

DEPARTMENT OF CONSUMER AFFAIRS  
**TITLE 16: PROFESSIONAL AND VOCATIONAL REGULATIONS**  
**DIVISION 16**  
OSTEOPATHIC MEDICAL BOARD OF CALIFORNIA

**NOTICE OF PROPOSED REGULATORY ACTION CONCERNING:**  
**Retired License, Petitions and Fees**

**NOTICE IS HEREBY GIVEN** that the Osteopathic Medical Board of California (Board) is proposing to take the action described in the Informative Digest below, after considering all comments, objections, and recommendations regarding the proposed action.

**PUBLIC HEARING**

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or the interested person's authorized representative, no later than fifteen (15) days prior to the close of the written comment period. A hearing may be requested by making such request, in writing, addressed to the individuals listed under "Contact Person" in this notice.

**WRITTEN COMMENT PERIOD**

Written comments relevant to the action proposed, including those sent by mail, facsimile, or email to the addresses listed under "Contact Person" in this Notice, **must be received by the Board at its office no later than Monday, July 13, 2026**, or must be received by the Board at the hearing, should one be scheduled.

**AUTHORITY AND REFERENCE**

Pursuant to the authority vested by the Osteopathic Act (Initiative Measure, Stats. 1923, p. xciii), Section 1, and Sections 464, 820, 2018, 2064.5, 2307.5, 2451, 2452, 2456.1, and 3600-1, Business and Professions Code (BPC), and to implement, interpret or make specific sections 701, 703, 704, 822, 823, 2042, 2064.5, 2190, 2190.5, 2190.6, 2221, 2273, 2307, 2307.5, 2426, 2427, 2428, 2451, 2452, 2454.5, 2455, 2455.1, 2456, 2456.1, 2456.2, and 2456.3 of the BPC; and, Section 13143 of the Government Code, the Board is considering changes to Division 16 of Title 16 of the California Code of Regulations (CCR) sections 1630, 1636, 1646, 1647, 1648, 1656, 1658, and 1690 as described in this Notice.

## **INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

The Osteopathic Medical Board of California (Board) was created by the voters of the State of California, who in 1922 passed an initiative measure to enact the Osteopathic Act (“Act” -- Osteopathic Act (Initiative Measure at Stats. 1923, p. xciii), which is reprinted, as amended, at Bus. & Prof. Code, §§ 3600-1 and following). The Act vested the Board with the authority to regulate the practice of medicine by osteopathic physicians and surgeons. Per Business and Professions Code (BPC) section 3600, the law governing licentiates of the Osteopathic Medical Board of California is found in the Act and in Chapter 5 of Division 2 of the BPC (Medical Practice Act).

Per BPC section 2450.1, the Board’s highest priority is to protect consumers through its licensing, regulatory and disciplinary oversight of osteopathic physicians and surgeons and postgraduate training licensees. The Board is authorized by the Act (at Section 1 -- reprinted at BPC § 3600-1) and the Medical Practice Act at BPC section 2018 to establish necessary rules and regulations for the enforcement of the Osteopathic Act and the Medical Practice Act as it applies to osteopathic physician and surgeons (“physicians”) and postgraduate training licensees in accordance with BPC section 2452. The Board currently regulates 16,272 osteopathic physicians and surgeons and 1,174 postgraduate training licensees throughout California.

This proposal would update and add new renewal and application requirements and requirements for payment of associated fees, adopt a new application process for placing a license in retired status and restoring such license to active status, adopt new requirements for filing petitions for reinstatement and modification of penalty (petitions for penalty relief) and set the associated applicable application and adjudication fees for each type of petition, repeal outdated regulatory provisions and make other non-substantive and technical clean-up changes, as specified.

### Updates to Requirements for Practice in Good Standing and Active and Inactive Status Renewals – Amend 16 CCR sections 1630, 1636, 1646, and 1647

The Osteopathic Initiative Act provides that “the law governing licentiates of the Osteopathic Medical Board of California is found in the Osteopathic Act and in Chapter 5 of Division 2, relating to medicine.” (reprinted at BPC § 3600). BPC section 2452 provides, in part: “This chapter applies to the Osteopathic Medical Board of California so far as consistent with the Osteopathic Act.”

Board regulations related to active practice in “good standing” and renewal of licensure (in both active and inactive status) in Division 16 of Title 16 of the California Code of

Regulations (hereinafter “CCR”) were last substantively amended in 1995 and do not cover all existing requirements in law or regulations for renewal and practice in good standing. As a result of changes from statutes, regulations, and program recommendations, the Board proposes to update its current renewal requirements for both active and inactive licenses. This would include repealing the existing incorporated application forms (“License Renewal OMB.2 or OMB.2a Rev.11/94”) and replacing them with a narrative list in the CCR of renewal requirements for renewing in both active and inactive status and outlining options for mail or online completed renewal application submission, as specified.

