

Medical Board of California

Public Documents – What Can and Cannot Be Posted on a Licensee Profile



Public Disclosure Laws

- Business and Professions Code sections 2027 and 2221.05 determine what information can be posted on a licensee's profile
- Business and Professions Code section 803.1 explains what information is available to the public upon inquiry
- 16 CCR sections 1354.5 and 1364.15 further clarify information disclosure requirements



Public Disclosure Laws



MEDICAL BOARD OF CALIFORNIA PUBLIC DISCLOSURE INFORMATION Revised June 13, 2018

PC = Penal Code; B&P = California Business and Professions Code; CCR = California Code of Regulations; GC = Government Code

| Document | When Public | Availability to Public | |
|---|-------------------------------|---------------------------------|---|
| | | Written Request/Walk-In Request | Website/Phone Verification |
| COURT ORDERED RESTRICTION (partial or full license restrictions; limited or no practice allowed while restriction is in place). | Date issued by a court. | Available indefinitely. | Pursuant to B&P 2027, available on physician's profile only during period when physician's license is restricted; deleted from profile if restriction is lifted or if an administrative decision becomes effective. Available via Enforcement Public Document Search on the website unless restriction has been lifted by the Medical Board. |
| AUTOMATIC SUSPENSION ORDER (B&P 2236.1) (license suspended per this section; no practice allowed while license is suspended). | Date issued by Medical Board. | Available indefinitely. | Pursuant to B&P 2027, available on physician's profile only during period when physician's license is suspended; deleted from profile if suspension is lifted or if an administrative decision becomes effective. Available via Enforcement Public Document Search on the website unless suspension has been lifted by the Medical Board. |
| INTERIM SUSPENSION ORDER (ISO) (licensee's practice has been temporarily suspended or restricted by an Administrative Law Judge (ALJ)). | Date issued by an ALJ. | Available indefinitely. | Pursuant to B&P 2027, available on physician's profile only during period when physician's license is suspended or restricted; deleted from profile if suspension or restriction is lifted or if an administrative decision becomes effective. Available via Enforcement Public Document Search on the website unless suspension or restriction has been lifted by the Medical Board. |
| OUT-OF-STATE AUTOMATIC SUSPENSION ORDER (B&P 2110) (licensee's practice in California is automatically suspended per notification of suspension or revocation of license in another state). | Date issued by Medical Board. | Available indefinitely. | Pursuant to B&P 2027, available on physician's profile only during period when physician's license is suspended; deleted from profile if suspension is lifted or if an administrative decision becomes effective. Available via Enforcement Public Document Search on the website unless suspension has been lifted by the Medical Board. |

The Board has a guidance document on the website that explains what information is available, how it can be obtained, and applicable laws.

Public Disclosure Laws



- Suspension/Restriction Orders available on the profile while the licensee is under the suspension/restriction and then is removed, but available indefinitely at the Board, as it is a public document.
- Accusation/Petition to Revoke Probation available on the profile until disposition. Unless the document is withdrawn, it becomes a part of the disciplinary document and follows that document's disclosure requirement.
- Accusation withdrawn immediately removed from the profile, but available for one year at the Board.

(This is not an all inclusive list, please visit the website to review the public disclosure document.)

Public Disclosure Laws



- Accusation dismissed immediately removed from the profile, but available indefinitely at the Board, as it is a public document.
- Disciplinary action:
 - Revocation, surrender, probation available on the profile indefinitely.
 - Public Reprimand/Public Letter of Reprimand available on the profile for 10 years, but available indefinitely at the Board, as it is a public document.

Public Disclosure Laws



- Administrative action:
 - Probationary License issued available on the profile while the individual is on probation, but available indefinitely at the Board, as it is a public document.
 - Citation Order available three years from the date it is resolved (if withdrawn or dismissed not available), then no longer public.
 - Public Letter of Reprimand issued at the time of licensure available on the website for three years, then no longer public.

Public Disclosure Laws



- Public Disclosure on the profile with no documents available:
 - Judgment/Arbitration Award
 - Malpractice Settlement (when the posting requirements are met)
 - Felony Conviction
 - Misdemeanor Conviction (when the posting requirements are met)
 - 805 Report of Termination or Revocation of Privileges
 - Out of State Action



THANK YOU!