

**PHYSICIAN ASSISTANT BOARD**  
**FINAL STATEMENT OF REASONS**

Hearing Date: August 10, 2018

Subject Matter of Proposed Regulations: Renewal of License

Sections Affected: 1399.514 of Title 16 of the California Code of Regulations

Updated Information

The Initial Statement of Reasons is included in the file. No changes have been made which would warrant a change of the Informative Digest contained in the Notice for Section 1399.514.

Local Mandate

A mandate is not imposed on local agencies or school districts.

Small Business Impact

This regulation will not have a significant adverse economic impact on small businesses. This determination is based on the following facts or evidence/documents/testimony:

There is no business impact because this proposed regulation would reduce or eliminate the infractions licensees would be required to disclose as a condition of license renewal. Criminal infractions not involving drugs or alcohol that resulted in a fine of at least \$300 but less than \$500 would no longer have to be reported. The Board estimates that approximately 10% of convictions reported by licensees involve traffic infractions, which was approximately ten (10) licensees. Licensees affected by this proposal could save minor costs currently associated with reporting infractions if this regulatory proposal is adopted, such as the cost to obtain certified copies of court documents and postage. These costs may be incurred by licensees after the reporting of a criminal conviction since these documents may be requested as part of the Board's inquiry and investigation following disclosure of the conviction to the Board.

Anticipated Benefits of this Proposal

This regulatory proposal will allow licensees to not have to disclose minor infractions unrelated to the practice of medicine, such as moving traffic violations that do not include drugs or alcohol. Licensees could save minor costs currently associated with reporting infractions if this regulatory proposal is adopted, such as the cost to obtain certified copies of court documents and postage. These costs may be incurred by

licensees after the reporting of a criminal conviction since these documents may be requested as part of the Board's inquiry and investigation following disclosure of the conviction to the Board. The Board would continue to receive disclosures of those convictions that may be substantially related to the practice of physician assistants. Consumers would continue to be protected from physician assistants who have convictions that relate to the practice of medicine since licensees must report any conviction, including a verdict of guilty, a guilty plea or no contest, of a felony or misdemeanor to the Board within thirty (30) days of the occurrence pursuant to section 1399.521.5 of Title 16 of the California Code of Regulations (Section 1399.521.5).

### Consideration of Alternatives

No alternative considered by the agency would be more effective in carrying out the purpose for which the regulation is proposed, would be as effective and less burdensome to affected private persons than the adopted regulation, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Set forth below are the reasons for rejecting any proposed alternatives that would lessen the adverse economic impact on small business:

1. Not amend the regulation: This alternative was rejected because Section 1399.514 has a current threshold reporting of infractions at \$300 which was too low and resulted in the Board receiving disclosures for convictions, such as minor traffic violations, that would not be considered substantially related crimes.
2. Amend the regulation: The Board determined that subdivision (a) of this section should be amended to increase the threshold amount for reporting convictions as a condition of renewal. The Board determined that the current \$300 threshold is too low and was resulting in the Board receiving disclosures for convictions, such as minor traffic violations, that would not be considered substantially related crimes.

### Objections or Recommendations/Responses

There were no comments, objections, or recommendations concerning the proposed amendment during the 45-day Notice period, or at the August 10, 2018 public hearing.

### Finding of Necessity

There are no reports required by this regulatory proposal.

### Incorporation by Reference

There are no documents incorporated by reference.