



# MEDICAL BOARD OF CALIFORNIA

Protecting consumers by advancing high quality, safe medical care.

## Executive Office

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Gavin Newsom, Governor, State of California | Business, Consumer Services and Housing Agency | Department of Consumer Affairs

June 4, 2019

The Honorable Richard Pan, M.D.  
California State Senate  
State Capitol, Room 5114  
Sacramento, CA 95814

### Re: SB 276 (Pan) – Support in Concept Position

Dear Dr. Pan:

This bill would require the California Department of Public Health (CDPH), by July 1, 2020, to develop a statewide standardized medical exemption request form, which shall be made available for use for physicians in California. This bill would specify that beginning January 1, 2021, this form shall be the only medical exemption documentation that a governing authority may accept, as specified. This bill would specify that a medical exemption request form must be approved or denied by the State Public Health Officer or the public health officer's designee upon a determination that the request provides sufficient medical evidence that the immunization is contraindicated or there exists a specific precaution regarding a particular immunization, based on federal Centers for Disease Control and Prevention (CDC) guidelines. This bill would require the form to include an authorization for the release of records related to the medical exemption by the physician to CDPH and the Medical Board of California (Board).

The Board supports the concepts in SB 276 that allow the Board to receive the medical records related to medical exemptions and require review of medical exemptions. Allowing the Board to receive the medical records in medical exemption cases will remove the obstacles the Board is currently facing and allow the Board's experts to review the medical records and opine if the physician followed the standard of care. However, during the discussion on SB 276 at the Board's interim meeting, numerous members raised issues regarding the CDC guidelines being too narrow and the appropriate entity to have oversight of the review of medical exemptions. The Board looks forward to working with your office on these issues as SB 276 moves through the Legislature.

Please contact me or my Chief of Legislation, Jennifer Simoes, at (916) 263-2389 if you need additional information or assistance with this bill.

Sincerely,

Kimberly Kirchmeyer  
Executive Director