Adoption of Retired License Status and Restoration to Active Status Requirements --  
CCR section 1648

While BPC section 464 gives the Board statutory authority to issue retired licenses, it does not specify the provisions and procedures for obtaining such licenses. Therefore, without regulations in place, there is no formal process for a licensee who is retired and no longer practicing for placing their license on a retired status and alleviating the expense of license renewal fees for a license they are no longer using.

Currently, licensees who no longer wish to practice must either utilize the inactive status pursuant to CCR section 1646 and pay the biennial inactive certificate fee of \$300 or choose not to renew in inactive status, let their license expire into delinquent status, and cancel after five years. By providing a means to obtain a retired status, licensees who are no longer practicing avoid the possible stigma in their professional community from having a licensed placed in a “delinquent” or “cancelled” status and can be relieved from the expense of fees. The Board’s proposal would address the foregoing issues by:

- (1) adopting CCR section 1648 to specify who is eligible for a retired license, how to apply for and obtain a retired license, and how a holder of a retired license may return to active status,
- (2) amending CCR section 1690 to assign a retired license fee of \$200 for the processing of a retired license status application; and,
- (3) amending CCR section 1690 to assign a fee of \$400 for processing the application to restored retired license to active status.

These proposed regulations will also incorporate by reference the following applications: (1) Application for Retired License OMB.31 (New 11/2025) and (2) Application to Restore Retired License to Active Status OMB.32 (New 11/2025).

Petitions for Reinstatement of License or Modification of Penalty or Petitions for Reinstatement of Certificates Restricted or Revoked Due to Mental or Physical Illness (“Petitions for Penalty Relief”) -- Amendments to CCR sections 1656 and 1658

Existing regulations at CCR sections 1656 and 1658 for filing petitions for penalty relief specify that such petitions shall be filed at the Board's Sacramento office within a specified time period (30 or 60 days, as applicable) prior to any meeting of the Board. However, the regulations do not specify the content of any petition application, the submission method, or fees required for a petition to be accepted by the Board.

This proposal would amend these sections to specify required content and the method of submission of a petition by submitting the form “Petition for Penalty Relief OMB.7 (New 11/2025) (Form OMB.7)”, which would be incorporated by reference and include the applicable nonrefundable application fee required by CCR section 1690 (discussed further below). The proposal would also establish additional requirements for petitioners to meet, including:

- (1) for petitioners for reinstatement, meeting specified fingerprinting requirements prior to submission of the Form OMB.7 to the Board.
- (2) using acceptable payment methods for submitting the specified petition application and adjudication fees to the Board for the processing and adjudication of their petition, as specified.
- (3) establishing minimum processing requirements including requiring that the processing of any Form OMB.7 would commence only after the specified application fee has been received, the payment clears the petitioner’s bank, and the funds are deposited in the Board’s account within 30 days of the check or money order being deposited.
- (4) specifying requirements for accepting and providing a petitioner with a written notice of the acceptance of a petition for the setting of an administrative hearing, including notice requirements for paying a \$20,000 fee to adjudicate the petition within 90 days of the date the Board sent the petitioner the written notice of acceptance of their petition.
- (5) specifying a process for providing the petitioner with notice of the “reasonable costs” (as defined) incurred by the Board, which would be provided within 120 days of the date of a petitioner’s hearing on their petition.

- (6) specifying a process for providing a petitioner with a possible refund of a portion of the fees to adjudicate the petition in the event of overpayment and calculated in accordance with CCR section 1690. This would include providing petitioners a fee payment statement within 120 days of the date of their hearing on their petition.
- (7) Specifying that if the costs incurred by the Board are less than initially required to be paid to adjudicate the petition, the Board would also provide a statement detailing the refund that will be provided and the anticipated date when the refund will be issued.
- (8) Establishing consequences for noncompliance with the petition for penalty relief requirements, as specified, including that failure to comply with specified requirements shall result in the petition being rejected as incomplete.
- (9) Specifying that written notice of any petition rejection shall be provided to the petitioner upon the Board's determination that the petitioner has not met specified requirements.

