

MEDICAL BOARD OF CALIFORNIA
LEGISLATIVE ANALYSIS

BILL NUMBER: SB 641
AUTHOR: Ashby
BILL DATE: April 9, 2025, Amended
SUBJECT: Department of Consumer Affairs and Department of
Real Estate: States of Emergency: Waivers and
Exemptions
SPONSOR: Author

DESCRIPTION OF CURRENT LEGISLATION:

Authorizes the licensing boards within the Department of Consumer Affairs (DCA) and the Department of Real Estate to waive the application of specified licensure requirements for their licensees and applicants impacted by a declared federal, state, or local emergency or whose home or business is in a “disaster area,” as defined.

Includes other provisions beyond the jurisdiction of the Medical Board of California (Board) intended to address predatory practices by prohibiting a person from making an unsolicited purchase offer in a disaster area and establishes timelines and certifications for appropriate debris removal.

SB 641 is an urgency bill, which, if signed into law, would take effect immediately.

BACKGROUND:

Existing law does not authorize the Board to waive a provision of the Medical Practice Act related to an emergency.

Current law grants the Governor authority to proclaim a state of emergency and waive various provisions of law related to that emergency. During the COVID-19 pandemic, for example, the Governor issued an [executive order on March 30, 2020](#), that authorized the DCA Director to waive professional licensing requirements during the duration of the proclaimed emergency. [The first such DCA order](#), for example, waived continuing education requirements related to licensure renewal during a specific timeframe. [Numerous DCA orders](#) were issued during the pandemic related to the applicants and licensees of the various boards.

Following the southern California wildfires that struck in January 2025, the Governor [proclaimed a state of emergency](#). On January 29, 2025, [the Governor issued an executive order](#) that postponed for one year the license renewal fees for licenses issued by boards within DCA, if the impacted licensees’ residential or business address is within specified areas.

[Business and Professions Code section \(BPC\) 4062](#) grants the California State Board of Pharmacy (CSBOP) authority “[d]uring a declared federal, state, or local emergency, the board may waive application of any provisions of this chapter or the regulations adopted pursuant to it if, in the board’s opinion, the waiver will aid in the protection of public health or the provision of patient care.” That section grants additional related authority and authorizes the waivers to continue until up to 90 days following the termination of the emergency, if CSBOP believes the waiver will aid in the protection of the public health or in the provision of patient care.

ANALYSIS:

This analysis only addresses the provisions of SB 641 that impact the Board.

According to the author’s fact sheet:

“When disasters strike, licensed professionals in affected areas face significant barriers to maintaining their ability to work. Current law does not consider disruptions caused by emergencies, leaving professionals at risk of losing their licenses due to their inability to meet renewal deadlines, mandatory fees, and continuing education requirements. These barriers are especially harmful when disaster survivors rely on these skilled professionals to rebuild.

SB 641 will authorize licensing programs to waive certain requirements for individuals in disaster areas during a state of emergency. This will help professionals maintain their licensure status, ensuring they can continue to work without facing administrative burdens.”

Authority Granted to Waive Certain Licensure Requirements

This bill proposes to add BPC section 108.1, which defines, for these purposes, “disaster area” to mean an area for which a federal, state, or local emergency or disaster has been declared.

To mitigate the impacts of such a disaster or emergency on licensees of the various boards, this new section authorizes any board within the jurisdiction of DCA to waive certain licensure laws that a board enforces for licensees and applicants impacted by a declared federal, state, or local emergency or whose home or business is located in a disaster area. A board would be authorized to temporarily waive laws related to the following licensing topics:

- Examination eligibility and timing requirements.
- Licensure renewal deadlines.
- Continuing education completion deadlines.
- License display requirements.
- Fee submission timing requirements.
- Delinquency fees.

The bill requires the waiver to extend for at least one year after the end of the declared emergency or disaster. Each board may determine on its own how long these waivers may last beyond one year after the end of a declared disaster or emergency.

Limitation on Authority to Charge a Fee to Replace a Wall Certificate

SB 641 also amends [BPC section 122](#) which authorizes a board to charge a fee to process and issue a duplicate copy of a certificate, or similar proof, of licensure. The Board provides an [electronic wallet card for free](#), but charges a fee to produce a duplicate wall certificate. Under this bill, a board would be prohibited from charging any such fees to a licensee impacted by a declared emergency or disaster or whose home or business is in a declared emergency/disaster area. The amended section, however, does not indicate when a board may resume charging a fee to affected licensees.

Change of Mailing Address Reporting Requirement Paused

Additionally, SB 641 amends [BPC section 136](#) (which is similar to [BPC section 2021](#) in the Medical Practice Act) to require a licensee to update their mailing address (i.e., address of record) with their relevant board within 30 days of changing it. The proposed amendment states that the requirement to change their mailing address within 30 days does not apply to a licensee whose home or business mailing address is in a declared emergency/disaster area. The proposed amendments, however, do not provide a timeframe for when that address reporting requirement will resume.

As Currently Drafted, Regulations Needed

Board staff anticipate that regulations would be necessary to address, at minimum, the following topics:

- Clarify when the Board may resume charging a fee to replace a wall certificate, as described above.
- Clarify when licensees must resume reporting their mailing address, as described above.

Consideration of a Board Position

SB 641 provides authority to the various DCA boards to support their applicants and licensees during an emergency situation, which is a laudable goal. To avoid confusion amongst the various health professions (e.g., osteopathic physicians v. allopathic physicians), it will be important for each board to communicate clearly and consistently on how it uses this authority. The bill provides the Board flexibility to help licensees endure emergency situations and promote access to care, which furthers the Board's mission of consumer protection.

To further the purposes of the bill, Board staff recommend the Board adopt a Support, if Amended position to seek the following changes:

- Authorize a designee (e.g., the Executive Director) of the Board to determine whether and how to exercise the authority to waive licensing laws.
- Provide licensing boards with more flexibility to determine the length of time to waive licensing laws, as specified above. A minimum length of time for these waivers is one year, which may be too long, depending upon the circumstances.
- Authorize a designee (e.g., the Executive Director) of the licensing boards to determine when impacted licensees must resume paying to replace proof of licensure (as specified in BPC section 122) and report their change of address (as specified in BPC section 136).

In addition, if those changes are made to the bill, then regulations would not be required.

FISCAL: Minor one-time costs related to undertaking the rulemaking process and updating the delegated authority agreement between the Board and the Executive Director.

The cost related to exercising the authority granted under SB 641 is dependent upon how it is used in the future, and, therefore, is unknown.

SUPPORT: California Association of Licensed Investigators
CSBOP
Contractors State License Board

OPPOSITION: None received.

POSITION: Recommendation: Support, if Amended.

ATTACHMENT: [SB 641, Ashby. Department of Consumer Affairs and Department of Real Estate: States of Emergency: Waivers and Exemptions.](#)
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