



**LEGAL AFFAIRS**  
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SACRAMENTO, CA 95814-6200



July 26, 2001

Guy C. Lamunyon  
23 Poplar Drive  
Aliso Viejo, CA 92656

RE: Practice of Medicine by Unlicensed Personnel

Dear Mr. Lamunyon:

Your letter dated December 13, 2000 addressed to the Medical Board of California has been referred to our office for reply.

In your letter you ask: "Would diagnosis of substance related disorders (DSM-IV) by alcoholism counselors be considered the practice of medicine by unlicensed personnel?"

Section 2052 of the Business and Professions Code relating to the unlicensed practice of medicine states as follows:

"Any person who practices or attempts to practice, or who advertises or holds himself or herself out as practicing, any system or mode of treating the sick or afflicted in this state, 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 provided in this chapter, or without being authorized to perform such act pursuant to a certificate obtained in accordance with some other provision of law, is guilty of a misdemeanor."

In conclusion, it is our opinion that diagnosis of substance related disorders by alcoholism counselors would be considered the practice of medicine by unlicensed personnel.

GUY C. LAMUNYON  
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We trust the foregoing is responsive.

Sincerely,

DOREATHEA JOHNSON  
Deputy Director  
Legal Affairs

A handwritten signature in cursive script, appearing to read "A. Scuri".

By ANITA L. SCURI  
Sr. Staff Counsel

ALS:slb

cc: Janis Thibault  
Nancy Vadera