

# OSTEOPATHIC MEDICAL BOARD OF CALIFORNIA

## PROPOSED REGULATORY LANGUAGE

The amendment format is as follows: Existing language remains unchanged; new wording is underlined; wording proposed for deletion is identified with strikeout lines.

The Osteopathic Medical Board of California hereby amends its regulations in Division 16 of Title 16 of the California Code of Regulations to read as follows:

1) Amend CCR Section 1635 of Division 16 of Title 16 of the California Code of Regulations to read as follows:

### **§1635. Required Continuing Medical Education(CME).**

(a) Each physician and surgeon submitting the tax and registration fee shall submit satisfactory proof to the Board of ongoing compliance with the provisions of this article at the times specified herein.

(b) ~~Commencing January 1, 1989, a~~ Each physician and surgeon shall complete 150 100 hours ~~within a three-year period~~ during each two-year period immediately preceding the expiration date of his or her license in order to satisfy the CME requirement; this ~~three~~ two-year period is defined as the "CME requirement period."

(c) The requirement of ~~150~~ 100 hours during the ~~three~~ two-year CME requirement period shall include a minimum of ~~60~~ 40 hours of CME in Category 1-A or 1-B defined by the American Osteopathic Association (AOA). The balance of the CME requirement of ~~90~~ 60 hours may consist of CME as defined by either the American Osteopathic Association (AOA) or the American Medical Association (AMA) and ~~may~~ shall be completed within the entire ~~three~~ two-year CME requirement period.

(d) ~~Effective January 1, 1989, the three-year CME period shall commence for those licensed on or before January 1, 1989.~~ Those licensed subsequent to January 1, ~~1989~~ 2018 shall commence their ~~three~~ two-year CME requirement period on a ~~prorata basis commencing~~ the first full calendar year subsequent to initial licensure. Subsequent ~~three~~ two-year periods shall not include CME earned during a preceding ~~three~~ two-year requirement period.

(e) Category 1-A, or other CME is defined by the American Osteopathic Association (AOA), set forth in the American Osteopathic Association's "Continuing Medical Education Guide," and is hereby incorporated by reference and can be obtained from the AOA at 142 E. Ontario Street, Chicago, IL 60611; it is published once every three years by the AOA most recently in ~~1992~~

2016-18. CME Category 1 defined by the American Medical Association is set forth in "The AMA Physician's Recognition Award Information Booklet and Credit System," and is hereby incorporated by reference and can be obtained from the American Medical Association, 515 North State Street, Chicago, IL 60610 AMA Plaza, 330 N. Wabash Ave., Suite 39300, Chicago, IL 60611-5885; it is published on an occasional basis by the AMA, most recently in January, 19862017.

(f) All physicians and surgeons shall complete a one-time mandatory 12 credit hours of CME in the subjects of pain management and the treatment of terminally ill and dying patients as a condition of renewal. Each physician and surgeon shall self-certify compliance with this one-time requirement subject to audit on the renewal form. Physicians and surgeons shall complete this requirement within four years of their initial license or by their second renewal date, whichever occurs first.

~~NOTE: Authority cited: Osteopathic Act (Initiative Measure, Stats. 1923, p. xciii), Section 1; and Sections 2454.5 and 3600-1, Business and Professions Code. Reference: Section 2454.5, Business and Professions Code.~~

NOTE: Authority cited: Osteopathic Act (Initiative Measure, Stats. 1923, p. xciii), Sections 1; 3600-1 and 2018, Business and Professions Code. Reference: Sections 2190.5 and 2454.5 of Business and Professions Code; Section 11425.50 (e), Government Code.

2) Amend CCR Section 1636 of Division 16 of Title 16 of the California Code of Regulations to read as follows:

**§1636. Continuing Medical Education Progress Report.**

~~Physicians~~Each physician and surgeon shall report the total number of continuing medical education (CME) hours to the Board with the renewal application. This may be accomplished by:

~~(a) The physician sending the Board a copy of their computer printout of CME activity as compiled from documents submitted to the AOA Division of Continuing Medical Education by both sponsors and the physician (Individual Activity Report) which will list the amount of CME credit hours, or~~

~~(b) Sending the Board copies of any certificates given for the CME credit hours of attendance at any program approved by the Board, or~~

~~(c) Reports from any program approved by the Board, to be furnished by the physician, showing his CME credit hours of attendance hours as verified by the program organizer.~~

~~(d) CME categories are defined by Section 1635(e).~~

(a) Effective January 1, 2019, each physician and surgeon shall self-certify completion of the required CME hours by submitting to the Board a completed Osteopathic Medical Board of California Continuing Medical Education Self-Certification Form for Renewal (OMB-21, Effective 1/2019), which is hereby incorporated by reference. Physicians and surgeons submitting incomplete forms shall be deemed ineligible for renewal.

(b) CME categories and requirements are defined by Section 1635.

