

MEDICAL BOARD OF CALIFORNIA
LEGISLATIVE ANALYSIS

BILL NUMBER: AB 2864
 AUTHOR: Garcia
 BILL DATE: April 3, 2024, Amended
 SUBJECT: Licensed Physicians and Dentists from Mexico
 Program: Extension of Expiration Date of Current
 License Expiration Dates
 SPONSOR: Clinicas de Salud del Valle de Salinas (CSVS)
 California Primary Care Association (CPCA)
 POSITION: Support, if Amended

DESCRIPTION OF CURRENT LEGISLATION

Extends the expiration date of the existing Licensed Physicians from Mexico Pilot Program (LPMPP) licensees for a period of three years from their current expiration date. Provides for an unspecified fee amount to be paid to extend the license expiration date.

RECENT AMENDMENTS

On April 3, 2024, AB 2864 was amended to include place holder language indicating that a fee must be paid to extend these licenses.

BACKGROUND

[Business and Professions Code \(BPC\) section 853](#) authorizes the Board to issue up to 30 licenses to practice medicine to individuals participating in the LPMPP. Among other requirements, LPMPP participants must, prior to licensure, complete the following:

- Pass a specified certification and interview examination.
- Satisfactorily complete a six-month orientation program on medical protocols and managed care practices in California.
- Satisfactorily complete an adult English-as-a-second-language course.

LPMPP participants are issued a three-year, non-renewable license to practice medicine in an authorized facility. As required by statute, the Board contracted with the University of California (UC), Davis to conduct an evaluation of the LPMPP. The first UC Davis annual [evaluation report](#) was issued in August 2022 and the second annual [evaluation report](#) was issued in October 2023. The Board's costs related to issuing LPMPP licenses, taking possible enforcement action against LPMPP licensees, and contracting with UC Davis are covered by nonprofit philanthropic entities donating to an LPMPP account.

[AB 1395 \(Chapter 205 of 2023 Statutes\)](#) was enacted into law and required the Board to issue a license to practice medicine to LPMPP applicants without a social security number (SSN) or individual tax identification number (ITIN), as specified.

[SB 815 \(Chapter 815 of 2023 Statutes\)](#), the Board's most recent sunset bill, authorizes the Board to extend the expiration date of an LPMPP license, based on certain delays the licensee has faced, if they were unable to practice medicine more than 30 consecutive business days due to at least one of the following circumstances (and with certain conditions):

- The pregnancy of the licensee.
- The pregnancy of the married spouse of the licensee.
- The pregnancy of the domestic partner who is in a civil union with the licensee.
- Delay caused by the credentialing process of health plans.
- Delay caused by the visa application and review process by the United States Citizenship and Immigration Services.

ANALYSIS

According to the author:

“Perhaps the most urgent matter confronting the health care of our state and nation is ensuring that we have an adequate supply of doctors available to serve the diversity of our state and nation’s population and access to health care coverage if there are insufficient doctors to provide it and even fewer doctors who are culturally and linguistically competent. The shortage of physicians has only increased since 2000.

...AB 2864 is urgently needed so that these doctors will continue to serve these and more patients who require their culturally and linguistically competent services. My bill will provide a one-time three-year extension of their California medical license because the COVID-19 pandemic did not allow us to maximize the use of these doctors' three-year medical licenses.”

AB 2864 would extend the expiration date (in essence, a renewal) of the existing LPMPP licensees for a period of three years from their current expiration date. This program is currently funded from nonprofit philanthropic sources and the monies provided are kept in an account separate from the Board’s primary fund, the Medical Board of California Contingent Fund.

Comments from Board Staff

At the prior Board meeting, the Board approved a Support, if Amended position to request that the bill be amended to include an appropriate renewal fee amount. Since the prior Board meeting, staff and program sponsors have continued to engage in productive conversations about this bill and AB 2860.

Sponsors and Board staff have agreed to amend AB 2864 to include a fee amount of \$1,726.50, which is a 50 percent increase of the existing physician renewal fee amount of \$1,151, which correlates to a “three-year version” of the Board’s existing license renewal fee for a two-year licensure period ($\$1,151 * 1.5 = \$1,726.50$). This fee amount is anticipated to address the Board’s projected costs associated with this bill.

Board staff and the sponsors agree that additional changes in the bill may be necessary to clarify that the extension of an individual license won’t occur until a fee is paid, and that otherwise including a deadline may be beneficial.

Consideration of an Updated Board Position

Staff recommend the Board update their Support, if Amended position, to seek the following amendments:

- Require that a fee of \$1,726.50 be paid to make effective the extension of an LPMPP license.
- Provide for a mutually agreeable (between the Board staff and the bill sponsors) deadline for the fee to be paid.

FISCAL: Modest estimated costs to the program associated with changing the expiration date for the existing LPMPP licensees, conducting any continuing medical education audits, and projected enforcement action. All costs are expected to be offset by the proposed fee amount described above.

SUPPORT: Alameda Health Consortium - San Leandro, CA
 AltaMed Health Services
 Altura Centers for Health
 Arroyo Vista Family Health Center
 CommuniCare+OLE
 Community Health Partnership
 Comprehensive Community Health Centers
 Dientes Community Dental
 Eisner Health
 El Proyecto Del Barrio
 Family Health Centers of San Diego
 Golden Valley Health Centers
 Gracelight Community Health
 Health Alliance of Northern California
 Health and Life Organization (Sacramento Community Clinics)
 Health Center Partners of Southern California
 Lifelong Medical Care
 North Coast Clinics Network
 Petaluma Health Center
 Redwoods Rural Health Center

Sac Health
San Benito Health Foundation
San Francisco Community Clinic Consortium
Santa Rosa Community Health
Share Our Selves
Shasta Community Health Center
South Central Family Health Center
Valley Community Healthcare
West County Health Centers

OPPOSITION: None identified.

ATTACHMENT: [AB 2864, Garcia – Licensed Physicians and Dentists from Mexico Pilot Program: Extension of Licenses](#)
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