

Introduced by Senator Limón

(Principal coauthor: Assembly Member Aguiar-Curry)

December 7, 2020

An act to amend Sections 2190.3, 3524.5, and 4996.22 of the Business and Professions Code, relating to dementia.

LEGISLATIVE COUNSEL'S DIGEST

SB 48, as introduced, Limón. Dementia and Alzheimer's disease.

(1) Existing law, the Medical Practice Act, provides for the licensure and regulation of physicians and surgeons by the Medical Board of California. Under the act, a physician and surgeon is required to demonstrate satisfaction of continuing education requirements, including, for certain general internists and family physicians, prescribed hours in a course in the field of geriatric medicine or the care of older patients.

This bill would require all general internists and family physicians to complete at least 4 hours of mandatory continuing education on the special care needs of patients with dementia.

(2) Existing law, the Physician Assistant Practice Act, authorizes the Physician Assistant Board (PAB) to require a licensee to complete not more than 50 hours of continuing education every 2 years as a condition of license renewal.

This bill would require the PAB to adopt regulations to require each person renewing their license, as a condition of license renewal, to complete at least 10 hours of continuing education on the special care needs of patients with dementia.

(3) Existing law, the Clinical Social Worker Practice Act, provides for the licensure and regulation of clinical social workers by the Board of Behavioral Sciences (BBS). The act prohibits renewal of a license

unless the applicant certifies to the BBS that the license has completed not less than 36 hours of approved continuing education in, or relevant to, the field of social work in the preceding 2 years.

This bill would require the BBS, by regulation, to require the continuing education requirement under the act to include at least 4 hours of continuing education on the special care needs of patients with dementia. By expanding the scope of the crime of perjury, the bill would impose a state-mandated local program.

(4) Existing law authorizes the establishment of diagnostic and treatment centers for Alzheimer’s disease. Existing law also establishes a grant program for the purpose of research into the causes, treatment, cure, strategies for coping with, prevention, incidence, and prevalence of Alzheimer’s disease and related disorders.

This bill would state the intent of the Legislature to enact legislation to ensure that individuals living with dementia and Alzheimer’s disease receive a timely diagnosis through, among other things, the training of medical providers and leveraging available federal resources.

(5)The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. It is the intent of the Legislature to enact
2 legislation to ensure that individuals living with dementia and
3 Alzheimer’s disease receive a timely diagnosis through, among
4 other things, the training of medical providers and leveraging
5 available federal resources.

6 SEC. 2. Section 2190.3 of the Business and Professions Code
7 is amended to read:

8 2190.3. (a) All general internists and family physicians who
9 have a patient population of which over 25 percent are 65 years
10 of age or older shall complete at least 20 percent of all mandatory
11 continuing education hours in a course in the field of geriatric
12 medicine or the care of older patients.

1 (b) All general internists and family physicians shall complete
2 at least four hours of mandatory continuing education on the
3 special care needs of patients with dementia.

4 SEC. 3. Section 3524.5 of the Business and Professions Code
5 is amended to read:

6 3524.5. (a) The board may require a licensee to complete
7 continuing education as a condition of license renewal under
8 Section 3523 or 3524. The board shall not require more than 50
9 hours of continuing education every two years. The board shall,
10 as it deems appropriate, accept certification by the National
11 Commission on Certification of Physician Assistants (NCCPA),
12 or another qualified certifying body, as determined by the board,
13 as evidence of compliance with continuing education requirements.

14 (b) (1) The board shall adopt regulations to require that, on and
15 after January 1, 2022, all continuing education courses for licensees
16 under this chapter contain curriculum that includes the
17 understanding of implicit bias.

18 (2) Beginning January 1, 2023, continuing education providers
19 shall ensure compliance with paragraph (1).

20 (3) Beginning January 1, 2023, the board shall audit continuing
21 education providers at least once every five years to ensure
22 adherence to regulatory requirements, and shall withhold or rescind
23 approval from any provider that is in violation of the regulatory
24 requirements.

25 (c) Notwithstanding the provisions of subdivision (b), a
26 continuing education course dedicated solely to research or other
27 issues that does not include a direct patient care component is not
28 required to contain curriculum that includes implicit bias in the
29 practice of physician assistants.

30 (d) In order to satisfy the requirements of subdivision (a),
31 continuing education courses shall address at least one or a
32 combination of the following:

33 (1) Examples of how implicit bias affects perceptions and
34 treatment decisions of physician assistants, leading to disparities
35 in health outcomes.

36 (2) Strategies to address how unintended biases in
37 decisionmaking may contribute to health care disparities by shaping
38 behavior and producing differences in medical treatment along
39 lines of race, ethnicity, gender identity, sexual orientation, age,
40 socioeconomic status, or other characteristics.

