

2013-
2014

California
Orthopaedic
Association

2013 – 2014 LEGISLATIVE SESSION WRAP-UP

The California Legislature finished the 2013-2014 Legislative session in a marathon round that ended in the early hours of August 30. The last few weeks were marked by a more bipartisan spirit and less rancor than in more recent years. The key bipartisan legislation that passed in the last week was a revised water bond proposal for the November ballot. Other more controversial measures also passed and were sent to the Governor: 1) a bill to create a statewide ban on single-use plastic bags; 2) a bill to require up to 3 days of sick leave for all employees; and 3) a bill that would create a “gun violence restraining order” allowing families to go to court to petition to keep guns away from a person threatening to harm others.

The biggest threat to orthopaedists and other specialists was:

SB 1215 (Hernandez) a bill that would make **unlawful the in-office performance of physical therapy and advanced imaging**. COA led the charge against this bill which would have essentially repealed the recent passage of AB 1000, which specifically authorized the ownership and provision of in-office PT services. The bill failed passage.

A serious statewide initiative threat was:

Proposition 46 – Threat to MICRA – Medical Injury Compensation Reform Act

The initiative would have:

- Increased the state's cap on non-economic damages that can be assessed in medical negligence lawsuits to over \$1 million from the current cap of \$250,000.
- Required drug and alcohol testing of doctors and reporting of positive tests to the California Medical Board.
- Required the California Medical Board to suspend doctors pending investigation of positive tests and take disciplinary action if the doctor was found impaired while on duty.
- Required health care practitioners to report any doctor suspected of drug or alcohol impairment or medical negligence.
- Required health care practitioners to consult the state prescription drug history database before prescribing certain controlled substances.

The Initiative was defeated.

SB 1429 (Steinberg) was also introduced in the last days of session to eliminate MICRA’s cap on non-economic damages. This legislation was also defeated.

Other Legislation

AB 588 (Fox)	School Athletic Concessions	Signed into Law.
	Requires athletes to be evaluated by a licensed health care professional after having suffered a concussion before being able to continue to play. Also, requires the dissemination of concussion and head injury information to athletes.	
AB 722 (Lowenthal)	Vehicles: Driver’s Licenses: Medical Examinations	Signed into Law.
	The bill would have added a doctor of chiropractic to the list of persons who may do the medical examination.	

- AB 1147 (Gomez) **Massage Therapy** Signed into Law.
Increases the number of minimum hours of education for massage therapists.
- SB 491 (Hernandez) **Nurse Practitioners: Expanded Scope of Practice** Bill was Defeated.
- SB 492 (Hernandez) **Optometrists: Expanded Scope of Practice** Bill was Defeated.