



OFFICE OF THE GOVERNOR

SEP 30 2022

To the Members of the California State Assembly:

Assembly Bill 2098 provides that the dissemination of misinformation or disinformation related to COVID-19 by physicians and surgeons to a patient under their direct care constitutes unprofessional conduct.

I am signing this bill because it is narrowly tailored to apply only to those egregious instances in which a licensee is acting with malicious intent or clearly deviating from the required standard of care while interacting directly with a patient under their care.

To be clear, this bill does not apply to any speech outside of discussions directly related to COVID-19 treatment within a direct physician patient relationship. I am concerned about the chilling effect other potential laws may have on physicians and surgeons who need to be able to effectively talk to their patients about the risks and benefits of treatments for a disease that appeared in just the last few years. However, I am confident that discussing emerging ideas or treatments including the subsequent risks and benefits does not constitute misinformation or disinformation under this bill's criteria.

COVID-19 treatment and care is rapidly evolving and this bill allows physicians to discuss both emerging and current treatments in a manner that is unique to each patient and their distinctive medical history.

Sincerely,

Gavin Newsom

