
**SENATE COMMITTEE ON
BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT**

Senator Dr. Aisha Wahab, Chair
2025 - 2026 Regular

Bill No:	AB 1703	Hearing Date:	June 15, 2026
Author:	Hart		
Version:	June 9, 2026		
Urgency:	No	Fiscal:	Yes
Consultant:	Sarah Mason		

Subject: Osteopathic physicians and surgeons: unauthorized practice: unauthorized use of titles

SUMMARY: Prohibits a person who is not licensed by the Osteopathic Medical Board of California (OMBC) from professionally using the title “osteopath” or other terms implying they are a licensed osteopathic physician and surgeon, and prohibits alternative or complementary care providers from providing osteopathic manipulative treatment without a license.

Existing law:

- 1) Makes it unlawful for a licensed healthcare provider to publicly communicate a false, fraudulent, misleading, or deceptive statement, claim, or image for the purpose of or likely to induce, directly or indirectly, the rendering of professional services in connection with the professional practice or business for which they are licensed. (Business and Professions Code (BPC) § 651)
- 2) Enacts the Medical Practice Act, which provides for the licensure and regulation of physicians and surgeons. (BPC §§ 2000 *et seq.*)
- 3) Establishes the Medical Board of California (MBC) responsible for administering and enforcing the Medical Practice Act. (BPC § 2001)
- 4) Establishes the OMBC, which regulates osteopathic physicians and surgeons under the Osteopathic Act who possess effectively the same practice privileges and prescription authority as those regulated by MBC but with a training emphasis on diagnosis and treatment of patients through an integrated, whole-person approach. (BPC §§ 2450 *et seq.*)
- 5) Provides that references to the MBC or the term “board” refer to the OMBC where that board exercises the functions granted to it by the Osteopathic Act. (BPC § 2451)
- 6) Defines “osteopathic manipulative treatment” as the therapeutic application of manually guided forces by an osteopathic physician and surgeon to alleviate somatic dysfunction. (BPC § 2459.6)
- 7) Provides that any person who practices or attempts to practice, or who advertises or holds themselves out as practicing, any system or mode of treating the sick or afflicted in California, or who diagnoses, treats, operates for, or prescribes for any ailment, blemish, deformity, disease, disfigurement, disorder, injury, or other physical

or mental condition of any person, without having at the time of so doing a valid, unrevoked, or unsuspended certificate as a physician and surgeon or without being otherwise authorized to perform the act is guilty of a crime. (BPC § 2052)

- 8) Allows for an unlicensed person to provide alternative or complementary care without being subject to prosecution for the unlicensed practice of medicine unless they do any of the following:
 - a) Conduct surgery or any other procedure on another person that punctures the skin or harmfully invades the body.
 - b) Administer or prescribe X-ray radiation to another person.
 - c) Prescribe or administer legend drugs or controlled substances to another person.
 - d) Recommend the discontinuance of legend drugs or controlled substances prescribed by an appropriately licensed practitioner.
 - e) Willfully diagnose and treat a physical or mental condition of any person under circumstances or conditions that cause or create a risk of great bodily harm, serious physical or mental illness, or death.
 - f) Set fractures.
 - g) Treat lacerations or abrasions through electrotherapy.
 - h) Hold out, state, indicate, advertise, or imply to a client or prospective client that the person is a physician and surgeon. (BPC § 2053.5(a))
- 9) Requires a person who advertises alternative or complementary care services to disclose in the advertisement that they are not licensed by the state as a healing arts practitioner. (BPC § 2053.5(b))
- 10) Requires a person who provides alternative or complementary care services to first disclose the following information to the client in writing in a language that the client understands, and requires the information to be acknowledged in writing by the client:
 - a) That the practitioner is not a licensed physician.
 - b) That the treatment is alternative or complementary to healing arts services licensed by the state.
 - c) That the services to be provided are not licensed by the state.
 - d) The nature of the services to be provided.
 - e) The theory of treatment upon which the services are based.
 - f) The practitioner's educational, training, experience, and other qualifications regarding the services to be provided.

