

OCT 7 - 2011

State of California  
Office of Administrative Law

COMMITTEE  
LICENSING

In re:  
Physician Assistant Committee

NOTICE OF APPROVAL OF REGULATORY  
ACTION

Regulatory Action:

Government Code Section 11349.3

Title 16, California Code of Regulations

OAL File No. 2011-0826-01 S

Adopt sections: 1399.507.5, 1399.523.5,  
1399.527.5

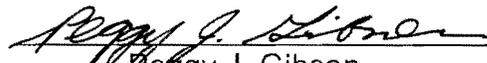
Amend sections: 1399.503, 1399.523

Repeal sections:

This regulatory action revises two sections and adopts three sections in Title 16 of the California Code of Regulations and is designed to enhance the Physician Assistant Committee's mandate of consumer protection by allowing the Executive Officer or designee to accept default decisions and to approve settlement agreements for surrender or interim suspension of a license. This rulemaking also authorizes the Commission to order an applicant to submit to a physical or mental examination if there is a reasonable belief that the applicant may be unable to safely perform the duties and functions of a physician assistant. This rulemaking additionally mandates that anyone (with a few minor exceptions) required to register as a sex offender pursuant to Penal Code section 290 shall have their license revoked. This rulemaking defines "unprofessional conduct" to include the failure to report an indictment charging a felony, arrest or conviction of a licensee. "Unprofessional conduct" would also entail the inclusion of provisions in civil dispute settlement agreements prohibiting a person from contacting, cooperating with, filing, or withdrawing a complaint with the Committee. Finally, this rulemaking establishes that it is "unprofessional conduct" to fail to provide lawfully requested documents or to cooperate with an investigation.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 11/5/2011.

Date: 10/6/2011

  
Peggy J. Gibson  
Staff Counsel

For: DEBRA M. CORNEZ  
Assistant Chief Counsel/  
Acting Director

Original: Elberta Portman  
Copy: Glenn Mitchell