#### Fee Increases and Adoption of New Fees in CCR section 1690

BPC sections 2455, 2456 and 2456.1 authorize the Board to set fees by regulation and sets forth the minimum and maximum fee ranges for application, biennial license, inactive, renewal, and delinquency fees for osteopathic physicians and surgeons. BPC section 464 also authorizes the Board to prescribe fees for obtaining a retired license and restoring a retired license to active status. BPC section 2307.5 also authorizes the Board to adopt regulations to establish a fee to be paid by a person seeking a license reinstatement or modification of penalty pursuant to Section 2307, not to exceed the Board's reasonable costs to process and adjudicate a petition submitted pursuant to BPC section 2307.

The proposed regulations would include increases to fees and adoption of new fees in CCR section 1690 as follows:

#### Physician and Surgeon certificate application, renewal and delinquency fees:

- Original Certificate Application: Current \$200; Proposed \$400
- Reciprocity Certificate Application: Current \$200; Proposed \$400
- Biennial Inactive Certificate Renewal: Current \$300; Proposed \$399
- Delinquent Certificate Renewal: Current \$100; Proposed \$200
- Delinquent Inactive Certificate Renewal: Proposed \$199.50
- Add Retired License Application: Proposed \$200
- Add Application to Restore Retired License to Active Status: Proposed \$400

## Physician and Surgeon Petitions for Reinstatement and Modification of Penalty fees:

- Add Petition for Reinstatement Application: Proposed \$2,800
- Add Petition for Modification of Penalty Application: Proposed \$1,500
- Add Subsection (n): Fee Required to Adjudicate a Petition for Reinstatement or Modification of Penalty and Possible Fee Reduction Process: \$20,000 unless the petitioner is entitled to a decrease in fees as provided in subsection (o) of 1690, in which case the final fee would be a lesser fee calculated in accordance with subsection (o).

CCR 1690(o) would provide that:

In accordance with sections 1656 and 1658, the Board shall provide each petitioner an itemized invoice that shows the initial determination by the Board of the reasonable costs for adjudicating their petition expressed in a total dollar value number. If the total dollar value number for the Board's reasonable costs is less than the amount set forth in subsection (n), then the final fee required to adjudicate a petition shall be reduced to that total value number and reflected in the invoice provided to the petitioner pursuant to sections 1656 or 1658, as applicable.

Finally, this proposal makes technical and non-substantive changes to text to remove obsolete regulatory language that would be confusing to all interested stakeholders.

### **Anticipated Benefits of Proposal**

The Board has determined that this regulatory proposal will have the following benefits to the health and welfare of California residents:

This regulatory proposal benefits the health and welfare of California residents because proposed amendments to the Board's fee schedule will help to reduce the Board's structural budget imbalance, recover costs, and allow the Board additional time to seek legislative changes before insolvency, which allows the Board enough time to seek authority to increase statutory fee levels to eliminate the structural imbalance. The proposed fee increases will help to reduce the structural imbalance in the short term and help the Board to recover its administrative costs to ensure the Board has funds to carry out its consumer protection mandate in the near future.

Changes to the Board's renewal processes would strengthen oversight and provide greater assurances of the accuracy, completeness, and timeliness of applicant

submissions. Additionally, the proposal provides clear and consistent requirements for renewal while making specific submission standards for the Board.

This proposal would also establish a consistent and simple process for obtaining retired license status and would eliminate barriers for those who wish to retire and have the option of placing their license in a retired status.

Establishing processes for petitioning for reinstatement or modification of penalty will further the Board's mission of consumer protection by preserving the Board's time and financial resources through adding a form to apply for penalty relief to expedite processing and establishing an application fee and also a fee to adjudicate a petition for reinstatement or modification of penalty, which would be paid by individuals seeking to reinstate their license or modify or terminate their order of probation early. These processes will also help ensure that the Board can more effectively determine whether a physician may be reinstated to practice with safety to the public while ensuring the Board recovers its administrative costs for the services provided.

This regulatory proposal does not affect worker safety or the environment as it does not relate to worker safety or the state's environment.

### **Evaluation of Consistency and Compatibility with Existing State Regulations**

During the process of developing this regulatory proposal, the Board conducted a search of any similar regulations on these topics and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

### **INCORPORATION BY REFERENCE**

- (1) Repeal of Forms "License Renewal OMB.2 or OMB.2a Rev.11/94"
- (2) Adoption of Form "Petition for Penalty Relief OMB.7 (New 11/2025)"
- (3) Adoption of Form "Application for Retired License OMB.31 (New 11/2025)"
- (4) Adoption of Form "Application to Restore Retired License to Active Status OMB.32 (New 11/2025)"

### **DISCLOSURES REGARDING THIS PROPOSED ACTION**

#### **FISCAL IMPACT ESTIMATES**

**Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:**

**Workload Costs:** The Board already administers the fee types currently being assessed, including the delinquent inactive certificate renewal fee and will (only) incur workload and costs for the newly proposed fee types. The Board estimates the regulations will result in additional workload costs ranging from approximately \$147,000 to \$191,000 and up to \$1.68 million over a ten-year period.

