

AMENDED IN SENATE APRIL 17, 2006

SENATE BILL

No. 1423

Introduced by Senator Figueroa

February 22, 2006

An act to add ~~Sections 2190.6 and 2736.3~~ *Section 2265* to the Business and Professions Code, relating to the healing arts.

LEGISLATIVE COUNSEL'S DIGEST

SB 1423, as amended, Figueroa. Laser procedures.

Existing law, the Medical Practice Act, creates the Medical Board of California that is responsible, through its Division of Licensing, for issuing a physician and surgeon's certificate to qualified applicants. *Under existing law, it is a crime to violate the regulatory provisions of the Medical Practice Act.* ~~The act also requires the division to adopt and administer standards for the continuing education of physicians and surgeons. Other provisions of existing law, the Nursing Practice Act, create the Board of Registered Nursing and make it responsible for issuing a registered nurse license and regulating the practice of those licensees.~~

~~This bill would require the Division of Licensing to establish standards for the continuing education of physicians and surgeons who perform laser procedures or supervise their performance a physician and surgeon to provide immediate supervision, as defined, of a registered nurse or physician assistant performing or administering a cosmetic medical procedure or treatment using a laser or intense pulse light device. The bill would also require the Board of Registered Nursing to establish standards for registered nurses who perform laser procedures.~~

Because the violation of the supervision requirements added to the Medical Practice Act would be a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: ~~no~~-yes.

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

1 SECTION 1. Section 2265 is added to the Business and
 2 Professions Code, to read:

3 2265. (a) A physician and surgeon who delegates the
 4 performance or administration of a cosmetic medical procedure
 5 or treatment utilizing a laser or intense pulse light device to a
 6 physician assistant or a registered nurse shall provide immediate
 7 supervision of the procedure or treatment.

8 (b) The following definitions apply for purposes of this
 9 section:

10 (1) “Cosmetic medical procedure or treatment” means a
 11 medical procedure or treatment that is performed to alter or
 12 reshape a normal structure of the body solely to improve the
 13 patient’s appearance.

14 (2) “Immediate supervision” means that the physician and
 15 surgeon is onsite where the cosmetic medical procedure or
 16 treatment is being performed and is available to the physician
 17 assistant or registered nurse for immediate consultation at the
 18 time of the performance or administration of the procedure or
 19 treatment.

20 SEC. 2. No reimbursement is required by this act pursuant to
 21 Section 6 of Article XIII B of the California Constitution because
 22 the only costs that may be incurred by a local agency or school
 23 district will be incurred because this act creates a new crime or
 24 infraction, eliminates a crime or infraction, or changes the
 25 penalty for a crime or infraction, within the meaning of Section
 26 17556 of the Government Code, or changes the definition of a

1 *crime within the meaning of Section 6 of Article XIII B of the*
2 *California Constitution.*

3 ~~SECTION 1. Section 2190.6 is added to the Business and~~
4 ~~Professions Code, to read:~~

5 ~~2190.6. The Division of Licensing shall establish standards~~
6 ~~for the continuing education of a physician and surgeon who~~
7 ~~performs laser procedures or who supervises the performance of~~
8 ~~laser procedures.~~

9 ~~SEC. 2. Section 2736.3 is added to the Business and~~
10 ~~Professions Code, to read:~~

11 ~~2736.3. The board shall establish standards for the~~
12 ~~performance of laser procedures by a registered nurse.~~