

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  
POSITION: Oppose

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.

**SB 508 has not been amended since the Medical Board of California (Board) adopted its position of Oppose and is not expected to move forward this year.**

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 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.

FISCAL: None identified.

SUPPORT: American Cancer Society Cancer Action Network  
American Telemedicine Association Action  
County of Los Angeles Board of Supervisors  
Health Access of California  
Pacific Legal Foundation

OPPOSITION: Association of Northern California Oncologists  
California Medical Association  
Medical Oncology Association of Southern California  
Osteopathic Medical Board of California

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