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SB-1003 Respiratory therapy. (2017-2018)

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Date Published: 08/20/2018 09:00 PM

Senate Bill No. 1003

CHAPTER 180

An act to amend Section 3704 of, and to add Section 3702.5 to, the Business and Professions Code, relating to healing arts.

[Approved by Governor August 20, 2018. Filed with Secretary of State August 20, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1003, Roth. Respiratory therapy.

Existing law, the Respiratory Care Practice Act, provides for the licensure and regulation of the practice of respiratory therapy by the Respiratory Care Board of California. The act defines respiratory care as a practice to mean a health care profession employed under the supervision of a medical director in the therapy, management, rehabilitation, diagnostic evaluation, and care of patients with deficiencies and abnormalities which affect the pulmonary system and associated aspects of cardiopulmonary and other systems functions. The act requires an applicant for a license as a respiratory care practitioner to complete specified education.

This bill would prohibit any state agency, as defined, except for the Respiratory Care Board of California, from defining or interpreting respiratory care for those licensed pursuant to these provisions, or from developing standardized procedures or protocols, unless authorized by these provisions or specifically required by state or federal statute. The bill would also authorize the board to adopt regulations to define, interpret, or identify basic respiratory tasks and services, intermediate respiratory tasks, services, and procedures that require formal training, and advanced respiratory tasks, services, and procedures that require supplemental training, as specified.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 3702.5 is added to the Business and Professions Code, to read:

3702.5. Except for the board, a state agency may not define or interpret the practice of respiratory care for those licensed pursuant to this chapter, or develop standardized procedures or protocols pursuant to this chapter, unless authorized by this chapter or specifically required by state or federal statute. The board may adopt regulations to further define, interpret, or identify all of the following:

- (a) Basic respiratory tasks and services that do not require a respiratory assessment and only require manual, technical skills, or data collection.
- (b) Intermediate respiratory tasks, services, and procedures that require formal respiratory education and training.
- (c) Advanced respiratory tasks, services, and procedures that require supplemental education, training, or additional credentialing consistent with national standards, as applicable.

SEC. 2. Section 3704 of the Business and Professions Code is amended to read:

3704. As used in this chapter, these terms shall be defined as follows:

- (a) "Board" means the Respiratory Care Board of California.
- (b) "Department" means the Department of Consumer Affairs.
- (c) "Medical director" means a physician and surgeon who is a member of a health care facility's active medical staff and who is knowledgeable in respiratory care.
- (d) "Respiratory care" includes "respiratory therapy" or "inhalation therapy," where those terms mean respiratory care.
- (e) "Respiratory therapy school" means a program reviewed and approved by the board.
- (f) "State agency" includes every state office, officer, department, division, bureau, board, authority, and commission.