



June 18, 2014

The Honorable Ed Hernandez  
Chair, Senate Health Committee  
State Capitol, Room 2191  
Sacramento, CA 95814

RE: AB 809 – **Support if amended**

Dear Senator Hernandez:

At its June 17, 2014 meeting, the Board of Psychology (Board) took a **support if amended** position on AB 809 (Logue).

The Board's mission is to advance quality psychological services for Californians by ensuring ethical and legal practice and supporting the evolution of the profession.

The Board supports and agrees with author's intention to fix some of the unintended consequences of AB 415 (Logue, Chapter 547, Statutes of 2011). However, the proposed language does not completely address the Board's concerns with the statute.

As amended, Business and Professions Code §2290.5 (b) states that "Prior to the delivery of health care via telehealth, the health care provider initiating the use of telehealth at the originating site shall inform the patient about the use of telehealth and obtain verbal or written consent from the patient for the use of telehealth as an acceptable mode of delivering health care services and public health during a specified course of health care and treatment."

The term "originating site" is defined as the location of the patient at the time health care services are provided. This implies that if the health care provider does not physically go to the site where the patient is located to obtain the patient's verbal or written consent, then he or she is guilty of unprofessional conduct and subject to disciplinary action on his or her license or registration. This runs counter to the purpose of telehealth, which is to use electronic means to make health care more accessible, especially for patients in rural areas.

The Board requests that the phrase "at the originating site" be deleted from Business and Professions Code §2290.5 (b). This amendment would allow the Board to adopt a support position to AB 809.

If you have any questions or concerns, please feel free to contact the Board's Administrative Services Coordinator, Jonathan Burke, at (916) 574-7137. Thank you.

Sincerely,



MICHAEL ERICKSON, PH.D.  
President, Board of Psychology

cc: Senator Mike Morrell (Vice Chair)

Senator Jim Beall

Senator Kevin de León

Senator Mark DeSaulnier

Senator Noreen Evans

Senator Bill Monning

Senator Jim Nielsen

Senator Lois Wolk

Assembly Member Dan Logue

Board Members

Tracy Rhine, Deputy Director, Legislative and Policy Review, Department of Consumer  
Affairs