

DEPARTMENT OF CONSUMER AFFAIRS
TITLE 16. PHYSICIAN ASSISTANT BOARD

PROPOSED REGULATORY LANGUAGE
Retired Status Updates and Returned Fingerprint Requirement

Legend: Added text is indicated with an <u>underline</u> . Deleted text is indicated by strikeout .
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Amend Sections 1399.507 and 1399.515 of Article 1 of Division 13.8 of Title 16 of the California Code of Regulations to read as follows:

§ 1399.507. Examination Required.

The written examination for initial licensure as a physician assistant is that administered by the National Commission on Certification of Physician Assistants (NCCPA) entitled “Physician Assistant National Certifying Examination” (PANCE). Successful completion requires that the applicant ~~has~~ve achieved the passing score established by the ~~board~~NCCPA for that examination. It is the responsibility of the applicant to ensure that certification of ~~his or her~~their examination score is received by the board.

The written examination for a licensee who has been in retired status for more than five years and seeks a new, active license from the Board to practice as a physician assistant is the examination specified in Section 1399.515.

NOTE: Authority cited: Section 3510, Business and Professions Code. Reference: Sections 851, ~~3515, 3509, 3521.3,~~ and 3517, Business and Professions Code.

§ 1399.515. Retired Status.

(a) The board shall issue, upon receipt of a completed Application for Retired Status (Form PAB-RET, ~~044/1925~~), which is hereby incorporated by reference, a retired license to a physician assistant who meets all of the following requirements:

(1) The applicant has been licensed by the board and is not actively engaged in practice as a physician assistant or any activity that requires them to be licensed by the board.

(2) The applicant’s physician assistant license is not canceled, suspended, revoked, or otherwise punitively restricted by the board or subject to disciplinary action by the board under the Medical Practice Act (commencing with Section 2000 of the Code), Physician Assistant Practice Act (commencing with Section 3500 of the Code), or regulations adopted pursuant to those practice acts, ~~and by the board.~~

~~(3) Beginning one (1) year from the effective date of this regulation,~~ The applicant's license is not delinquent. If the license is in a delinquent status, the applicant may satisfy this requirement by submitting payment for all outstanding fees with the retirement status application. For the purposes of this subsection, "outstanding fees" includes all accrued renewal fees, a seventy-five dollar (\$75) delinquency fee, and the mandatory fee for the Controlled Substance Utilization Review and Evaluation System (CURES) as set forth in Section 208 of the Code.

(b) The holder of a retired license:

(1) Shall be exempt from the renewal requirements described in Section 3524.5 of the Code.

(2) May restore their license to active status within five years of being issued a retired license by:

(A) complying with the renewal requirements set forth in Section 1399.514,

(B) submitting proof of completion of continuing medical education (CME) as set forth in Section 1399.615 or proof of certification by the National Commission on Certification of Physician Assistants,

(C) submitting the license renewal fee as set forth in Section 1399.550, and

(D) submitting the mandatory fee for the Controlled Substance Utilization Review and Evaluation System (CURES) as set forth in Section 208 of the Code, and,

(E) on written request of the Board, furnishing to the Department of Justice a full set of fingerprints for the purposes of conducting criminal history record checks pursuant to Section 144 of the Code. Submission of fingerprints shall only be requested by the Board if an electronic record of the submission of the individual's fingerprints does not exist in the Department of Justice's criminal offender identification database.

(c) The board may upon its own determination, and shall upon receipt of a complaint from any person, investigate the actions of any licensee who may be in violation of this section.

(d) (1) If a licensee who has been in retired status for more than five years seeks an active license, the individual may apply for a new license by meeting the requirements of Section 1399.506, with the exception of the requirement to show passage of the PANCE written examination for applicants for initial licensure specified in Section 1399.507. In lieu of the passage of the PANCE, a licensee in retired status shall provide satisfactory proof of passage of the National Commission on Certification of Physician

Assistants' (NCCPA) Physician Assistant National Recertifying Exam (PANRE) within the past ten (10) years immediately preceding the submission of their application in compliance with this subsection and meet the other application requirements specified by Section 1399.506 to be eligible for a new active license.

(2) For the purposes of this subsection, "proof" shall mean passage of the PANRE as determined by the NCCPA according to the requirements of this paragraph. To submit proof of passage to the Board as part of their application, the retired status licensee shall access online the NCCPA's website at www.nccpa.net, and follow all instructions required by the NCCPA to authorize the electronic release of their PANRE score directly to the Board to show passage of the PANRE. The Board shall access the applicant's PANRE score and verify compliance with this paragraph through the NCCPA's portal as part of its review of the application submitted per Section 1399.506.

Note: Authority cited: Sections 3510 and 3521.3, Business and Professions Code.
Reference cited: Sections 144, 208, 464, 3521.1, ~~and 3521.3~~, and 3526, Business and Professions Code.