Additionally, the Board will incur one-time information technology workload costs of \$600 to update and post three forms on the Board's website.

**Revenues:** The Board estimates revenues of approximately \$415,000 per year and up to \$4.15 million over a ten-year period.

**Other:** The Department of Justice (DOJ) receives \$49 per fingerprint background check of which \$17 is passed onto the Federal Bureau of Investigations (FBI). The Board projects up to six fingerprint background checks will be completed per year, which results in revenues of \$192 to DOJ and \$102 to the FBI.

The DOJ and FBI workload costs are unknown, and the Board does not have a fiscal workload cost estimate at this time.

**Nondiscretionary Costs/Savings to Local Agencies:** None.

**Costs to any Local Agency or School District for which Government Code Sections 17500-17630 Require Reimbursement:** None.

**Mandate Imposed on Local Agencies or School Districts:** None.

**Significant Effect on Housing Costs:** None.

## **BUSINESS IMPACT ESTIMATES**

The Board has made the initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. This initial determination is based on the following facts: The regulation would increase fees charged to licensees and applicants as reflected in the "Cost Impact on Representative Private Person or Business" section below.

However, the proposed regulations will not have a significant statewide adverse economic impact on businesses, including the ability to compete with other businesses in California,

because the fee increases are considered to be minor compared to the income of most applicants and licensees in this profession.

### **Cost Impact on Representative Private Person or Business**

The proposed regulations will increase existing application fees and establish new fees as follows:

- Original Certificate Application: Current \$200; Proposed \$400
- Reciprocity Certificate Application: Current \$200; Proposed \$400
- Biennial Inactive Certificate Renewal: Current \$300; Proposed \$399
- Delinquent Certificate Renewal: Current \$100; Proposed \$200
- Delinquent Inactive Certificate Renewal: Proposed \$199.50
- Retired License Application: Proposed \$200 (new)
- Restore Retired License to Active Status: Proposed \$400 (new)
- Petition for Reinstatement Application: Proposed \$2,800 (new)
- Petition for Modification of Penalty Application: Proposed \$1,500 (new)
- Adjudicate a Petition for Reinstatement or Modification of Penalty: Proposed \$20,000 with the possibility of reductions based on actual costs (new).

The regulations are estimated to result in additional costs of approximately \$415,000 per year and up to \$4.15 million over a ten-year period.

The Board notes, any retired licensee opting to restore their license to active status may be required to completed up to 50 hours of continuing education (CE) coursework with estimated costs of \$500 to comply. The Board estimates up to two individuals may need to fulfill the CE requirement, which results in additional costs of \$1,000 per year.

It is difficult to determine the amount of CE tuition fee revenues impacting California businesses because CE coursework can be complete online through an out-of-state provider. As a result, the Board does not have an estimate of CE tuition fee revenues impacting the state at this time.

The Board further notes, \$26 of the fingerprint background check costs (\$75) will be retained by the local business vendor. The Board estimates up to six fingerprint checks will be completed per year, which results in annual revenues of approximately \$156 for these businesses.

Please see the Initial Statement of Reasons for further information.

## **RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS**

### **Impact on Jobs/Businesses**

The Board has determined that this regulatory proposal will have no significant impact on any of the following:

- Creation or elimination of jobs in the state.
- Creation or elimination of new businesses or the elimination of existing businesses in the state.
- Expansion of businesses in the state.

This proposal would not have any of the above-referenced impacts because these costs are considered minor compared to the income of most applicants and licensees and businesses in this profession.

The regulations are estimated to result in additional costs of approximately \$415,000 per year and up to \$4.15 million over a ten-year period.

### **Benefits of Regulation:**

The Board has determined that this regulatory proposal will benefit the health and welfare of California residents because proposed amendments to the Board's fee schedule will help to reduce the Board's structural budget imbalance, recover costs, and allow the Board additional time to seek legislative changes before insolvency, which allows the Board enough time to seek authority to increase statutory fee levels to eliminate the structural imbalance. The proposed fee increases will help to reduce the structural imbalance in the short term and help the Board to recover its administrative costs to ensure the Board has funds to carry out its consumer protection mandate in the near future.

