTHOR</b>	<b>TITLE</b>	<b>STATUS</b>	<b>AMENDED</b>
AB 4	Arambula	Medi-Cal: Eligibility	2-Year	05/17/19
AB 8	Chu	Pupil Health: Mental Health Professionals	2-Year	05/16/19
AB 196	Gonzalez	Paid Family Leave	2-Year	03/26/19
AB 243	Kamlager-Dove	Implicit Bias Training: Peace Officers	2-Year	04/22/19
AB 289	Fong	California Public Records Act Ombudsperson	2-Year	04/24/19
AB 312	Cooley	State Government: Administrative Review: Regulations	2-Year	
AB 319	Rubio, Blanca	Narcotic Treatment: Medication Assisted Treatment: Medi-Cal	2-Year	03/25/19
AB 362	Eggman	Controlled Substances: Overdose Prevention Program	2-Year	04/25/19
AB 388	Limon	Alzheimer's Disease	2-Year	06/24/19
AB 451	Santiago	Health Care Facilities: Treatment of Psychiatric Emergency Cond.	2-Year	07/02/19
AB 499	Mayes	Personal Information: SSNs: State Agencies	Asm. Approps	01/15/20
AB 537	Wood	Medi-Cal Managed Care: Quality Improvement and Value Based Financial Incentive Prog.	2-Year	
AB 555	Gonzalez	Paid Sick Leave	2-Year	04/29/19
AB 648	Nazarian	Wellness Programs	2-Year	03/28/19
AB 656	Garcia, E.	Office of Healthy and Safe Communities	2-Year	06/27/19
AB 741	Kalra	Early and Periodic Screening Program: Trauma Screening	2-Year	03/28/19
AB 767	Wicks	Health Care Coverage: Infertility	2-Year	06/06/19
AB 770	Garcia, E.	Medi-Cal: FQHCs: Rural Health Clinics	2-Year	05/02/19
AB 798	Cervantes	Maternal Mental Health	2-Year	06/13/19
AB 802	Stone, M.	Reports to the Legislature	2-Year	06/04/19
AB 805	Obernalte	Reports Submitted to Legislative Committees	2-Year	04/02/19
AB 810	Gipson	Organ and Tissue Transplantation: Uninsured or Undocumented Indiv.	2-Year	
AB 822	Irwin	Phlebotomy	2-Year	04/30/19
AB 873	Irwin	California Consumer Privacy Act of 2018	2-Year	05/02/19

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1/23/2020**

<b>BILL</b>	<b>AUTHOR</b>	<b>TITLE</b>	<b>STATUS</b>	<b>AMENDED</b>
AB 875	Wicks	Pupil Health: In-School Support Services	2-Year	04/11/19
AB 882	McCarty	Termination of Employment: Drug Testing: Med. Assist. Trtmt.	Asm. Approps	01/06/20
AB 887	Kalra	Office of Health Equity: Surgeon General	2-Year	03/28/19
AB 898	Wicks	Early and Periodic Screening Program: Behavioral Health	2-Year	06/13/19
AB 1058	Salas	Medi-Cal: Specialty Mental Health Svcs. And Substance Use Disorder	2-Year	06/25/19
AB 1107	Chu	Worker's Compensation	2-Year	04/22/19
AB 1131	Gloria	Medi-Cal: Comprehensive Medication Management	2-Year	06/24/19
AB 1174	Wood	Health Care: Anesthesia Services	2-Year	03/25/19
AB 1224	Gray	Disability Insurance: Paid Family Leave Program	2-Year	04/22/19
AB 1246	Limon	Healthcare Coverage: Basic Health Care Services	2-Year	07/11/09
AB 1263	Low	Contracts: Consumer Services: Consumer Complaints	Asm. Approps	01/06/20
AB 1327	Petrie-Norris	Medi-Cal: Reimbursement Rates	2-Year	08/22/19
AB 1372	Grayson	Employers: Prohibited Disclosure of Arrest Information	2-Year	03/27/19
AB 1524	Chiu	Medi-Cal: Provider Enrollment	2-Year	04/02/19
AB 1531	Salas	State Agencies: Bilingual Services	2-Year	
AB 1550	Bonta	Crisis Stabilization Units: Psychiatric Patients	2-Year	06/27/19
AB 1606	Gray	UC: School of Medicine: San Joaquin Valley Reg. Campus Med. Ed. Fund	2-Year	
AB 1611	Chiu	Emergency Hospital Services : Costs	2-Year	06/27/19
AB 1676	Maienschein	Health Care: Mental Health	2-Year	04/22/19
AB 1759	Salas	Health Care Workers: Rural and Underserved Areas	2-Year	05/17/19
AB 1809	Cervantes	Disabled Veteran Business Enterprises	2-Year	08/12/19
AB 1844	Chu	Paid Sick Leave: Behavioral Health Conditions	Asm. Print	
AB 1904	Boerner Horvath	Pelvic Floor Physical Therapy Coverage	Asm. Print	
AB 1927	Boerner Horvath	Witness Testimony In Sexual Assault Cases	Asm. Print	
AB 1933	Maienschein	Pupil Health: Sudden Cardiac Arrest: Athletic Activities	Asm. Print	



**MBC TRACKER II BILLS  
1/23/2020**

<b>BILL</b>	<b>AUTHOR</b>	<b>TITLE</b>	<b>STATUS</b>	<b>AMENDED</b>
AB 1938	Eggman	Mental Health Services Act: Inpatient Treatment Funding	Asm. Print	
ACR 28	Gipson	Sickle Cell Disease Awareness Month	Sen. Approps	01/06/20
ACR 149	Voepel	Opioid Epidemic	Asm. Print	
SB 175	Pan	Health Care Coverage	Sen. Approps	01/06/20
SB 179	Nielsen	Excluded Employees: Arbitration	2-Year	
SB 181	Chang	Healing Arts Boards	2-Year	
SB 275	Pan	Board of Psychology: Disp. Action: Sexual Contact or Behavior	Asm. B&P	01/06/20
SB 406	Pan	Health Care Coverage	Sen. Approps	01/06/20
SB 441	Galgiani	Electronic Health Records: Vendors	2-Year	03/25/19
SB 446	Stone	Medi-Cal: Hypertension Medication Management Services	2-Year	04/11/19
SB 452	Jones	Ken Maddy California Cancer Registry	2-Year	04/11/19
SB 590	Stone	Mental Health Evals: Gravely Disabled Due to Impairment by Chronic Alcoholism	2-Year	03/27/19
SB 612	Pan	Health Care: Data Reporting	2-Year	
SB 627	Galgiani	Medicinal Cannabis & Products: Veterinary Medicine	2-Year	04/30/19
SB 650	Rubio	Cancer Medication Advisory Committee	2-Year	07/08/19
SB 746	Bates	Health Care Coverage: Anti-Cancer Medical Devices	2-Year	05/30/19
SB 749	Durazo	California Public Records Act: Trade Secrets	2-Year	09/10/19
SB 852	Pan	Health Care: Prescription Drugs	Sen. Rules	
SB 854	Beall	Health Care Coverage: Substance Use Disorders	Sen. Rules	
SB 855	Wiener	Health Care Coverage: Mental Health or Substance Abuse Disorders	Sen. Rules	
SB 859	Wiener	Master Plan for HIV, HCV, and STDs	Sen. Rules	