(BPC § 2053.6)

- 11) Prohibits any person who does not have a valid, unrevoked, and unsuspended certificate as a physician and surgeon from the MBC or the OMBC from using the words “doctor” or “physician,” the letters or prefix “Dr.,” the initials “M.D.” or “D.O.,” or any other terms or letters indicating or implying that they are a physician in any sign, business card, letterhead, or advertisement, or in a health care setting where a reasonable patient would be led to determine that person is a licensed M.D. or D.O., with certain exceptions. (BPC § 2054)
- 12) Allows a person who has been issued a physician’s and surgeon’s certificate by the MBC to use the initials “M.D.” (BPC § 2055)
- 13) States that nothing in the Medical Practice Act prohibits service in the case of emergency, or the domestic administration of family remedies. (BPC § 2058)
- 14) Provides that nothing in the Medical Practice Act shall be construed as limiting the practice of other persons licensed, certified, or registered under any other provision of healing arts law when that person is engaged in their authorized and licensed practice. (BPC § 2061)
- 15) Makes it unlawful for any person to make or disseminate any statement in the advertising of services, professional or otherwise, which is untrue or misleading. (BPC § 17500)

This bill:

- 1) Prohibits a person who is not licensed by the OMBC from using the word “osteopath,” using the phrase “doctor of osteopathy,” using the initials “D.O.,” or indicating or implying that they are a licensed osteopath, licensed doctor of osteopathy, or physician and surgeon licensed by MBC when offering or providing a service to treat a medical or physical condition.
- 2) Provides that a person who violates the above title protections is guilty of a misdemeanor.
- 3) Prohibits unlicensed alternative or complementary care practitioners from providing osteopathic manipulative treatment.
- 4) Defines “osteopathic manipulative treatment” as the therapeutic application of manually guided forces to alleviate somatic dysfunction.

FISCAL EFFECT: This bill is keyed fiscal by Legislative Counsel. According to the Assembly Committee on Appropriations, OMBC anticipates enforcing approximately 40 cases of misrepresentation and unlicensed activity, resulting in minor and absorbable costs.

COMMENTS:

1. **Purpose.** This bill is sponsored by Osteopathic Physicians and Surgeons of California. According to the Author, AB 1703 addresses a gap in current law where patients are protected when seeking care from a medical doctor (MD), but not when choosing a Doctor of Osteopathic Medicine (DO). There are strict protections that prevent non-physicians from advertising themselves as MDs, but not equivalent safeguards to stop those same individuals from advertising themselves as osteopaths or claiming they can provide licensed care. This bill will ensure only DOs who are licensed and medically trained to treat patients can advertise themselves as such and perform licensed services. Californians should be able to trust the quality of licensed medical practitioners and deserve the right to make informed decisions when choosing a doctor, no matter the type of care they seek.

The Author advises that this bill addressed two key problems in current law. According to the Author, "Internationally trained osteopaths have opened practices in California advertising themselves with specific titles and offering medical treatments that overlap with services traditionally performed by licensed physicians. These individuals operate without formal licensure requirements or government oversight, while claiming to treat a host of medical conditions. For example, they frequently use titles including DO (it), DO (CAN), and D.O.M.P., none of which are recognized terms in California or the United States... The use of these titles by unlicensed osteopaths blurs the lines between licensed DOs and unlicensed practitioners creating confusion and potential safety risks for patients. An individual looking for a primary care doctor could reasonably assume that these individuals are practicing DOs, and therefore physicians, when they are not."

The Author also states that "One specific treatment these internationally trained osteopaths say they offer is Osteopathic Manipulative Treatment (OMT), which involves hands-on techniques to diagnose and provide treatment, especially in the musculoskeletal system. OMT is defined in CA B&P Code 2459.6 (a)(2) and specifically states it is performed "by an osteopathic physician and surgeon." Osteopathic physicians receive up to 200 hours of OMT education/training while in medical school and are later tested on OMT during licensure exams. In 2001 Senate Bill 577 was signed into law creating a pathway for some unlicensed complementary and alternative health care services, with key exceptions. This is now contained in B&P Code 2053.5 and 2053.6. AB 1703 is needed to clarify OMT should be considered exempt under the alternative health care practice pathway in SB 577, since it is a currently licensed practice and patients should be able to trust consistency and quality of these practices."

