



AB 408 (Berman)- Physician and Surgeon Health and Wellness Program (Diversion) Testimony

Good morning, Board Members. My name is Katie Gonzalez, Associate Director for the Centers for Public Interest Law and the Consumer Protection Policy Center, or CPPC. CPPC is a nonprofit, nonpartisan academic and advocacy center at USD School of Law. We have examined and critiqued California's regulatory agencies for over 40 years.

CPPC strongly opposed AB 408 and the Board's proposal to amend its Physician Health and Wellness Program. Although the bill advanced in the Assembly, in committees, several Senators, even those who voted "aye," made it clear they would oppose it on the floor. In fact, Assemblymember Berman pulled the bill from this Legislative year following the contentious hearing in the Senate Business, Professions, and Economic Development Committee. Even the California Medical Association urged reconsideration of key provisions.

CPPC's and the Legislature's concerns are well-founded. This Board continues to face financial shortfalls and staffing shortages, and it has previously failed to administer a similar program. Creating a new diversion system under these conditions risks repeating past mistakes and undermining enforcement.

Instead of pursuing this bill, we urge the Board to focus on its core mission: timely investigations, effective enforcement, and public safety. We believe, a legislative effort to reduce delays in disciplinary proceedings would do far more to protect patients than reviving a flawed diversion model.

Thank you.