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AB-1909 Healing arts licensees: virginity examinations or tests. (2019-2020)

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CALIFORNIA LEGISLATURE— 2019–2020 REGULAR SESSION

ASSEMBLY BILL

NO. 1909

Introduced by Assembly Member Gonzalez

January 08, 2020

An act to add Section 726.5 to the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1909, as introduced, Gonzalez. Healing arts licensees: virginity examinations or tests.

Existing law establishes the Department of Consumer Affairs in the Business, Consumer Services, and Housing Agency. The department is composed of boards for purposes of licensing and regulating various professions and vocations, including healing arts licensees. The boards are established for the purpose of ensuring that those private businesses and professions deemed to engage in activities that have potential impact upon the public health, safety, and welfare are adequately regulated in order to protect the people of California. Existing law makes certain acts by a healing arts licensee, including, but not limited to, sexual abuse, misconduct, or relations with a patient, unprofessional conduct and grounds for disciplinary action.

This bill would prohibit a healing arts licensee, as defined, from performing an examination or test on a patient for the purpose of determining whether the patient is a virgin. The bill would also make a violation of its provisions unprofessional conduct and grounds for disciplinary action by the licensing board for the healing arts licensee.

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

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

SECTION 1. Section 726.5 is added to the Business and Professions Code, to read:

726.5. (a) A healing arts licensee shall not perform an examination or test on a patient for the purpose of determining whether the patient is a virgin.

(b) A violation of subdivision (a) constitutes unprofessional conduct and is grounds for disciplinary action by the licensing board for the healing arts licensee.

(c) For purposes of this section, "healing arts licensee" means any person working within their scope of practicing and engaging in acts that are the subject of licensure or regulation under this division or under any initiative act

referred to in this division.