



March 14, 2022

Honorable Marc Berman, Chair, and Members
Assembly Committee on Business & Professions
State Capitol, Suite 6130
Sacramento, CA 95814

Re: AB 1636 (Weber)—*Physician's and Surgeon's certificate: registered sex offenders*

Dear Chairman Berman and Committee Members:

The Consumer Protection Policy Center (CPPC) (formerly known as the Center for Public Interest Law) is a nonprofit, nonpartisan academic and advocacy organization based at the University of San Diego School of Law. For 40 years, CPPC has studied occupational licensing and monitored California agencies that regulate business, professions, and trades, including the Medical Board of California (MBC) and other Department of Consumer Affairs (DCA) health care boards. CPPC's expertise has long been relied upon by the Legislature, the executive branch, and the courts where the regulation of licensed professions is concerned, and we advocate for policies that ensure transparency and public protection at the highest levels. CPPC strongly supports Assembly Bill 1636, introduced by Assembly member Akilah Weber.

The MBC is responsible for the licensure, regulation, and discipline of physicians and surgeons. Existing law requires that the Board deny a physician's and surgeon's certificate to anyone who is required to register as a sex offender and existing law makes an applicant ineligible to reapply for a physician's and surgeon's certificate for a minimum of three years from the effective date of the denial of their application (triggered by the sex offender registration). CPPC understands that applicants frequently reapply after the three-year waiting period and that the Board frequently reinstates those applicants' certificates.

Among other provisions, AB 1636 would prohibit the Board from ever reinstating the certificate of a person who has been required to register as a sex offender, regardless of whether the conviction has been appealed.

The patient-doctor relationship is based on trust, and patients in this relationship are in a particularly vulnerable situation. No physician or surgeon who has engaged in sexual misconduct requiring registration as a sex offender should be allowed to return to practice, thus allowing their patients to become their prey.

Hon. Marc Berman, Chair, and Members

March 14, 2022

Page 2

For these reasons, CPPC strongly supports AB 1636.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen Thomas Stefano". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Karen Thomas Stefano, Administrative Director
Consumer Protection Policy Center