2. **Background.** The Osteopathic Initiative Act (Act) was approved by California voters in 1922, establishing a Board of Osteopathic Examiners tasked with licensing osteopathic physicians and surgeons, who had previously been regulated by the Board of Medical Examiners (the predecessor of today's Medical Board of California [MBC]). In 1962, another initiative was passed providing the Legislature the authority to amend the Act. From 1962 to 1974, there were no new D.O. licenses issued. A series of lawsuits challenged the abolishment of the D.O. license and portions of the Act, however the court restored the authority for D.O. licenses to be issued. Legislation in 1982 changed the name from the Board of Osteopathic

Examiners to the OMBC and added board members. The only restriction on the Legislature's power is that it may not fully repeal the Act unless the number of licensed osteopathic physicians falls below 40. In 2002, OMBC volunteered to be included under the umbrella of the California Department of Consumer Affairs (DCA).

According to OMBC, D.O.s are trained to consider the health of the whole person and use their hands in an integrated approach to help diagnose and treat their patient. A D.O. may use the title "Doctor" or "Dr." but must clearly state that he or she is a D.O. or osteopathic physician and surgeon. OMBC states that a key difference between the two professions is that D.O.s have additional dimension in their training and practice, a component that is not taught in allopathic medical schools. Osteopathic medicine gives particular recognition to the musculoskeletal system (the muscles, bones and joints) which comprise over 60 percent of body mass. The D.O. is trained to recognize that all body systems, including the musculoskeletal system, are interdependent, and a disturbance in one can cause altered functions in other systems of the body. The D.O. is also trained in how this interrelationship of body systems is facilitated by the nervous and circulatory systems. The emphasis on the relationship between body structure and organic functioning is intended to provide a broader base for the treatment of the patient as a unit. D.O.s use structural diagnosis and manipulative therapy along with all of the other traditional forms of diagnosis and treatment to care for patients. D.O.s utilize all scientifically accepted methods of diagnosis and treatment, including the use of drugs and surgery.

D.O.s are licensed in all 50 states to perform surgery and prescribe medication. D.O.s practice in fully accredited and licensed hospitals and medical centers. BPC Section 2453 states that it "is the policy of this State that holders of M.D. degrees and D.O. degrees shall be accorded equal professional status and privileges as licensed physicians and surgeons."

Professional Title Protection. Title protection is one of the forms of regulation of professional services that can be imposed by the Legislature to protect patients and consumers by reserving the use of words, terms, initials, and titles for individuals who have met certain requirements to demonstrate competence. As described in the context of the Legislature's "sunrise review" process, title protection is frequently included as part of a licensing act, where only persons who meet predetermined standards are allowed to work at an occupation. When licensure is required for a profession, both the scope of practice and the use of titles describing that title are protected.

As a less restrictive alternative to licensure, the Legislature will sometimes grant recognition to persons who obtain a voluntary certification or registration relating to an unlicensed profession by providing them with exclusive use of specified titles. In many cases, this title protection is limited to the use of terms such as "certified" or "licensed" in association with terms related to the profession. However, some specific terms, such as "dietician" or "athletic trainer," are reserved for individuals who have obtained a voluntary certification or met other requirements despite there being no requirement to obtain a license to practice that profession.

Unlawful use of a title is enforced by regulatory entities, including healing arts boards, consistent with the process for enforcement against unlicensed practice. Typically, these types of violations of a practice act constitute a misdemeanor. Many boards also possess the authority to cite and fine violators, or to engage in other actions to compel compliance with the law. The unauthorized use of professional titles in advertising can also form the basis for prosecutions against individuals or entities for false advertising or unfair business practices.

General provisions governing health professional licensing boards make it unlawful for any healing arts licensee to publicly communicate any false, fraudulent, misleading, or deceptive statement, claim, or image for the purpose of rendering professional services in connection with their licensed practice. Statute specifically prohibits a licensee from using “any professional card, professional announcement card, office sign, letterhead, telephone directory listing, medical list, medical directory listing, or a similar professional notice or device if it includes a statement or claim that is false, fraudulent, misleading, or deceptive.” Practitioners may advertise that they are certified or that they limit their practice to specific fields; however, the term “board certified” is reserved for physicians certified by an American Board of Medical Specialties member board.

Additionally, Section 17500 of the Business and Professions Code broadly prohibits false advertising of a product or service. Specifically, this law makes it unlawful for any person to make any statement or advertisement with intent to perform services, professional or otherwise, that is untrue or misleading. While this code section covers a wide range of false advertisements by sellers of goods or services, its provisions would be applicable to health care licensees.

