

**Assembly Bill No. 2342**

**CHAPTER 276**

An act to add Section 2023 to the Business and Professions Code, relating to physicians and surgeons.

[Approved by Governor September 14, 2006. Filed with Secretary of State September 14, 2006.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2342, Nakanishi. Voluntary services: malpractice insurance.

Existing law, the Medical Practice Act, creates the Medical Board of California and makes it responsible for issuing a physician and surgeon's certificate to qualified applicants and for regulating the practice of physicians and surgeons. Existing law waives the fee for issuance and renewal of this certificate for a physician and surgeon who provides voluntary unpaid services, as specified, to indigent patients in medically underserved or critical need population areas of the state.

This bill would require the board, in conjunction with the Health Professions Education Foundation, to study the issue of its providing medical malpractice insurance for physicians and surgeons who provide these services and report its findings to the Legislature on or before January 1, 2008. The bill would make implementation of its provisions contingent on an appropriation of funds for that purpose, as specified.

*The people of the State of California do enact as follows:*

SECTION 1. Section 2023 is added to the Business and Professions Code, to read:

2023. (a) The board, in conjunction with the Health Professions Education Foundation, shall study the issue of its providing medical malpractice insurance to physicians and surgeons who provide voluntary, unpaid services as described in subdivision (b) of Section 2083, and report its findings to the Legislature on or before January 1, 2008.

(b) The report shall include, but not be limited to, a discussion of the following items:

(1) The cost of administering a program to provide medical malpractice insurance to the physicians and surgeons and the process for administering the program.

(2) The options for providing medical malpractice insurance to the physicians and surgeons and for funding the coverage.

(3) Whether the voluntary licensure surcharge fee assessed under Section 2435.2 (as added by Chapter 293 of the Statutes of 2005) is

sufficient to fund the provision of medical malpractice insurance for the physicians and surgeons.

(c) This section shall be implemented only after the Legislature has made an appropriation from the Contingent Fund of the Medical Board of California to fund the study.