AB 1278 (Nazarian) - Physicians and surgeons: payments: disclosure: notice

Version: July 13, 2021  Policy Vote: B., P. & E.D. 8 - 0
Urgency: No  Mandate: No
Hearing Date: August 11, 2022  Consultant: Janelle Miyashiro

Bill Summary: AB 1278 requires physicians and surgeons to provide patients a written notice of the Open Payments database annually and post an Open Payments database notice in each location where the physician and surgeon practices, as specified.

*********** ANALYSIS ADDENDUM – SUSPENSE FILE ***********
The following information is revised to reflect amendments adopted by the committee on August 11, 2022

Fiscal Impact: Indeterminate, but likely absorbable costs to the Medical Board (MBC) and Osteopathic Medical Board (OMB) to address a potential increase in enforcement workload related to a small increase in complaints. Actual enforcement costs to the MBC and OMB are variable, and would depend on the number of complaints the boards receive and the complexity of any subsequent investigation.

The Office of Information Services estimates total costs of $4,000 to create new enforcement codes, which is anticipated to be absorbed through the redirection of existing maintenance resources.

Staff notes that the boards and bureaus within the Department of Consumer Affairs are special fund agencies whose activities are funded by regulatory and license fees and generally receive no support from the General Fund. New legislative mandates, even those modest in scope, may in totality create new cost pressures and impact the entity’s operating costs, future budget requests, or license fees.

Author Amendments:

- Require a physician and surgeon to provide the notification biennially instead of annually.

- Require the notice to be included in the physician’s written records if the physician does not maintain electronic records.
  
  o Authorizes the notice to include more than one signature line to enable the same record to be used for multiple years.

- Make technical and conforming changes.

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