

MEDICAL BOARD OF CALIFORNIA
LEGISLATIVE ANALYSIS

BILL NUMBER: SB 1451
 AUTHOR: Ashby
 CHAPTER: Chaptered, #481
 BILL DATE: August 26, 2024, Amended
 SUBJECT: Professions and Vocations
 SPONSOR: Author
 POSITION: Neutral

DESCRIPTION OF CURRENT LEGISLATION

This bill makes various changes to the Business and Professions Code (BPC). Does the following related to the Medical Board of California (Board):

- At the request of the Board, adds BPC section 2097.5 to establish an alternative renewal pathway for those initially renewing their Physician’s and Surgeon’s (P&S) License but have not yet received credit for 36 months of Board-approved postgraduate training.
- Prohibits any licensing board from charging an application or issuance fee related to a temporary license.
- Clarifies existing law to state that no person may use a term like “doctor,” “physician,” “D.O.,” “M.D.,” and related terms or letters that would indicate or imply to a reasonable patient in a healthcare setting that the person is a licensed physician. Authorizes someone to use “doctor” and “Dr.” if they are otherwise authorized elsewhere in the BPC.

IMPLEMENTATION TASKS

- Licensing staff to make appropriate changes to applications, forms and website content. In addition, inform training program contacts and update outreach materials, as appropriate (expected January 2025).
- Report in the Board’s newsletter (expected to be published in January 2025).

BACKGROUND

Under existing law (see [BPC section 2097](#)), a recently licensed physician must obtain credit for 36 months of Board-approved postgraduate training to renew their license. To create flexibility for licensees who need additional time to complete their training, the Board [approved a legislative proposal](#) in May 2024 that would create a renewal pathway to maintain their practice authority. Following that approval, staff developed the language with stakeholders and the Legislature to include it within SB 1451.

[BPC section 115.6](#) requires a licensing board to issue a temporary license to an individual who is married to, or in a domestic partnership or other legal union, with an active-duty member of the military. This section specifies the requirements for this temporary license and states the license is nonrenewable and will expire within 12 months or upon issuance of a standard or expedited license, whichever occurs first.

[BPC section 2054](#) generally prohibits the use of titles and initials (e.g., M.D., D.O., physician, and doctor) that indicate or imply that an individual is a physician unless they possess a current and valid license to practice medicine.

ANALYSIS

According to the author:

“This bill is intended to be an omnibus bill which includes several changes to programs reviewed through the sunset review oversight process. Among other important clarifying provisions, SB 1451 addresses a number of practice areas impacting the ability for female-dominant healthcare professions to effectively provide safe and expanded access to care to California patients.”

Although SB 1451 contains numerous substantive changes that impact various licensing boards, this analysis focuses on the provisions of SB 1451 that impact the Board.

Board-Sponsored Initial Licensure Renewal Pathway Option

The bill adds BPC section 2097.5 (see section 8 of SB 1451) to authorize someone to renew their P&S license if they are enrolled in a Board-approved training program at the time that their license expires for the first time even if they have not completed 36 months of Board-approved postgraduate training.

If such a licensee leaves their training program before obtaining credit for 36 months of Board-approved training, their license will be placed in delinquent status. Their license will be returned to current status if they complete the necessary training or return to a Board-approved training program.

At their second renewal, such a licensee must provide evidence to the Board that they have obtained credit for 36 months of Board-approved training. Failure to do so would cause their license to be placed in delinquent status.

Temporary Military Licensing Fees Prohibited

SB 1451 (see section 3) prohibits all licensing boards from charging an application or issuance fee to an individual seeking a temporary license who is married to, or in a domestic partnership or other legal union with, an active-duty member of the Armed Forces of the United States who is assigned to a duty station in California pursuant to

official active-duty orders. Such a license may be active for up to 12 months, or until the person obtains another license from their licensing board, whichever comes first. SB 1451 does not change any other requirements to obtain a temporary license.

Use of Terms Like “Doctor,” “Physician,” “M.D.,” and “D.O.”

The bill clarifies existing law (see section 7) by including the initial “D.O.” alongside prohibitions related to the misuse of the initials “M.D.” Clarifies that no one may use any terms or letters that indicate or imply that they are a physician in a health care setting that would lead a reasonable patient to believe that the person has a medical license.

Provides osteopathic medical school graduates the same authority to use terms/initials like “doctor” and “D.O.” that graduates of allopathic medical schools enjoy. Allows a licensed healthcare provider to use those terms if authorized by the law that granted them a license. Allows someone to use the terms/initials “doctor” and “Dr.” if they do not claim to practice medicine or another professional service in a manner that would be considered to be [false advertising of a product or service](#).

FISCAL: Possible minor revenue loss associated with the prohibition on charging fees related to temporary licenses.

SUPPORT: California Medical Association (*related to the addition of BPC section 2097.5 and amendments to BPC 2054*)
SEIU California (*related to the addition of BPC section 2097.5*)

OPPOSITION: American Association of Nurse Practitioners and Osteopathic Medical Board of California (*related to the amendments to BPC section 2054*)

ATTACHMENT: [SB 1451, Ashby – Professions and Vocations.](#)
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