

MEDICAL BOARD OF CALIFORNIA  
LEGISLATIVE ANALYSIS

BILL NUMBER: AB 742  
AUTHOR: Elhawary  
BILL DATE: March 13, 2025, Amended  
SUBJECT: Department of Consumer Affairs: Licensing:  
Applicants Who Are Descendants of Slaves  
SPONSOR: Author

DESCRIPTION OF CURRENT LEGISLATION:

Requires the various licensing boards within the Department of Consumer Affairs (DCA) to prioritize applications for licensure from person who are descendants of American slaves. This bill is contingent upon enactment of SB 518, which establishes the Bureau for Descendants of American Slavery.

BACKGROUND:

[SB 518](#) (Weber Pierson) would establish the Bureau for Descendants of American Slavery (Bureau), which would, relevant to AB 742, establish a process to certify descendants of American slaves.

Various statutes<sup>1</sup> within the Business and Professions Code (BPC) require licensing boards to expedite (sometimes referred to as prioritizing) the review of an application for certain applicants, including those who were honorably discharged as an active duty member of the Armed Forces of the United States, are the spouse/domestic partner of an active duty member of the military assigned to duty station in California, or have a certain refugee or immigration status. [BPC section 2092](#) is within the Medical Practice Act and requires the Medical Board of California (Board) to expedite the review of a physician's and surgeon's license applicant who intends to practice in a medically underserved area or serve a medically underserved population. These statutes do not change the licensing requirements, rather they simply require the Board to review the license applications on an expedited basis.

Board staff analyzed the processing timeframes for the past three fiscal years for expedited vs. non-expedited license applications for a physician's and surgeon's

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<sup>1</sup> See BPC sections [115.4](#) and [115.5](#).

license. As shown in the table below, there is a very modest difference in the average<sup>2</sup> number of days to issue an expedited license.

<b>Fiscal Year</b>	<b>Days: Expedited Applications</b>	<b>Days: Non- expedited Applications</b>	<b>Days Saved: Expedited Applications</b>
2021-2022	101	123	<b>12</b>
2022-2023	111	135	<b>14</b>
2023-2024	64	72	<b>8</b>

### ANALYSIS:

According to the author's fact sheet:

"In 2023, the Department of Justice issued a Reparations Task Force Report which presented evidence of deficiencies that descendants of slaves face in the business and professions sector. The Task Force presented a list of recommendations for the Legislature to take to address the disparities that this group still faces. AB 742 is a policy recommendation from the Task Force. By prioritizing descendants of slaves when applying for licenses, we hope to increase the number of applicants as well as those who are able to obtain licensure in various businesses and professions where descendants of slaves have often been overlooked and underrepresented."

AB 742 would require each DCA board to prioritize a licensure applicant who is a descendent of American slaves. This requirement is contingent upon the enactment of SB 518 into law and following the date that the Bureau establishes the process to certify descendants of American slaves. This requirement would be in effect for a four-year period or until January 1, 2032, whichever is earlier.

### **Causes for Delays in Processing Applications**

The Board's [application processing timeframes](#) are published on the Board's website and indicate the average number of calendar days, following receipt of an application and required fees, to conduct an initial staff review. If the Board initially reviews a

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<sup>2</sup> Includes complete and incomplete applications. See further description of complete and incomplete applications under "Analysis" section.

complete application and no issues are identified with the applicant, then a license could be issued within approximately 7-10 days after that review.

The Board will not issue a license until all requirements for licensure have been met. Application processing is delayed while the Board awaits receipt of missing/ incomplete required information or documents. Some notable examples include:

- Applicants who do not provide their full legal name.
- Incomplete/missing Timeline of Activities form (needed to document a gap in training/medical practice of three months or greater).
- Missing exam scores/transcripts.
- PTA/PTB form (used to verify postgraduate training) is missing or filled out incorrectly or with incomplete information.
- Missing/inadequate fingerprint results.

Furthermore, applications can require additional time for review if the applicant has a criminal history, administrative discipline, postgraduate training issues, or other unusual circumstances requiring further evaluation to support consumer protection.

### **Technical Concerns with AB 742**

The bill does not require the applicant to provide documentation from the Bureau confirming that they are descended from of an American slave to qualify for expedited review. Unless the bill is amended accordingly, the Board will be required to conduct a rulemaking.

### **Consideration of a Board Position**

As discussed in the Background section of this analysis, complete and incomplete expedited applications for a physician's and surgeon's license were only approved, on average, between 8 and 14 days faster, during the prior three fiscal years. To make a substantial reduction in the timeframes for the various expedited applications, staff suggest that the Board adopt a position of Support, if Amended to seek the following amendments:

- Direct the Board to establish a new unit of staff who will work to address deficiencies (e.g., contact medical schools or postgraduate training programs to obtain missing documents) for all applicants who qualify for expedited review and provide other appropriate assistance (similar language is contained within [BPC section 2024.5](#), establishing the Complainant Liaison Unit).
- Clarify that, to qualify for expedited review, an applicant must provide appropriate documentation to the Board issued by the Bureau that confirms that they are descended from an American slave.

FISCAL:                      Minor one-time costs associated conducting a rulemaking; completing necessary BreEZe modifications; complete updates to

forms, update processes, and train licensing staff; minor ongoing costs associated with processing expedite requests and responding to inquiries.

SUPPORT: California Faculty Association  
Greater Sacramento Urban League

OPPOSITION: California Landscape Contractors Association  
Californians for Equal Rights Foundation  
Pacific Legal Foundation

POSITION: Recommendation: Support, if Amended.

ATTACHMENT: [AB 742, Elhawary. Department of Consumer Affairs: Licensing: Applicants Who Are Descendants of Slaves.](#)  
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