1 (e) *The board shall adopt regulations to require each person*
2 *renewing their license, as a condition of license renewal under*
3 *Section 3523 or 3524, to complete at least 10 hours of continuing*
4 *education on the special care needs of patients with dementia.*

5 SEC. 4. Section 4996.22 of the Business and Professions Code
6 is amended to read:

7 4996.22. (a) (1) Except as provided in subdivision (c), the
8 board shall not renew any license pursuant to this chapter unless
9 the applicant certifies to the board, on a form prescribed by the
10 board, ~~that he or she~~ *the licensee* has completed not less than 36
11 hours of approved continuing education in or relevant to the field
12 of social work in the preceding two years, as determined by the
13 ~~board.~~ *board, including, but not limited to, the continuing education*
14 *requirement imposed pursuant to subdivision (k).*

15 (2) The board shall not renew any license of an applicant who
16 began graduate study prior to January 1, 2004, pursuant to this
17 chapter unless the applicant certifies to the board that during the
18 applicant's first renewal period after the operative date of this
19 section, ~~he or she~~ *the applicant* completed a continuing education
20 course in spousal or partner abuse assessment, detection, and
21 intervention strategies, including community resources, cultural
22 factors, and same gender abuse dynamics. On and after January
23 1, 2005, the course shall consist of not less than seven hours of
24 training. Equivalent courses in spousal or partner abuse assessment,
25 detection, and intervention strategies taken prior to the operative
26 date of this section or proof of equivalent teaching or practice
27 experience may be submitted to the board and at its discretion,
28 may be accepted in satisfaction of this requirement. Continuing
29 education courses taken pursuant to this paragraph shall be applied
30 to the 36 hours of approved continuing education required under
31 paragraph (1).

32 (b) The board shall have the right to audit the records of any
33 applicant to verify the completion of the continuing education
34 requirement. Applicants shall maintain records of completion of
35 required continuing education coursework for a minimum of two
36 years and shall make these records available to the board for
37 auditing purposes upon request.

38 (c) The board may establish exceptions from the continuing
39 education requirement of this section for good cause as defined
40 by the board.

1 (d) The continuing education shall be obtained from one of the
2 following sources:

3 (1) An accredited school of social work, as defined in Section
4 4991.2, or a school or department of social work that is a candidate
5 for accreditation by the Commission on Accreditation of the
6 Council on Social Work Education. Nothing in this paragraph shall
7 be construed as requiring coursework to be offered as part of a
8 regular degree program.

9 (2) Other continuing education providers, as specified by the
10 board by regulation.

11 (e) The board shall establish, by regulation, a procedure for
12 identifying acceptable providers of continuing education courses,
13 and all providers of continuing education, as described in
14 paragraphs (1) and (2) of subdivision (d), shall adhere to the
15 procedures established by the board. The board may revoke or
16 deny the right of a provider to offer continuing education
17 coursework pursuant to this section for failure to comply with this
18 section or any regulation adopted pursuant to this section.

19 (f) Training, education, and coursework by approved providers
20 shall incorporate one or more of the following:

21 (1) Aspects of the discipline that are fundamental to the
22 understanding, or the practice, of social work.

23 (2) Aspects of the social work discipline in which significant
24 recent developments have occurred.

25 (3) Aspects of other related disciplines that enhance the
26 understanding, or the practice, of social work.

27 (g) A system of continuing education for licensed clinical social
28 workers shall include courses directly related to the diagnosis,
29 assessment, and treatment of the client population being served.

30 (h) The continuing education requirements of this section shall
31 comply fully with the guidelines for mandatory continuing
32 education established by the Department of Consumer Affairs
33 pursuant to Section 166.

34 (i) The board may adopt regulations as necessary to implement
35 this section.

36 (j) The board shall, by regulation, fund the administration of
37 this section through continuing education provider fees to be
38 deposited in the Behavioral Sciences Fund. The fees related to the
39 administration of this section shall be sufficient to meet, but shall
40 not exceed, the costs of administering the corresponding provisions

1 of this section. For purposes of this subdivision, a provider of
2 continuing education as described in paragraph (1) of subdivision
3 (d) shall be deemed to be an approved provider.

4 *(k) The board, by regulation, shall require the continuing*
5 *education pursuant to subdivision (a) to include at least four hours*
6 *of continuing education on the special care needs of patients with*
7 *dementia.*

8 SEC. 5. No reimbursement is required by this act pursuant to
9 Section 6 of Article XIII B of the California Constitution because
10 the only costs that may be incurred by a local agency or school
11 district will be incurred because this act creates a new crime or
12 infraction, eliminates a crime or infraction, or changes the penalty
13 for a crime or infraction, within the meaning of Section 17556 of
14 the Government Code, or changes the definition of a crime within
15 the meaning of Section 6 of Article XIII B of the California
16 Constitution.