

DEPARTMENT OF CONSUMER AFFAIRS
TITLE 16. MEDICAL BOARD OF CALIFORNIA

**PROPOSED REGULATORY LANGUAGE
NOTICE TO CONSUMERS**

Legend: Added text is indicated with an <u>underline</u> . Deleted text is indicated by strikeout .
--

(1) Amend Section 1355.4 of Article 1, Chapter 2, Division 13, of Title 16 of the California Code of Regulations to read as follows:

§ 1355.4. Notice to Consumers.

(a) A medical doctor licensee engaged in the practice of medicine shall provide notice to each patient of the fact that the licensee is licensed and regulated by the board, the license can be checked and complaints against the licensee can be made through the board's website or by contacting the board. The notice shall include the following statement and information:

NOTICE TO PATIENTS
Medical doctors are licensed and regulated
by the Medical Board of California.
To check up on a license or
to file a complaint go to
(800) 633-2322
www.mbc.ca.gov,
email: licensecheck@mbc.ca.gov,
or call (800) 633-2322.

(b) The notice required by this section shall be provided by one of the following methods:

(1) Prominently posting the notice in an area visible to patients on the premises where the licensee provides the licensed services, in which case the notice shall be in at least ~~48~~38-point type in Arial font.

(2) Including the notice and an acknowledgement of receipt and understanding in a written statement in the patient's or patient representative's primary language, signed and dated by the patient or the patient's representative and retained in that patient's medical records, ~~stating the patient understands the physician is licensed and regulated by the board.~~

(3) Including the notice in the patient's or patient representative's primary language in a statement on letterhead, discharge instructions, or other document given to a patient or

the patient's representative, where the notice is placed immediately above the signature line for the patient in at least 14-point type.

(c) If the licensee chooses to post a sign to comply with this section, the licensee shall also provide the notice as described in subdivisions (b)(2) or (b)(3) of this section if the sign is not posted in the patient's or patient representative's primary language.

Note: Authority cited: Sections 2018 and 2026, Business and Professions Code.
Reference: Sections 138 and 2026, Business and Professions Code.

(2) Add Section 1378.5 to Article 3, Chapter 3, Division 13, of Title 16 of the California Code of Regulations to read as follows:

§ 1378.5. Notice to Consumers.

(a) A research psychoanalyst registrant shall provide notice to each patient of the fact that the registrant is registered and regulated by the board, the registration can be checked and complaints against the registrant can be made through the board's website or by contacting the board. The notice shall include the following statement and information:

NOTICE TO PATIENTS
Research psychoanalysts are registered and regulated
by the Medical Board of California.
To check up on a registration or
to file a complaint go to
www.mbc.ca.gov,
email: licensecheck@mbc.ca.gov,
or call (800) 633-2322.

(b) The notice required by this section shall be provided by one of the following methods:

(1) Prominently posting the notice in an area visible to patients on the premises where the registrant provides services as a research psychoanalyst, in which case the notice shall be in at least 38-point type in Arial font.

(2) Including the notice and an acknowledgement of receipt and understanding in a written statement in the patient's or patient representative's primary language, signed and dated by the patient or the patient representative and retained in that patient's medical records.

(3) Including the notice in the patient's or patient representative's primary language in a statement on letterhead, patient instructions, or other document given to a patient or the patient representative, where the notice is placed immediately above the signature line

for the patient in at least 14-point type.

(c) If the registrant chooses to post a sign to comply with this section, the registrant shall also provide the notice as described in subdivisions (b)(2) or (b)(3) of this section if the sign is not posted in the patient's or patient representative's primary language.

Note: Authority cited: Sections 2018 and 2026, Business and Professions Code.
Reference: Sections 138, and 2026, Business and Professions Code.

(3) Add Section 1379.4 to Article 1, Chapter 4, Division 13, of Title 16 of the California Code of Regulations to read as follows:

§ 1379.4. Notice to Consumers.

(a) A licensed midwife shall provide notice to each client of the fact that the licensee is licensed and regulated by the board, the license can be checked and complaints against the licensee can be made through the board's website or by contacting the board. The notice shall include the following statement and information:

NOTICE TO CLIENTS
Licensed midwives are licensed and
regulated by the
Medical Board of California.
To check up on a license or
to file a complaint go to
www.mbc.ca.gov,
email: licensecheck@mbc.ca.gov,
or call (800) 633-2322.

(b) The notice required by this section shall be provided by one of the following methods:

(1) Prominently posting the notice in an area visible to clients on the premises where the licensee provides the licensed services, in which case the notice shall be in at least 38-point type in Arial font.

(2) Including the notice and an acknowledgement of receipt and understanding in a written statement in the client's or client representative's primary language, signed and dated by the client or the client representative and retained in that client's medical records.

(3) Including the notice in the client's or client representative's primary language in a statement on letterhead, client instructions, or other document given to a client or the client representative, where the notice is placed immediately above the signature line

for the client in at least 14-point type.

(c) If the licensee chooses to post a sign to comply with this section, the licensee shall also provide the notice as described in subdivisions (b)(2) or (b)(3) of this section if the sign is not posted in the client's or client representative's primary language.

Note: Authority cited: Sections 2018 and 2026, Business and Professions Code.

Reference: Sections 138, 2026, and 2508, Business and Professions Code.

(4) Amend Section 1379.58 of Article 4, Chapter 4.3, Division 13, of Title 16 of the California Code of Regulations to read as follows:

§ 1379.58. Notice to Consumers.

(a) A polysomnography registrant shall provide notice to each patient of the fact that the registrant person is registered and regulated by the board, the registration can be checked and complaints against the registrant can be made through the board's website or by contacting the board. The notice shall include the following statement and information:

~~NOTICE TO PATIENTS CONSUMERS~~
Medical doctors and polysomnographic
technologists, technicians, and trainees
are licensed, registered, and regulated by
the Medical Board of California.
To check up on a license or registration or
to file a complaint go to
(800) 633-2322
www.mbc.ca.gov,
email: licensecheck@mbc.ca.gov,
or call (800) 633-2322.

(b) The notice required by this section shall be provided by one of the following methods:

(1) Prominently posting the notice in an area visible to patients on the premises where the registrant provides the services for which registration is required, in which case the notice shall be in at least ~~48~~38-point type in Arial font.

(2) Including the notice and an acknowledgement of receipt and understanding in a written statement in the patient's or patient representative's primary language, signed and dated by the patient or the patient's representative and retained in that patient's medical records, ~~stating the patient understands the polysomnographic registrant is~~

~~registered and regulated by the board.~~

(3) Including the notice in the patient's or patient representative's primary language, in a statement on letterhead, discharge instructions, or other document given to a patient or the patient's representative, where the notice is placed immediately above the signature line for the patient in at least 14-point type.

(c) If the registrant chooses to post a sign to comply with this section, the registrant shall also provide the notice as described in subdivisions (b)(2) or (b)(3) of this section if the sign is not posted in the patient's or patient representative's primary language.

Note: Authority cited: Sections ~~138~~ and 2018 and 2026, Business and Professions Code; Reference: Sections 138 and 2026, Business and Professions Code.