

THIRD READING

Bill No: AB 1703
Author: Hart (D)
Amended: 8/13/26 in Senate
Vote: 21

SENATE BUS., PROF. & ECON. DEV. COMMITTEE: 11-0, 6/15/26
AYES: Wahab, Choi, Archuleta, Arreguín, Caballero, Grayson, Menjivar, Niello,
Smallwood-Cuevas, Strickland, Umberg

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/13/26
AYES: Cervantes, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 73-0, 5/11/26 - See last page for vote

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

SOURCE: Osteopathic Physicians and Surgeons of California

DIGEST: This bill prohibits a person who is not licensed by the Osteopathic Medical Board of California (OMBC) from professionally using 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.

ANALYSIS:

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) 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.*)
- 3) 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)
- 4) 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)
- 5) 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))
- 6) 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))
- 7) 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)
- 8) 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)
- 9) States that nothing in the Medical Practice Act prohibits service in the case of emergency, or the domestic administration of family remedies. (BPC § 2058)
- 10) 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)

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

Background

A doctor of osteopathy (D.O.) may use the title “Doctor” or “Dr.” but must clearly state that they are a D.O. or osteopathic physician and surgeon. OMBC states that a key difference between medical doctors and D.O.s 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.

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.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Committee on Appropriations, the bill will result in unknown, potentially significant workload cost pressures to the state funded trial court system to adjudicate any misdemeanor violations resulting from this bill. OMBC anticipates minor and absorbable enforcement workload to address an estimated 40 cases of misrepresentation and unlicensed activity.

SUPPORT: (Verified 8/14/26)

Osteopathic Physicians and Surgeons of California (source)
American Osteopathic Association
California Chapter of the American College of Emergency Physicians
California Chiropractic Association
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
Physician Association of California

OPPOSITION: (Verified 8/14/26)

Associated Bodywork and Massage Professionals
Barral Institute
California Coalition of Natural Health Practitioners

California Naturopathic Association
Coalition of Non Physician Osteopaths
Fusion Healing
International Association of Healthcare Practitioners
Upledger Institute International
Numerous individuals

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.”

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.”

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.”

ARGUMENTS IN OPPOSITION: Opponents state that “This is a bill written without a problem to solve...if this bill passes as written, thousands of clients will immediately lose access to the care they rely on, with no meaningful continuity-of-care protections in place. A dangerous place to leave Californians who have relied on this care for decades.” Opponents are concerned that this bill “could prevent trained manual therapists from using techniques they have safely practiced with me for years. Many of these techniques are used by several types of healthcare professionals and should not belong to only one profession.” According to opponents, the bill “uses a definition of Osteopathic Manipulative Treatment that is so broad it could include many manual therapy methods that are not exclusive to osteopathic physicians... Healthcare professionals should not be placed in conflict with one another because different professions use overlapping methods or terminology. No single profession owns exclusive control over manual therapy approaches that qualified practitioners have lawfully provided for at least a century.

Associated Bodywork and Massage Professionals states that “In the bill language, ‘osteopathic manipulation’ is added to the list of practices guarded by title protection for osteopathic physicians and surgeons. However, this could be interpreted as encroachment on the legal scope of other health and wellness professionals, including massage therapists. We would instead encourage language that either omits the inclusion of ‘osteopathic manipulation,’ or includes language that clearly states that the bill in no way is intended to interfere with the lawful practice of massage therapy in California.”

According to the Barral Institute, a manual therapy education provider, “Manual therapy is hands-on care in which a trained practitioner uses skilled touch and movement to help reduce pain, improve mobility, and support the body’s function. Manual therapy is used by many types of trained healthcare professionals, including physical therapists, occupational therapists, osteopaths, chiropractors, massage therapists, naturopathic physicians, acupuncturists, nurses, and other qualified practitioners whose education and lawful scopes of practice include hands-on care...Treating the lawful use of these established techniques as a potential criminal or disciplinary matter would create serious and unwarranted risk for California practitioners and could impair their ability to continue serving the people who rely on their care... The consequences of this broad language would extend beyond practitioners to the Californians they serve. Clients could lose access to trusted providers, experience interruptions in ongoing care, face fewer treatment choices, or incur increased costs. This is especially concerning for people seeking conservative, noninvasive, hands-on care from qualified professionals who

are already practicing within the authority granted by their licenses, certifications, or applicable California law.”

The California Coalition of Natural Practitioners notes that “Manual Osteopaths are distinct from Osteopathic Physicians (D.O.s), with different educational pathways, professional training, and scopes of practice. The Legislature should therefore avoid language that inadvertently collapses these distinct professions into a single category.”

The California Naturopathic Association writes that “AB 1703 creates a serious unintended consequence for Cranial Sacral Therapists and Traditional Naturopaths who lawfully provide craniosacral therapy under this framework...OMT prohibition would inadvertently eliminate the existing statutory safe harbor for Cranial Sacral Therapists and Traditional Naturopaths who provide craniosacral therapy as a complementary modality. Protecting the public from false representation as an osteopathic physician is appropriate; unintentionally criminalizing a distinct complementary practice that California has expressly permitted under its disclosure-based framework, is not.”

The Coalition of Non-Physician Osteopaths believes the prohibition on providing osteopathic manual treatment should “not apply to a non-physician osteopath who provides osteopathic manual therapy in compliance with the disclosure requirements of Section 2053.6. For purposes of this paragraph, ‘non-physician osteopath’ means a person who holds a diploma or degree in osteopathy from an accredited institution outside the United States and is not licensed as a physician and surgeon in this state...” The group also believes that “osteopathic manual therapy” should be defined as “the manual application of osteopathic principles and techniques via manually guided forces to achieve somatic normalization.”

According to the International Association of Healthcare Practitioners, “AB 1703 should not create a new barrier to precisely the types of nonpharmacologic services that public-health policy has encouraged. If broadly shared manual methods are treated as the exclusive property of one profession, California could lose a substantial portion of the workforce currently available to provide excellent conservative pain care. Practitioners may stop offering lawful services out of fear of investigation or prosecution; referring providers may become reluctant to recommend manual therapy; and Californians may face longer waits, fewer choices, higher costs, interrupted care, or increased reliance on pharmacologic approaches. Those consequences would run counter to the widely supported goal of expanding, rather than restricting, access to responsible opioid alternatives. For

these reasons, the breadth of AB 1703's definition of Osteopathic Manipulative Treatment requires particular scrutiny.”

Upledger Institute International writes that the “language could be misapplied to anyone who has studied or uses techniques that originated in, or overlap with, osteopathic manual therapy, regardless of whether that person claims to be an osteopathic physician, offers a medical diagnosis, or practices medicine in any way. Many OMT techniques have been taught openly in courses and published in textbooks, without legal restriction, for decades. Treating the application of these established, generally safe manual techniques as a potential criminal act would place our members, none of whom represent themselves as osteopathic physicians or physicians of any kind, at serious and unwarranted legal risk.”

ASSEMBLY FLOOR: 73-0, 5/11/26

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Ramos, Ransom, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Arambula, Lowenthal, Quirk-Silva, Celeste Rodriguez, Michelle Rodriguez, Solache, Soria

Prepared by: Sarah Mason / B., P. & E.D. /
8/17/26 10:38:11

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