

## Title 16. Physician Assistant Board

### Proposed Language

#### To Amend § 1399.525 in Article 2 of Division 13.8 of Title 16 of the California Code of Regulations to read as follows:

#### § 1399.525. Substantial Relationship Criteria.

(a) For the purposes of the denial, suspension or revocation of a license pursuant to section 141 or division 1.5 (commencing with section 475) of the code, a crime, professional misconduct, or act shall be considered to be substantially related to the qualifications, functions or duties of a person holding a license under the Physician Assistant Practice Act if to a substantial degree it evidences present or potential unfitness of a person holding such a license to perform the functions authorized by the license in a manner consistent with the public health, safety or welfare. Such crimes or acts shall include, but are not limited to, the following:

(b) In making the substantial relationship determination required under subdivision (a) for a crime, the board shall consider the following criteria:

(1) The nature and gravity of the offense;

(2) The number of years elapsed since the date of the offense; and,

(3) The nature and duties of a physician assistant.

(c) For purposes of subdivision (a), substantially related crimes, professional misconduct, or acts shall include, but are not limited to, the following:

~~(a)~~(1) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate any provision or term of the Medical Practice Act.

~~(b)~~(2) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate any provision or term of the Physician Assistant Practice Act or other state or federal laws governing the practice of physician assistants.

~~(e)~~(3) A conviction of child abuse.

~~(d)~~(4) Conviction as a sex offender.

~~(e)~~(5) Any crime, professional misconduct, or act involving the sale, gift, administration, or furnishing of narcotics or dangerous drugs or dangerous devices, as defined in Section 4022 of the code.

~~(f)~~(6) Conviction for assault and/or battery.

~~(g)~~(7) Conviction of a crime involving lewd conduct.

~~(h)~~(8) Conviction of a crime involving fiscal dishonesty.

~~(i)~~(9) Conviction for driving under the influence of drugs or alcohol.

Note: Authority cited: Sections 481, 493, 2018 and 3510, Business and Professions Code.

Reference cited: Sections 141, 480, 481, 490, 493, 3527 and 3531, Business and Professions Code.