

**Department of Public Health**

**BUDGET NO. 4265**

**REPORT NO. 1**

**WELFARE AND INSTITUTIONS CODE**

**83002.7 (Code Section not Found)**

**COMMENTS/RECOMMENDATIONS:**

According to the Department of Public Health, this one-time requirement was from Proposition 84 and was completed in 2010.

## **REPORT NO. 2**

### **HEALTH AND SAFETY CODE**

#### **DIVISION 105. COMMUNICABLE DISEASE PREVENTION AND CONTROL [120100. - 122420.]**

*( Division 105 added by Stats. 1995, Ch. 415, Sec. 7. )*

#### **PART 4. HUMAN IMMUNODEFICIENCY VIRUS (HIV) [120775. - 121349.3.]**

*( Part 4 added by Stats. 1995, Ch. 415, Sec. 7. )*

#### **CHAPTER 13.5. Disease Prevention Demonstration Project [121285. - 121285.]**

*( Chapter 13.5 added by Stats. 2004, Ch. 608, Sec. 5. )*

#### **121285.**

(a) The Disease Prevention Demonstration Project, a collaboration between pharmacies and local and state health officials, is hereby authorized for the purpose of evaluating the long-term desirability of allowing licensed pharmacists to furnish or sell nonprescription hypodermic needles or syringes to prevent the spread of blood-borne pathogens, including HIV and hepatitis C.

(b) The State Department of Health Services shall evaluate the effects of allowing pharmacists to furnish or sell a limited number of hypodermic needles or syringes without prescription, and provide a report to the Governor and the Legislature on or before January 15, 2010. The State Department of Health Services is encouraged to seek funding from private and federal sources to pay for the evaluation. The report shall include, but need not be limited to, the effect of nonprescription hypodermic needle or syringe sale on all of the following:

- (1) Hypodermic needle or syringe sharing practice among those who inject illegal drugs.
- (2) Rates of disease infection caused by hypodermic needle or syringe sharing.
- (3) Needlestick injuries to law enforcement officers and waste management employees.
- (4) Drug crime or other crime in the vicinity of pharmacies.
- (5) Safe or unsafe discard of used hypodermic needles or syringes.
- (6) Rates of injection of illegal drugs.

(c) The State Department of Health Services shall convene an uncompensated evaluation advisory panel comprised of all of the following: two or more specialists in the control of infectious diseases; one or more representatives of the California State Board of Pharmacy; one or more representatives of independent pharmacies; one or more representatives of chain pharmacy owners; one or more representatives of law enforcement executives, such as police chiefs and sheriffs; one or more representatives of rank and file law enforcement officers; a specialist in hazardous waste management from the State Department of Health Services; one or more representatives of the waste management industry; and one or more representatives of local health officers.

(d) In order to furnish or sell nonprescription hypodermic needles or syringes as part of the Disease Prevention Demonstration Project in a county or city that has provided authorization pursuant to Section 4145 of the Business and Professions Code, a pharmacy shall do all of the following:

- (1) Register with the local health department by providing a contact name and related information, and certify that it will provide, at the time of furnishing or sale of hypodermic needles or syringes, written information or verbal counseling on all of the following:
  - (A) How to access drug treatment.
  - (B) How to access testing and treatment for HIV and hepatitis C.
  - (C) How to safely dispose of sharps waste.

- (2) Store hypodermic needles and syringes so that they are available only to authorized personnel, and not openly available to customers.
- (3) In order to provide for the safe disposal of hypodermic needles and syringes, a registered pharmacy shall provide one or more of the following options:
- (A) An onsite safe hypodermic needle and syringe collection and disposal program.
- (B) Furnish or make available for purchase mail-back sharps disposal containers authorized by the United States Postal Service that meet applicable state and federal requirements, and provide tracking forms to verify destruction at a certified disposal facility.
- (C) Furnish or make available for purchase personal sharps disposal containers that meet state and federal standards for disposal of medical waste.
- (e) Local health departments shall be responsible for all of the following:
- (1) Maintaining a list of all pharmacies within the local health department's jurisdiction that have registered under the Disease Prevention Demonstration Project.
- (2) Making available to pharmacies written information that may be provided or reproduced to be provided in writing or orally by the pharmacy at the time of furnishing or the sale of nonprescription hypodermic needles or syringes, including all of the following:
- (A) How to access drug treatment.
- (B) How to access testing and treatment for HIV and hepatitis C.
- (C) How to safely dispose of sharps waste.
- (f) As used in this chapter, "sharps waste" means hypodermic needles, syringes, and lancets.  
*(Added by Stats. 2004, Ch. 608, Sec. 5. Effective January 1, 2005. Note: See operational provisions relating to local authorizations in Business and Professions Code Section 4149.5 as added by Stats. 2011, Ch. 738.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
SB-1159	Vasconcellos	Hypodermic needles and syringes.	Chaptered 09/20/2004	09/20/2004 - Chaptered by Secretary of State. Chapter 608, Statutes of 2004. 09/20/2004 - Approved by Governor.	-		

