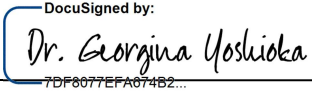




INFORMATION NOTICE 23-01

Date April 4, 2023

To DBH Licensed Physicians, Clinic Medical Directors, Associate Medical Directors, Clinic Program Managers, and Clinic Supervisors

From Georgina Yoshioka, DSW, MBA, LCSW, Director 

Subject New Notice to Patients/Clients by Physicians Licensed by the Medical Board of California or Osteopathic Medical Board of California

Purpose To instruct all physicians licensed by the Medical Board of California and by the Osteopathic Medical Board of California of the new “Notice to Patients/Clients”, required per Title 16 of the California Code of Regulations §1355.4 and §1606.

Background Senate Bill 798 (Hill, Chapter 775, Statutes of 2017), requires the Medical Board of California and the Osteopathic Medical Board of California to develop regulations that require all licensees and registrants provide a notice to their patients and clients regarding the role of the Boards in accordance with Business and Professions Code §2026. These regulations were approved by the Office of Administrative Law on November 28, 2022.

Introduction Beginning, **January 1, 2023**, all physicians licensed by the Boards must provide notice to each DBH client that includes the following:

- The physician is licensed and regulated by the Board;
- The license can be checked and complaints against the licensee can be made through the Board’s website or by contacting the Board, and
- A quick response (QR) code that leads to the Board’s Notice to Consumer webpage (for those licensed by Medical Board only).

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Notification

The **Medical Board of California** has created the notice which contains the following statement and information:

NOTICE TO PATIENTS

Medical doctors are licensed and regulated by the Medical Board of California. To check up on a license or to file a complaint go to

www.mbc.ca.gov,
email: licensecheck@mbc.ca.gov,
or call (800) 633-2322.

The **Osteopathic Medical Board of California (OMBC)** notice will contain the following statement and information:

NOTICE TO PATIENTS/CLIENTS

Osteopathic physicians and surgeons (D.O.) are licensed and regulated by the Osteopathic Medical Board of California.

(916)928-8390
www.ombc.ca.gov

To check the status of your physician and surgeon D.O. license online, go to <https://search.dca.ca.gov/>.

To file a complaint against the physician and surgeon D.O., complete the online complaint form on the Osteopathic Medical Board of California website or email: osteopathic@dca.ca.gov

Medical Board of California Notice Templates

The Medical Board of California has posted the notice template with the QR code in the following languages on its **Notice to Consumers** webpage:

- English;
- Spanish;
- Chinese;
- Vietnamese;
- Tagalog;
- Korean;
- Armenian;
- Farsi;
- Arabic;
- Russian;
- Japanese;
- Punjabi, and
- Khmer.

The Medical Board of California notice is also available on the DBH Website in English and in the County's threshold languages to be printed and posted in areas where patients/clients are seen. (See form link below).

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Compliance

Physicians licensed by the **Medical Board of California** may comply with this requirement by doing one of the following:

1. Post the notice in English and Spanish in an area visible to clients on the premises where the physician provides the licensed services in at least 38-point type in Arial font (preferred method);
2. Include the notice and an acknowledgement of receipt and understanding in a written statement in a language understood by the client or client's representative, signed and dated by the client or the client's representative and retained in that client's medical records (the notice and acknowledgement of receipt and understanding may be provided and maintained in an electronic format); or
3. Include the notice in a language understood by the client or client's representative in a statement on letterhead, discharge instructions, or other document given to a client or the client's representative, where the notice is placed immediately above the signature line for the client in at least 14-point type.

Note: If posted client notifications are not in a language understood by the client or their representative, then the notice must be provided under option 2 or 3 above.

4. A physician will be deemed in compliance with this section if the hospital, clinic, or other practice location where the physician is practicing posts the notice on its premises in an area visible to clients consistent with the requirements of the regulation.

Physicians licensed by the **Osteopathic Medical Board of California** shall provide the above notice by one of the following methods:

1. Prominently posting the notice in an area visible to clients on the premises where the licensee provides the licensed services, in which case the notice shall be in at least 48-point type in Arial font.
2. Including the notice in a written statement for all new clients, signed and dated by the client or the client's representative and retained in that client's medical records, stating the client understands the physician and surgeon D.O. is licensed and regulated by the Board; thereafter provide the written notice at every visit without signature required.
3. Including the notice in a statement on letterhead, discharge instructions, or other document given to a client or the client's representative for every visit, where the notice is placed immediately above the signature line for the client in at least 14-point type font.

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Compliance, continued

4. Include the notice and an acknowledgement of receipt and understanding in a written statement in a language understood by the client or client representative, signed and dated by the client or the client's representative and retained in that client's medical records (the notice and acknowledgement of receipt and understanding may be provided and maintained in an electronic format); or
5. Include the notice in a language understood by the client or client's representative in a statement on letterhead, discharge instructions, or other document given to a client or the client's representative, where the notice is placed immediately above the signature line for the client in at least 14-point type.
6. Notices are available on the DBH website. (See link below)

Note: If posted client notifications are not in a language understood by the client or their representative, then the notice must be provided under option 2 or 3 above.

7. A physician will be deemed in compliance with this section if the hospital, clinic, or other practice location where the physician is practicing posts the notice on its premises in an area visible to client consistent with the requirements of the regulation.

The OMBC notice is available on the DBH Website in English and in the County's threshold languages, to be printed and posted in areas where patients/clients are seen. (See form link below).

Referenced Forms, Policies, and Procedures

[DBH Standard Practice Manual and Departmental Forms:](#)
[Notice to Patient/Client MD \(MDS030\)](#)
[Notice to Patient/Client DO \(MDS031\)](#)

Reference

- [Title 16 California Code of Regulations §1355.4](#)
 - [Title 16 California Code of Regulations §1606](#)
 - [Business and Professions Code §138](#)
 - [Business and Professions Code §2018](#)
 - [Business and Professions Code §2026](#)
 - [Business and Professions Code §3600-1](#)
 - [Osteopathic Act 1993 \(Initiative Measure, Stats. 1923, p. xciii\), §1](#)
 - [Medical Board of California - Notice to Consumers Webpage](#)
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Questions

For questions regarding this Information Notice, please contact Medical Services at DBHMedicalServices@dbh.sbcounty.gov or (909) 388-0801.
