

MEDICAL BOARD OF CALIFORNIA

DATE REPORT ISSUED: May 18, 2026
 ATTENTION: Members, Medical Board of California (Board)
 SUBJECT: Discussion and Possible Action on the Legislative Analyst's Office's Recommendation Related to Physician Licensure Exemption
 CONTACT: Aaron Bone, Chief of Legislation and Public Affairs

REQUESTED ACTION

Direct Board staff to send a letter to the Legislative Analyst's Office (LAO), copying the Governor's Office and appropriate committees of the California State Legislature to state the Board's opposition to physician licensure exemptions.

BACKGROUND

On February 23, 2026, the LAO, which provides fiscal and policy advice to the Legislature published a report titled "[Addressing Chronic Vacancies In Prison Mental Health Care](#)." That report discusses some of the history related to the challenges that the state has faced in the effort to provide adequate mental health treatment to the nearly 35,000 prisoners with a diagnosed mental health need. The report also provides the following recommendations:

- Assess Effectiveness of Other Steps Before Considering Across-the-Board Pay Increases.
- Eliminate the Requirement for Licensed Out-of-State Providers to Get California Licenses.
- Increase Use of CDCR Tele-Mental Health to Maximum Court-Approved Levels.
- Ask Court to Allow Tele-Mental Health Providers to Work From Out-of-State.
- Require CDCR Report on the Feasibility of Concentrating Mental Health Population in Prisons That Are Easier to Staff.
- Direct CDCR to Continue to Seek Further Alignment With Bed Need Study.
- Require CDCR to Regularly Adjust Inpatient Bed Capacity.

Any eligible physician may obtain a license from the Board and be authorized to treat patients in this state via telehealth. The Medical Board of California (Board) has opposed legislation¹ that erodes the requirement to possess a license to practice medicine in this state.

ANALYSIS

Among various other recommendations intended to help address persistent vacancies among providers who provide care to prisoners in the California Department of Corrections and Rehabilitation's (CDCR) mental health system, the LAO recommends eliminating the requirement for out-of-state providers to obtain a California license:

¹ See Board analyses of [AB 1369](#), [SB 508](#), and [SB 1002](#).

“We recommend expanding the licensing exemptions [available to certain California non-physician license types] so that all out-of-state mental health providers already licensed in their respective state no longer need to acquire a California license to work at CDCR. This exemption would eliminate the requirement for out-of-state mental health providers to obtain California licenses within a set amount of time of working at CDCR. Extending the exemption to all mental health providers would also allow other out-of-state providers who do not already have exemptions under existing state law—such as psychiatrists—to provide services if they are already licensed in another state. We also recommend directing CDCR to recruit more from out of state. To the extent feasible, similar strategies could be employed to recruit people qualified to work from other countries in cases where those countries’ licensing requirements are sufficiently similar California’s or other U.S. states. The fiscal cost of these changes would be minimal and likely absorbable, depending on how CDCR pursues greater out-of-state recruitment.”

RECOMMENDATION

Licensure is a vital form of consumer protection and ensures that physicians practicing in California have met the relevant statutory requirements to treat patients in this state and do not have a history of criminal activity or adverse judgments or settlements that may constitute a pattern of negligence or incompetence.

Without the requirement for licensure, the Board would be unaware of those who are treating patients in this state and would be unable to take disciplinary action against a physician who fails to treat their California patients within the standard of care.

Accordingly, Board staff recommend that the Board direct the staff to send a letter to the LAO, copying the Governor’s Office and appropriate committees of the California State Legislature, stating that the Board is opposed to physician licensure exemptions and express willingness to meet and discuss the matter.