

# MEDICAL BOARD OF CALIFORNIA LEGISLATIVE ANALYSIS

BILL NUMBER: SB 508  
AUTHOR: Valladares  
BILL DATE: April 3, 2025, Amended  
SUBJECT: Out-of-State Physicians and Surgeons: Telehealth: License Exemption  
SPONSOR: California Senior Legislature

## DESCRIPTION OF CURRENT LEGISLATION

Expands the existing exemption that allows certain out-of-state physicians to treat a California patient, via telehealth, who has a disease or condition that is immediately life-threatening without obtaining a California medical license. Under SB 508, a patient could continue to see the same physician if their immediately life-threatening disease or condition is in remission.

## BACKGROUND

[Business and Professions Code \(BPC\) section 2051](#) authorizes the holder of a physician's and surgeon's (P&S) license to treat patients in this state. [BPC section 2052](#) states that it is a crime to treat the sick or afflicted in this state without a license from the Medical Board of California (Board) or other appropriate state entity.

[BPC section 2060](#) authorizes an out-of-state physician to consult with a Board-licensed physician provided they do not have ultimate authority over the care or primary diagnosis of a patient located in California.

BPC sections [2135](#) and [2135.5](#) provide two pathways for out-of-state physicians to obtain a license to treat patients in this state.

[BPC section 2052.5](#) authorizes a California patient who has an immediately life-threatening disease or condition, as defined, to receive medical care via telehealth from a physician licensed in another state, without a California medical license, in good standing with no history of prior discipline, if they have medical expertise in the patient's illness.

## ANALYSIS

According to the author:

"Providing cancer patients with more flexibility in accessing specialized medical care through telehealth services, potentially allows them to consult with physicians who have specific expertise in their type of cancer, regardless of their geographical location."

SB 508 authorizes an individual who received care pursuant to BPC section 2052.5 to continue to receive care from the same out-of-state physician, even if their disease or condition is in remission.

### **Existing Options for Out-of-State Physicians to Treat Californians**

Any eligible physician may obtain a license by the Board and be authorized to treat patients in this state, including via telehealth when appropriate. Licensure is a vital form of consumer protection as it ensures that physicians practicing in California have met the relevant statutory requirements to treat patients in this state and provides the Board jurisdiction over the physician's license.

Without the requirement for licensure, the Board would be unaware of those who treat patients in this state and would be unable to take disciplinary action against a physician who fails to treat their patients appropriately.

### **Consideration of a Board Position**

Although SB 508 authorizes a modest expansion of existing law, exemptions from licensure requirements increases the risk that a patient will not be treated within the standard of care. Accordingly, Board staff recommend an Oppose position.

FISCAL: None identified.

SUPPORT: American Cancer Society Cancer Action Network  
ATA Action  
Health Access of California  
Pacific Legal Foundation

OPPOSITION: None identified.

POSITION: Recommendation: Oppose.

ATTACHMENT: [SB 508, Valladares. Out-of-State Physicians and Surgeons: Telehealth: License Exemption](#)  
Version: 4/3/25 – Amended