



MEMORANDUM

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| DATE | April 6, 2022 |
| TO | Board Members |
| FROM | Mark Ito Executive Director |
| SUBJECT | 2022 Legislative Proposals – Agenda Item 11.B. |

ELIMINATION OF THE OMBC'S PRORATED LICENSURE

Background:

Business and Professions Code (BPC) section 2456.1, states, "All osteopathic physician's and surgeon's certificates shall expire at 12 midnight on the last day of the birth month of the licensee during the second year of a two-year term if not renewed on or before that day.

The board shall establish by regulation procedures for the administration of a birth date renewal program, including, but not limited to, the establishment of a system of staggered license expiration dates such that a relatively equal number of licenses expire monthly.

To renew an unexpired license, the licensee shall, on or before the dates on which it would otherwise expire, apply for renewal on a form prescribed by the board and pay the prescribed renewal fee."

The Board's current law requires the Board to issue licenses using the prorated language identified in BPC section 2456.1. The intent of the prorated licensure was to establish a system of staggered expiration dates so that license renewals were equitably distributed throughout the year.

Issue:

Senate Bill (SB) 806 was signed by the Governor on October 7, 2021. SB 806 made significant changes to the Board's licensing requirements. One of the significant changes is the requirement that licensees demonstrate completion of 36 months of postgraduate training at the time of their initial renewal. This requirement creates an issue due to the Board's

prorated licensure process. Since a licensee's initial licensure will range from 13-24 months depending on their birthdate, most licensees will not have completed 36 months of postgraduate training at the time of their initial renewal. This requires the Board to manually input modifiers in the BreEZe system to track when a licensee needs to demonstrate the 36 months of postgraduate training. This is a significant workload increase for the Board.

The Board believes that eliminating the prorated licensure process for the Board would allow the Board to comply with SB 806, create a workload decrease for the Board and increase consumer satisfaction.

Suggested Change in Statute

Business and Professions Code section 2456.1:

"All osteopathic physician's and surgeon's certificates shall be issued for 2 years and shall expire at 12 midnight on the last day of the ~~birth~~ month the license was issued of the licensee during the second year of a two-year term if not renewed on or before that day.

~~The board shall establish by regulation procedures for the administration of a birth date renewal program, including, but not limited to, the establishment of a system of staggered license expiration dates such that a relatively equal number of licenses expire monthly.~~

To renew an unexpired license, the licensee shall, on or before the dates on which it would otherwise expire, apply for renewal on a form prescribed by the board and pay the prescribed renewal fee."

Requested Action:

To approve the proposed 2022 legislative proposal below. Upon approval by the Board Members, Board staff will contact the Legislature to seek authors for this proposal.