**COMMENTS/RECOMMENDATIONS:**

This one-time report was completed and submitted.

**REPORT NO. 3**

**AB 1183 (CHAPTER 758, STATUTES OF 2008) SECTION 72**

**SEC. 72.**

In an effort to more comprehensively clarify issues regarding the state's responsibilities and oversight of small water systems, including the payment structure, the State Department of Public Health shall provide the fiscal and policy committees of the Legislature with a synopsis of key issues regarding the program and options for addressing the sustainability of the program to meet safe drinking water quality standards.

**COMMENTS/RECOMMENDATIONS:**

This one-time report was completed and submitted.

## **REPORT NO. 4**

### **HEALTH AND SAFETY CODE**

#### **DIVISION 105. COMMUNICABLE DISEASE PREVENTION AND CONTROL [120100. - 122420.]**

*( Division 105 added by Stats. 1995, Ch. 415, Sec. 7. )*

#### **PART 4. HUMAN IMMUNODEFICIENCY VIRUS (HIV) [120775. - 121349.3.]**

*( Part 4 added by Stats. 1995, Ch. 415, Sec. 7. )*

#### **CHAPTER 6. Human Immunodeficiency Virus (HIV) Treatment [120950. - 120971.]**

*( Chapter 6 added by Stats. 1995, Ch. 415, Sec. 7. )*

#### **120955.**

(a) (1) To the extent that state and federal funds are appropriated in the annual Budget Act for these purposes, the director shall establish and may administer a program to provide drug treatments to persons infected with human immunodeficiency virus (HIV), the etiologic agent of acquired immunodeficiency syndrome (AIDS). If the director makes a formal determination that, in any fiscal year, funds appropriated for the program will be insufficient to provide all of those drug treatments to existing eligible persons for the fiscal year and that a suspension of the implementation of the program is necessary, the director may suspend eligibility determinations and enrollment in the program for the period of time necessary to meet the needs of existing eligible persons in the program.

(2) The director, in consultation with the AIDS Drug Assistance Program Medical Advisory Committee, shall develop, maintain, and update as necessary a list of drugs to be provided under this program. The list shall be exempt from the requirements of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340), Chapter 4 (commencing with Section 11370), and Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code), and shall not be subject to the review and approval of the Office of Administrative Law. In addition, the director shall notify the fiscal and policy committees of the Legislature of any additions, deletions, or restrictions to the list within 15 business days of the action. At a minimum, this notification shall describe the specific change to the formulary, the reason for the action taken, the estimated number of people it may affect, and any estimate of costs or savings where applicable.

(b) The director may grant funds to a county public health department through standard agreements to administer this program in that county. To maximize the recipients' access to drugs covered by this program, the director shall urge the county health department in counties granted these funds to decentralize distribution of the drugs to the recipients.

(c) The director shall establish a rate structure for reimbursement for the cost of each drug included in the program. Rates shall not be less than the actual cost of the drug. However, the director may purchase a listed drug directly from the manufacturer and negotiate the most favorable bulk price for that drug.

(d) Manufacturers of the drugs on the list shall pay the department a rebate equal to the rebate that would be applicable to the drug under Section 1927(c) of the federal Social Security Act (42 U.S.C. Sec. 1396r-8(c)) plus an additional rebate to be negotiated by each manufacturer with the department, except that no rebates shall be paid to the department under this section on drugs for which the department has received a rebate under Section 1927(c) of the federal Social Security Act (42 U.S.C. Sec. 1396r-8(c)) or that have been purchased on behalf of county health departments or other eligible entities at discount prices made available under Section 256b of Title 42 of the United States Code.