Changes to the Board's renewal processes would strengthen oversight and provide greater assurances of the accuracy, completeness, and timeliness of applicant submissions. Additionally, the proposal provides clear and consistent requirements for renewal while making specific submission standards for the Board.

This proposal would also establish a consistent and simple process for obtaining retired license status and would eliminate barriers for those who wish to retire and have the option of placing their license in a retired status.

Establishing processes for petitioning for reinstatement or modification of penalty will further the Board's mission of consumer protection by preserving the Board's time and

financial resources through adding a form to apply for penalty relief to expedite processing and establishing an application fee and also a fee to adjudicate a petition for reinstatement or modification of penalty, which would be paid by individuals seeking to reinstate their license or modify or terminate their order of probation early. These processes will also help ensure that the Board can more effectively determine whether a physician may be reinstated to practice with safety to the public while ensuring the Board recovers its administrative costs for the services provided.

This regulatory proposal does not affect worker safety or the environment as it does not relate to worker safety or the state's environment.

### **Business Reporting Requirements**

The regulatory action does not require businesses to file a report with the Board.

### **Effect on Small Business:**

This regulation may have an economic impact on businesses, specifically, the Board's licensees and applicants, as well as businesses providing fingerprint services, but the effects are anticipated to be minimal. The regulations are estimated to result in additional costs of approximately \$415,000 per year and up to \$4.15 million over a ten-year period.

The Board notes, any retired licensee opting to restore their license to active status may be required to complete up to 50 hours of continuing education (CE) coursework with estimated costs of \$500 to comply. The Board estimates up to two individuals may be need to fulfill the CE requirement, which results in additional costs of \$1,000 per year.

It is difficult to determine the amount of CE tuition fee revenues impacting California businesses because CE coursework can be completed online through an out-of-state provider. As a result, the Board does not have an estimate of CE tuition fee revenues impacting the state at this time.

The Board further notes, \$26 of the fingerprint background check costs (\$75) will be retained by the local business vendor. The Board estimates up to six fingerprint checks will be completed per year, which results in annual revenues of approximately \$156 for these businesses.

### **CONSIDERATION OF ALTERNATIVES:**

In accordance with Government Code section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative it considered to the regulation or that has

otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed; would be as effective and less burdensome to affected private persons than the proposal described in this Notice; or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may submit comments to the Board in writing relevant to the above determinations during the written comment period, or at the hearing if one is scheduled or requested, to the Board at the address listed under Contact Persons in this Notice, which is 1300 National Drive, Suite 150, Sacramento CA 95834.

#### **AVAILABILITY OF STATEMENT OF REASONS AND RULEMAKING FILE**

The Board has compiled a record for this regulatory action, which includes the Initial Statement of Reasons (ISOR), proposed regulatory text, and all the information on which this proposal is based. This material is contained in the rulemaking file and is available for public inspection upon request to the contact persons named in this notice.

#### **TEXT OF PROPOSAL**

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Board, at 1300 National Drive, Suite 150, Sacramento CA 95834.

#### **AVAILABILITY OF CHANGED OR MODIFIED TEXT**

After considering all timely and relevant comments, the Board upon its own motion or at the request of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal, with the modifications clearly indicated, will be available for review and written comment for 15 days prior to its adoption from the person designated in this Notice as the Contact Person and will be mailed to those persons who submit written comments or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

#### **AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE**

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the Final Statement of Reasons once it has been prepared by making a written request to the Contact Person below or by accessing the website listed below.

## **CONTACT PERSONS**

Inquiries or comments concerning the proposed rulemaking action may be directed to:

Name: Terri Thorfinnson, Legislation and Regulatory Specialist  
Address: 1300 National Drive, Suite 150  
Sacramento, CA 95834  
Telephone: (916) 928-8390  
Fax: (916) 928-8392  
Email: [Terri.Thorfinnson@dca.ca.gov](mailto:Terri.Thorfinnson@dca.ca.gov)

The back-up contact person is:

Name: Erika Calderon, Executive Director  
Address: 1300 National Drive, Suite 150  
Sacramento, CA 95834  
Telephone: (916) 928-8390  
Fax: (916) 928-8392  
Email: [Erika.Calderon@dca.ca.gov](mailto:Erika.Calderon@dca.ca.gov)

## **AVAILABILITY OF DOCUMENTS ON THE INTERNET**

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations with modifications noted, as well as the Final Statement of Reasons when completed, and modified text, if any, can be accessed through the Board's website at [https://www.ombc.ca.gov/laws\\_regulations/pending\\_regulations.shtml](https://www.ombc.ca.gov/laws_regulations/pending_regulations.shtml)