(c) Effective January 1, 2019, physicians and surgeons shall be subject to audit of their CME hours. Each physician and surgeon shall retain all documents that demonstrate compliance with CME requirements. Documents demonstrating compliance include:

(1) A copy of their computer printout of CME activity as compiled from documents submitted to the AOA Division of Continuing Medical Education by both sponsors and the physician and surgeon (Individual Activity Report) which will list the amount of CME credit hours, or

(2) Copies of any certificates given for the CME credit hours of attendance at any program approved by the Board, or

(3) Reports from any program approved by the Board, to be furnished by the physician and surgeon, showing his or her CME credit hours of attendance as verified by the program organizer.

~~NOTE: Authority cited: Osteopathic Act (Initiative Measure, Stats. 1923, p. xciii), Section 1; and Section 3600-1, Business and Professions Code. Reference: Sections 2190 and 2452, Business and Professions Code.~~

NOTE: Authority cited: Osteopathic Act (Initiative Measure, Stats. 1923, p. xciii), Sections 1, 3600-1 and 2018, Business and Professions Code. Reference: Sections 2452 and 2454.5 of Business and Professions Code; Section 11425.50 (e), Government Code.

3) Amend CCR Section 1641 of Division 16 of Title 16 of the California Code of Regulations to read as follows:

**§1641. Sanctions for Noncompliance.**

(a) Any physician and surgeon who has not completed ~~150~~ 100 hours of approved CME ~~or the prorated share pursuant to Section 1635(d)~~ during the ~~three~~ two-year CME requirement period will be required to make up any deficiency unless a waiver is obtained pursuant to Section 1637. Any physician and surgeon who fails to complete the deficient hours shall be ineligible for renewal of his or her license to practice medicine until such time as the deficient hours of CME are documented to the Board.

(b) It shall constitute unprofessional conduct and grounds for disciplinary action including the filing of an accusation, or citation and fine, for any physician and surgeon to misrepresent his or her compliance with the provisions of this article or who fails to comply with the provisions of this article.

(c) The Board shall randomly audit physicians and surgeons who have reported compliance with the CME requirement. Those physicians and surgeons selected for audit shall be required to submit documentation of their compliance with the CME requirements as specified by this article. Each physician and surgeon shall retain records for a minimum of ~~four~~ six years of all CME programs attended which indicate the title of the course or program attended, dates of attendance, the length of the course or program, the sponsoring organization and the accrediting organization, if any.

~~NOTE: Authority cited: Osteopathic Medical Act (Initiative Measure, Stats. 1923, p. xciii), Section 1: and Sections 2454.5 and 3600-1, Business and Professions Code. Reference: Section 2454.5, Business and Professions Code.~~

NOTE: Authority cited: Osteopathic Act (Initiative Measure, Stats. 1923, p. xciii), Sections 1; Section 3600-1 and 2018, Business and Professions Code. Reference: Sections 2454.5 and 2190.5 of Business and Professions Code; Section 11425.50 (e), Government Code.

# Osteopathic Medical Board of California

## Continuing Medical Education (CME) Self-Certification Form for Renewal

To renew your license, Board regulations, set forth under Title 16 of the California Code of Regulations § 1635, et. seq., requires you to demonstrate completion of CME courses. If you do not complete the required CME course work during the requirement period, your license will not be eligible for renewal. If you are deficient in your CME hours, you must first complete the deficient hours in order to renew your license. Self-Certification Forms with missing answers, signature, and date will not be accepted for renewal. All self-certification renewal forms are subject to audit by the Board.

### Part 1.

I certify that I have completed a minimum of 100 total hours of CME that includes 40 hours of AOA Category 1-A or 1-B and 60 hours of either AOA and AMA CME during the preceding two full calendar years renewal cycle.\*  Yes  No

*\*If you are in a residency/fellowship program, CME requirement may be waived upon certification from the program director for the time in the residency/fellowship program.*

### Part 2.

*As a one-time requirement, Business and Professions Code section 2190.5 requires all physicians and surgeons complete 12 credit hours in the subjects of pain management and the treatment of terminally ill and dying patients. This is a mandatory requirement. All physicians and surgeons shall complete this requirement within four years of their initial licensure or by their second renewal, whichever comes first. Those who are exempt from this requirement include physicians and surgeons who are not engaged in direct patient care, do not provide patient consultations, or do not reside in the State of California. Physicians and surgeons practicing pathology or radiology specialty areas are also exempt from this requirement.*

I certify that I have completed the one-time requirement of 12 credit hours in pain management and the treatment of terminally ill and dying patient pursuant to Business and Professions Code Section 2190.5.  
 Yes  No  Exempt  Completed in past year(s)

**All statements, including those attached hereto are true and accurate. I further acknowledge that I have read and understand the requirements pertaining to CME. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.**

SIGNATURE

DATE