



Physical Therapy Board of California

STATE AND CONSUMER SERVICES AGENCY - GOVERNOR EDMUND G. BROWN JR.

Physical Therapy Board of California

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Agenda Item #11

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Briefing Paper

Date: January 17, 2012

Prepared for: PTBC Members

Prepared by: Sarah Conley

Subject: Legislation

Purpose:

To update the Board on legislation enacted in 2011 and 2011-2012 proposed legislation

Legislation Enacted in 2011

Chapter 455, Statutes of 2011 (AB 1424, Perea)

Position: Watch

Chapter 455, Statutes of 2011 mandates that effective July 1, 2012, the Physical Therapy Board is required to deny an application for licensure and to suspend the license of any licensee who has outstanding tax obligations due to the Franchise Tax Board (FTB) or the State Board of Equalization (BOE) and appears on either the FTB or BOE's certified lists of top 500 tax delinquencies over \$100,000.

Once it has been determined that an applicant or a licensee is on a certified list, the applicant or licensee has 90 days from the issuance of a preliminary notice of suspension to either satisfy all outstanding tax obligations or enter into a payment installment program with the FTB or BOE. Any such person who fails to come into compliance will have his/her license denied or suspended until the Physical Therapy Board receives a release from the FTB or BOE. The form for requesting a release will be included with the preliminary notice of suspension.

The law prohibits the Physical Therapy Board from refunding any money paid for the issuance or renewal of a license where the license is denied or suspended as required by Chapter 455, Statutes of 2011.

1 Chapter 448, Statutes of 2011 (SB 543, Steinberg and Price)

2 Position: N/A

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4 Chapter 448, Statutes of 2011 extended the sunset date for a number of boards,
5 provided the Department of Finance authority to make budget augmentations for all
6 boards under the DCA for BreEZe funding and added §2674 to the Business and
7 Professions Code prohibiting the Board from taking action on a complaint filed
8 against a licensee for working for a professional medical, podiatric medical, or
9 chiropractic corporation.

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11 Chapter 714, Statutes of 2011 (SB 850, Leno)

12 Position: N/A

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14 Chapter 714, Statutes of 2011 amended Civil Code §56.101 requiring those who
15 maintain electronic health care records to use a system that preserves all changes
16 and deletions made to the medical records, when those changes were made and who
17 made them. In addition, this bill mandates patient access to electronic medical
18 records shall be consistent with the applicable state and federal laws governing
19 patient access to, and the use and disclosure of, medical information.

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21 **2011-2012 Proposed Legislation**

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23 AB 374, Hayashi

24 Position: Watch

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26 AB 374 provides title protection and minimum certification requirements for certified
27 athletic trainers. This bill was last amended May 27, 2011. Hearing by the Senate
28 Committee on Business, Professions and Economic Development was set for June
29 16, 2011; however, it was cancelled at the request of the author. Since this bill has
30 passed out of its house of origin (Assembly), the bill may remain active until June 1,
31 2012.

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33 AB 675, Hagman

34 Position: Watch

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36 AB 675 would have added §110.6 to the Business and Professions Code restricting
37 continuing competency courses applicable for license renewal to only courses that
38 are relevant to the practice regulated by the board pursuant to its laws and
39 regulations. Courses that advance a political or union agenda would not be
40 permitted. Moreover, AB 675 would have mandated the board to withdraw approval
41 of a provider if the provider was not in compliance with these course requirements.
42 Since this bill did not pass out of its house of origin (Assembly) by January 13, 2012,
43 it is no longer active.

1 AB 958, Berryhill

2 Position: Watch

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4 AB 958 would have added §110.5 to the Business and Professions Code limiting the
5 time period in which boards may take disciplinary action against a licensee. Since
6 this bill did not pass out of its house of origin (Assembly) by January 13, 2012, it is no
7 longer active.

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9 SB 103, Liu

10 Position: Watch

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12 SB 103 would amend Government Code §11123 by requiring a state body who
13 operates a Web site to provide either an audio or video broadcast of all
14 teleconferences open to the public on its Web site. Moreover, the Web site must
15 include instructions on how to access the teleconference broadcast. This bill was last
16 amended July 12, 2011. Second hearing by the Assembly Committee on
17 Appropriations was set for August 25, 2011; however, the bill is being held under
18 submission.

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20 SB 544, Price

21 Position: Support

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23 SB 544 would have enacted the Consumer Health Protection Enforcement Act
24 making numerous enforcement program changes applicable to all boards under the
25 Department of Consumer Affairs (DCA). This bill was last amended January 4, 2012.
26 Since this bill did not pass out of its house of origin (Senate) by January 13, 2012, it
27 is no longer active.

28
29 SB 924, Walters

30 Position: Watch

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32 SB 924 would amend §2660 of, and add §2660.1 to the Business and Professions
33 Code authorizing direct access to physical therapy. This bill was last amended May
34 24, 2011 and re-referred to Senate Committee on Appropriations. January 20, 2012
35 is the deadline for this bill to move forward.

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38 **Action Requested:**

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40 None at this time