In this regular rulemaking, the Medical Board of California proposes to amend regulations regarding postgraduate training for a medical school graduate attempting to qualify for a physician's and surgeon's license. The proposed amendments pertain to the postgraduate training exemption period, guest rotations, and approved postgraduate training.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 6/11/2021.
### A. PUBLICATION OF NOTICE

**1. SUBJECT OF NOTICE**

**TITLE(S)**

**FIRST SECTION AFFECTED**

**2. REQUESTED PUBLICATION DATE**

<table>
<thead>
<tr>
<th>ACTION ON PROPOSED NOTICE</th>
<th>TELEPHONE NUMBER</th>
<th>FAX NUMBER (Optional)</th>
</tr>
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<tbody>
<tr>
<td>OAL USE ONLY</td>
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</table>

**NOTICE REGISTER NUMBER**

**PUBLICATION DATE**

| 2010, No. 25-2 | 6/19/2020 |

### B. SUBMISSION OF REGULATIONS

**1a. SUBJECT OF REGULATION(S)**

**TO:** ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)

**2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if topics related)**

**SECTION(S) AFFECTED**

<table>
<thead>
<tr>
<th>ADOPT</th>
<th>REPEAL</th>
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<tbody>
<tr>
<td>AMEND</td>
<td>1320 and 1321</td>
</tr>
</tbody>
</table>

**TITLE(S)**

| 16 |

**3. TYPE OF FILING**

- Regular Rulemaking (Gov. Code §11346)
- Effective on filing with Secretary of State
- $100 Changes Without Regulatory Effect (Cal. Code Regs., title 1, §1100)
- Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4)
- Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.
- Readopt (Gov. Code, §11346.1(h))
- Other (Specify)
- Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1(b))
- File & Print
- Print Only
- Failed Political Practices Commission
- State Fire Marshal
- Kimberly Kirchmeyer, Director, Department of Consumer Affairs
- Kerrie Webb (916) 263-2389

**4. EFFECTIVE DATE OF CHANGES**

<table>
<thead>
<tr>
<th>EFFECTIVE DATE OF CHANGES</th>
<th>Gov. Code, §§ 11343.4, 11346.1(b); Cal. Code Regs., title 1, §100</th>
</tr>
</thead>
<tbody>
<tr>
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</table>

**6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY**

- Department of Finance (Form STD. 399) (SAM §6660)
- Fair Political Practices Commission
- Other (Specify)

**7. CONTACT PERSON**

- Kimberly Kirchmeyer, Director, Department of Consumer Affairs
- Kerrie Webb (916) 263-2389

**8. I CERTIFY THAT THE ATTACHED COPY OF THE REGULATION(S) IS A TRUE AND CORRECT COPY OF THE REGULATION(S) IDENTIFIED ON THIS FORM, THAT THE INFORMATION SPECIFIED ON THIS FORM IS TRUE AND CORRECT, AND THAT I AM THE HEAD OF THE AGENCY TAKING THIS ACTION, OR A DESIGNEE OF THE HEAD OF THE AGENCY, AND AM AUTHORIZED TO MAKE THIS CERTIFICATION.**

**SIGNATURE OF AGENCY HEAD OR DESIGNEE**

**TYPED NAME AND TITLE OF SIGNATORY**

**DATE**
1. Amend Section 1320, Chapter 1, Article 6, Division 13, of Title 16 of the California Code of Regulations to read as follows:

§ 1320. Postgraduate Training Exemption Period; Guest Rotations.
(a) Except as otherwise provided in this section, all approved postgraduate training for which the applicant received credit shall count toward the two-year 39-month exemption period provided in Section 2065 and the three-year exemption period provided in Section 2066 of the code, including any training obtained within or outside of California, whether a full or partial year of training and regardless of whether the postgraduate training program was successfully completed.
(b) Notwithstanding the provisions of subsection (a), a person may participate in guest rotations in an approved postgraduate training program in California, not to exceed a total of 90 days for all rotations, if the person has graduated from a medical school that has either been approved pursuant to Section 2084 of the code by the division or recognized by the division as equivalent to an approved medical school and is engaged in approved postgraduate training outside of California.


2. Amend Section 1321, Chapter 1, Article 6, Division 13, of Title 16 of the California Code of Regulations to read as follows:

§ 1321. Approved Postgraduate Training.
(a) Postgraduate training programs located in the United States and/or its territories or in Canada that are accredited by meeting the standards of the Accreditation Council on for Graduate Medical Education, or the Royal College of Physicians and Surgeons of Canada, or the College of Family Physicians of Canada, shall be approved for the postgraduate training specified in Sections 2064.5, 2065, 2066, 2084, 2096, and 2102, and 2103 of the code.
(b) A current list of such programs shall be maintained on file in the Sacramento office of the division.
(c) An applicant shall have been formally admitted to any approved postgraduate training program which is completed in order to qualify for licensure as a physician and surgeon. As used in this section, "formally admitted" means the applicant has met the program’s requirements for admission to the program.
(d) An applicant shall have completed at least 24 one continuous months out of the required 36 months year of approved postgraduate training in a single program in order to qualify for licensure as a physician and surgeon. The one-year period required for postgraduate training may be interrupted in cases due to illness or hardship. With respect to an applicant who qualifies for licensure by completing at least two years of approved
postgraduate training, the second year shall be one continuous year in a single program, which may be the same or a different program than the first year. The second year may be interrupted in cases due to illness or hardship.