

MEDICAL BOARD OF CALIFORNIA
LEGISLATIVE ANALYSIS

BILL NUMBER: AB 489
AUTHOR: Bonta
BILL DATE: April 10, 2025, Introduced
SUBJECT: Health Care Professions: Deceptive Terms or Letters:
Artificial Intelligence
SPONSOR: SEIU California and California Medical Association

DESCRIPTION OF CURRENT LEGISLATION:

Prohibits artificial intelligence systems or similar technologies from misrepresenting “themselves” as licensed health professionals.

BACKGROUND:

[Business and Professions Code \(BPC\) section 125.5](#) authorizes a board within the Department of Consumer Affairs (DCA), with the approval of the DCA director, to request that the relevant superior court enjoin a person who has engaged or is about to engage in any act that would violate the law administered by that board.

Within the Medical Practice Act, BPC sections [2052](#) and [2054](#) prohibit an individual from practicing medicine without a license or inappropriately representing that they are a physician (or use related terms/initials like M.D.), respectively. [BPC section 2400](#) bars the corporate practice of medicine and states that corporations or other artificial legal entities have no professional rights, privileges, or powers.

[Government Code section 11546.45.5](#) defines artificial intelligence to mean “an engineered or machine-based system that varies in its level of autonomy and that can, for explicit or implicit objectives, infer from the input it receives how to generate outputs that can influence physical or virtual environments.”

[GC section 11549.64](#) defines “generative artificial intelligence” or “GenAI” to mean an artificial intelligence system that can generate derived synthetic content, including text, images, video, and audio that emulates the structure and characteristics of the system’s training data.

ANALYSIS:

According to the author’s fact sheet:

“Programs and chatbots powered by artificial intelligence have exploded in popularity. Because AI systems can now produce natural-sounding language, and because these systems are trained on a vast amount of information,

including health-related information, they can convincingly mimic a health professional. Without proper safeguards, this capability can pose a danger to consumers in both health and non-health applications, especially to children and individuals with low health and/or digital literacy.”

AB 489 extends the enforceability of existing title protections for various licensed health care professions so that a healing arts board may expressly apply them against a person or entity who develops or deploys artificial intelligence technologies that falsely indicate or imply possession of a license to practice a health care profession.

Similarly, it prohibits using these technologies to indicate or imply that the care or advice offered is provided by a natural person in possession of the appropriate license. Each healing arts board would be authorized to take enforcement action for violations of the related practice act (e.g., the Board of Psychology related to impersonations of a licensed psychologist).

The staff of the Medical Board of California (Board) believe that the conduct described in AB 489 is already prohibited by the Medical Practice Act, with respect to the practice of medicine. Accordingly, the Board is already authorized to take enforcement action related to the activity described in the bill.

Consideration of a Board Position

Although AB 489 is not expected to expand the Board’s existing authority, it would for other healing arts boards if their relevant practice act does not have the authority provided to the Board through the Medical Practice Act. Laudably, AB 489 further reinforces and clarifies that only licensed physicians should claim to be a physician or attempt to practice medicine. Accordingly, staff recommend the Board adopt a Support position.

FISCAL: Minor, one-time costs to create new BreEZe codes to track related complaints and investigations. The bill highlights inappropriate use of artificial intelligence, possibly leading to an unknown increase in complaint volume and costs.

SUPPORT: American Association of Clinical Urologists
 American College of Obstetricians & Gynecologists - District Ix
 California Academy of Child and Adolescent Psychiatry
 California Alliance of Child and Family Services
 California Association of Orthodontists
 California Board of Psychology
 California Chapter of The American College of Emergency Physicians
 California Dental Association
 California Nurses Association
 California Orthopedic Association

California Psychological Association
California Radiological Society
California Retired Teachers Association
California Youth Empowerment Network
County Behavioral Health Directors Association (CBHDA)
Kaiser Permanente
Oakland Privacy
SEIU California State Council
Steinberg Institute

OPPOSITION: None received.

POSITION: Recommendation: Support

ATTACHMENT: [AB 489, Bonta. Health Care Professions: Deceptive Terms or Letters: Artificial Intelligence.](#)
Version: 4/10/25 – Amended