

Assembly Bill No. 583

CHAPTER 436

An act to add Section 680.5 to the Business and Professions Code, relating to health care practitioners.

[Approved by Governor September 29, 2010. Filed with
Secretary of State September 29, 2010.]

LEGISLATIVE COUNSEL'S DIGEST

AB 583, Hayashi. Health care practitioners: disclosure of education.

Existing law requires a health care practitioner to disclose, while working, his or her name and practitioner's license status on a name tag in at least 18-point type or to prominently display his or her license in his or her office, except as specified.

This bill would require each of those health care practitioners to disclose the type of license and, except as specified, the highest level of academic degree he or she holds either in a prominent display in his or her office or in writing, in a specified format given to a patient on his or her initial office visit. The bill would require a physician and surgeon, and an osteopathic physician and surgeon, who is certified in a medical specialty, as specified, to also disclose, in either of those manners the name of the certifying board or association. The bill would exempt specified health care practitioners, including, without limitation, persons working in certain licensed laboratories and health care facilities, as specified, from these requirements.

The people of the State of California do enact as follows:

SECTION 1. Section 680.5 is added to the Business and Professions Code, to read:

680.5. (a) (1) A health care practitioner licensed under Division 2 (commencing with Section 500) shall communicate to a patient his or her name, state-granted practitioner license type, and highest level of academic degree, by one or both of the following methods:

(A) In writing at the patient's initial office visit.

(B) In a prominent display in an area visible to patients in his or her office.

(2) An individual licensed under Chapter 6 (commencing with Section 2700) or Chapter 9 (commencing with Section 4000) is not required to disclose the highest level of academic degree he or she holds.

(b) A person licensed under Chapter 5 (commencing with Section 2000) or under the Osteopathic Act, who is certified by (1) an American Board of Medical Specialties member board, (2) a board or association with

requirements equivalent to a board described in paragraph (1) approved by that person’s medical licensing authority, or (3) a board or association with an Accreditation Council for Graduate Medical Education approved postgraduate training program that provides complete training in the person’s specialty or subspecialty, shall disclose the name of the board or association by either method described in subdivision (a).

(c) A health care practitioner who chooses to disclose the information required by subdivisions (a) and (b) pursuant to subparagraph (A) of paragraph (1) of subdivision (a) shall present that information in at least 24-point type in the following format:

HEALTH CARE PRACTITIONER INFORMATION

- 1. Name and license..... .
- 2. Highest level of academic degree..... .
- 3. Board certification (ABMS/MBC)..... .

(d) This section shall not apply to the following health care practitioners:

(1) A person who provides professional medical services to enrollees of a health care service plan that exclusively contracts with a single medical group in a specific geographic area to provide or arrange for professional medical services for the enrollees of the plan.

(2) A person who works in a facility licensed under Section 1250 of the Health and Safety Code or in a clinical laboratory licensed under Section 1265.

(3) A person licensed under Chapter 3 (commencing with Section 1200), Chapter 7.5 (commencing with Section 3300), Chapter 8.3 (commencing with Section 3700), Chapter 11 (commencing with Section 4800), Chapter 13 (commencing with Section 4980), or Chapter 14 (commencing with Section 4990.1).

(e) A health care practitioner, who provides information regarding health care services on an Internet Web site that is directly controlled or administered by that health care practitioner or his or her office personnel, shall prominently display on that Internet Web site the information required by this section.

Physicians must disclose their education – in certain practice settings

As listed in the January 2011 issue of this newsletter under Legislative Update, effective January 1, 2011, AB 583 (Hayashi) became law — Business and Professions Code section 680.5. The new law requires that a health care practitioner communicate to a patient his or her name, state-granted practitioner license type and highest level of academic degree by one or both of the following methods.

- **In writing at the patient’s initial office visit, and/or**
- **In a prominent display in an area visible to patients in his or her office.**

A physician who is certified by an American Board of Medical Specialties member board, a board or association with requirements equivalent to a medical specialty board, or a board or association with an Accreditation Council for Graduate Medical Education approved postgraduate training program, must disclose the name of the board or association by either method bulleted above.

Health care practitioners disclosing this information are required to present it in at least 24 point- type in the following format:

- 1. Name and license**
- 2. Highest level of academic degree**
- 3. Board certification**

A physician who provides information regarding health care services on an Internet Web site that is directly controlled or administered by the physician or his or her office personnel, must prominently display on that Internet Web site the information required by this law.

The following is an example of how the new law can be displayed.

**John Doe, M.D.
Board Certified Otolaryngologist**

The following is an example of the new law combined with the Notice to Consumers law:

**NOTICE TO CONSUMERS
Medical doctors are licensed and regulated by the Medical Board of California
(800) 633-2322
www.mbc.ca.gov**

**John Doe, M.D.
Board Certified Otolaryngologist**

Lastly, you may also contact the California Medical Association at <http://www.cmanet.org/> for additional information on this new disclosure law.

This disclosure requirement does not apply to physicians who:

1. Provide professional medical services to enrollees of a health care service plan that exclusively contracts with a single medical group in a specific geographic area.
2. Work in a facility licensed under section 1250 of the Health and Safety Code (a facility to which persons are admitted for a 24-hour stay or longer) or in a clinical laboratory.
3. Work in a licensed clinical laboratory, hearing aid dispensary, respiratory care facility, veterinary medicine facility, marriage and family therapists practice, and clinical social worker practice.

Click on the Board's Web site at http://mbc.ca.gov/licensee/notices_to_consumers.html to view these examples online.