The Medical Practice Act prohibits any person from practicing or advertising as practicing medicine without a license. Statute specifically makes it a misdemeanor for any unlicensed person to use the words “doctor” or “physician,” the letters or prefix “Dr.,” the initials “M.D.” or “D.O.,” or any other terms or letters indicating or implying that the person is a licensed physician and surgeon on any sign, business card, or letterhead, or, in an advertisement. To use these words, prefixes, or initials, a person’s license must be valid, unrevoked, and unsuspended. The statute features several limited exceptions for individuals who are trained as physicians but not currently licensed in California, or who are licensed in another health care profession for which use of the term “doctor” is authorized. Statute also includes an exception for when the use of “doctor” is not associated with any claim of entitlement to practice medicine or any other professional service for which the use of the title would be untrue or misleading.

This bill would prohibit a person who is not licensed by the OMBC from using the word “osteopath” or otherwise indicating or implying that they are a licensed osteopathic physician and surgeon when offering or providing a service to treat a medical or physical condition. As with similar title protection laws, the prohibition would be enforceable as a misdemeanor. The author and supporters believe that reserving the term “osteopath” for D.O.s will resolve the potential for confusion for patients seeking to obtain care from a licensed osteopathic physician.

- Arguments in Support.** The American Osteopathic Association writes that “By exploiting statutory loopholes and opening unlicensed “practices” in the US, unlicensed manual “osteopaths” are misleading patients who may believe that they are seeing a fully trained and licensed DO or medical doctor (MD) with osteopathic training – the only types of healthcare providers licensed to provide OMT in the US – when they are not. Aside from reputational harm, however, the manual manipulation procedures performed by these individuals carry real risks for patients – including vertebral artery dissections and stroke¹. With no oversight body, it is nearly impossible to track these individuals and protect patients from potential harm.”

The California Chapter of the American College of Emergency Physicians writes that “While DOs are physicians, internationally trained osteopaths are not, and do not have the same level of medical training.”

According to the California Dermatology Advocacy Network, “patients should be provided with understandable information about which services constitute the practice of medicine. This legislation addresses this by limiting the use of doctorates of osteopathy and similar titles to licensed physicians and surgeons. It also protects patients by prohibiting deceptive, misleading, or false representations from unqualified practitioners performing a medical act. Possessing this information will allow patients to make better informed health care choices and assist them in seeing the provider best suited to care for them.”

The California Rheumatology Alliance states that “AB 1703 appropriately makes it a misdemeanor for unlicensed individuals to use misleading titles, ensuring patients can distinguish legitimate DOs from unlicensed practitioners.”

According to the California Society of Dermatology and Dermatologic Surgery (CalDerm), “Unlicensed individuals should not be able to advertise or offer a medical service that is currently licensed in California. This ensures patients can make informed decisions and trust their medical care.”

The California Society of Anesthesiologists write that “When an unlicensed individual uses a title such as ‘osteopath,’ ‘doctor of osteopathy,’ or the initials ‘D.O.’ without holding a valid license from the Osteopathic Medical Board of California, it creates dangerous confusion. Patients may consent to treatment – including osteopathic manipulative treatment – believing they are in the hands of a licensed physician, when in fact they are not.”

OMBC believes this bill “will empower regulatory agencies like ours to more effectively prevent individuals who lack the necessary credentials and oversight from endangering the public. By supporting this legislation, you are taking a vital step in upholding the integrity of the medical profession and ensuring that all Californians have access to safe and competent healthcare.”

The Osteopathic Physicians and Surgeons of California state that “Osteopathic Physicians receive 200+ hours of OMT training and are later tested for it during the

medical licensing exams. It's illogical to think that someone can assert they received similar training in another country and move to California and open up a medical practice without having a license to do so. Or put another way, one can cherry pick the scope of practice of a licensed medical professional and simply call it alternative or complimentary and open an office under the provisions outlined in Senate Bill 577. That was not the intent of the law, and it should be clarified to prevent unlicensed OMT activity."

SUPPORT AND OPPOSITION:Support:

Osteopathic Physicians and Surgeons of California (sponsor)
American Osteopathic Association
California Chapter of the American College of Emergency Physicians
California Dermatology Advocacy Network
California Medical Association
California Podiatric Medical Association
California Rheumatology Alliance
California Society of Anesthesiologists
California Society of Dermatology & Dermatologic Surgery
Osteopathic Medical Board of California
Touro University
Multiple individuals

Opposition:

None received

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