

**State of California
Office of Administrative Law**

In re:
Physician Assistant Board

Regulatory Action:

Title 16, California Code of Regulations

Amend section: 1399.616

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

Government Code Section 11349.3

OAL Matter Number: 2021-1213-03

OAL Matter Type: Regular (S)

In this regular rulemaking, the Physician Assistant Board is adopting regulations to require any continuing medical education course with a direct patient care component to contain curriculum that includes an understanding of implicit bias pursuant to Business and Professions Code section 3524.5.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 4/1/2022.

Date: January 25, 2022



**Steven J. Escobar
Senior Attorney**

**Original: Rozana Khan, Executive Officer
Copy: Jasmine Dhillon**

**For: Kenneth J. Pogue
Director**

REGULAR

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2021-0329-02	REGULATORY ACTION NUMBER 2021-1213-03	EMERGENCY NUMBER 5
For use by Office of Administrative Law (OAL) only			
OFFICE OF ADMINISTRATIVE LAW Electronic Submission		OFFICE OF ADMIN. LAW 2021 DEC 13 PM 1:55	
RECEIVED DATE 3/25/2021	PUBLICATION DATE 4/9/2021		
NOTICE		REGULATIONS	
AGENCY WITH RULEMAKING AUTHORITY Physician Assistant Board			AGENCY FILE NUMBER (If any)

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

JAN 25 2022
2:03 PM

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER 2021, No. 15-2	PUBLICATION DATE 4/9/2021

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Implicit Bias - CME	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND 1399.616
	REPEAL
TITLE(S) 16	

3. TYPE OF FILING			
<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Other (Specify)	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) Effective on filing with Secretary of State \$100 Changes Without Regulatory Effect Effective other (Specify)

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

Department of Finance (Form STD. 399) (SAM §6660) Fair Political Practices Commission State Fire Marshal

Other (Specify) **Kimberly Kirchmeyer, Director, Department of Consumer Affairs**

7. CONTACT PERSON Jasmine Dhillon	TELEPHONE NUMBER (279) 666-2838	FAX NUMBER (Optional) (916) 263-2671	E-MAIL ADDRESS (Optional) jasmine.dhillon@dca.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Rozana Khan</i>	DATE 12/6/2021
TYPED NAME AND TITLE OF SIGNATORY Rozana Khan, Executive Officer	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

JAN 25 2022

Office of Administrative Law

Per agency's request: SE 12/14/2021

PHYSICIAN ASSISTANT BOARD

ORDER OF ADOPTION

Amend section 1399.616 of Article 8 of Division 13.8 of Title 16 of the California Code of Regulations to read as follows:

1399.616. Approved Continuing Medical Education Programs

- (a) Programs are approved by the Board for continuing medical education if they meet the requirements of subdivision (b) and are designated as Category I (Preapproved) by one of the following sponsors:
- (1) American Academy of Physician Assistants (AAPA).
 - (2) American Medical Association (AMA).
 - (3) American Osteopathic Association Council on Continuing Medical Education (AOACCME).
 - (4) American Academy of Family Physicians (AAFP).
 - (5) Accreditation Council for Continuing Medical Education (ACCME).
 - (6) A state medical society recognized by the ACCME.
- (b) Beginning January 1, 2022, any continuing medical education course that includes a direct patient care component shall include curriculum that includes an understanding of implicit bias pursuant to section 3524.5 of the Code.
- (c) Continuing medical education obtained from a program other than those specified in subdivision (a) shall not satisfy the continuing education requirement in subdivision (a) of section 1399.615.

NOTE: Authority cited: Section 3510, Business and Professions Code. Reference: Section 3524.5, Business and Professions Code.