- (e) The department shall submit an invoice, not less than two times per year, to each manufacturer for the amount of the rebate required by subdivision (d).
- (f) Drugs may be removed from the list for failure to pay the rebate required by subdivision (d), unless the department determines that removal of the drug from the list would cause substantial medical hardship to beneficiaries.
- (g) The department may adopt emergency regulations to implement amendments to this chapter made during the 1997–98 Regular Session, in accordance with the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code). The initial adoption of emergency regulations shall be deemed to be an emergency and considered by the Office of Administrative Law as necessary for the immediate preservation of the public peace, health and safety, or general welfare. Emergency regulations adopted pursuant to this section shall remain in effect for no more than 180 days.
- (h) Reimbursement under this chapter shall not be made for any drugs that are available to the recipient under any other private, state, or federal programs, or under any other contractual or legal entitlements, except that the director may authorize an exemption from this subdivision where exemption would represent a cost savings to the state.
- (i) The department may also subsidize certain cost-sharing requirements for persons otherwise eligible for the AIDS Drug Assistance Program (ADAP) with existing non-ADAP drug coverage by paying for prescription drugs included on the ADAP formulary within the existing ADAP operational structure up to, but not exceeding, the amount of that cost-sharing obligation. This cost sharing may only be applied in circumstances in which the other payer recognizes the ADAP payment as counting toward the individual’s cost-sharing obligation.
- (Amended by Stats. 2011, Ch. 296, Sec. 178. Effective January 1, 2012.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-131	Committee on Budget	Budget Act of 2005: omnibus health trailer bill.	Chaptered 07/19/2005	07/19/2005 - Chaptered by Secretary of State - Chapter 80, Statutes of 2005. 07/19/2005 - Approved by the Governor.	-	Yes	Two Thirds
AB-203	Committee on Budget	Health.	Chaptered 08/24/2007	08/24/2007 - Chaptered by Secretary of State - Chapter 188, Statutes of 2007.	Secretary of State-Chaptered	Yes	Two Thirds
AB-442	Committee on Budget	Health: budget trailer.	Chaptered 09/30/2002	09/30/2002 - Chaptered by Secretary of State - Chapter 1161, Statutes of 2002. 09/30/2002 - Approved by the Governor.	-		
AB-1023	Wagner	Maintenance of the codes.	Chaptered 09/21/2011	09/21/2011 - Chaptered by Secretary of State - Chapter 296, Statutes of 2011.	Secretary of State-Chaptered	No	Majority

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-1762	Committee on Budget	Health.	Chaptered 08/11/2003	08/11/2003 - Chaptered by Secretary of State - Chapter 230, Statutes of 2003.	-		
AB-3483		Health.	Chaptered 07/22/1996		-		
SB-83	Committee on Budget and Fiscal Review	Health.	Amended Assembly 07/20/2007	11/30/2008 - Died on file.	Legislature-Died	Yes	Two Thirds
SB-391		Health.	Chaptered 08/18/1997		-		
SB-1360	Committee on Health and Human Services	Reorganization of the Health and Safety Code: public health.	Chaptered 08/11/1995		-		
SB-1846	Committee on Budget and Fiscal Review	Health: budget trailer.	Amended Assembly 06/25/2002	11/30/2002 - From Assembly without further action.	-	Yes	Two Thirds

**COMMENT/RECOMMENDATIONS:**

According to the Department of Public Health, information and estimates on the AIDS Drug Assistance Program is provided through annual budget process.

## REPORT NO. 5

### HEALTH AND SAFETY CODE

#### DIVISION 105. COMMUNICABLE DISEASE PREVENTION AND CONTROL [120100. - 122420.]

*( Division 105 added by Stats. 1995, Ch. 415, Sec. 7. )*

#### PART 4. HUMAN IMMUNODEFICIENCY VIRUS (HIV) [120775. - 121349.3.]

*( Part 4 added by Stats. 1995, Ch. 415, Sec. 7. )*

#### CHAPTER 4. Acquired Immune Deficiency Syndrome (AIDS) Early Intervention Projects [120900. - 120920.]

*( Chapter 4 added by Stats. 1995, Ch. 415, Sec. 7. )*

#### 120910.

(a) The department shall collect data from the early intervention projects, assess the effectiveness of the different models of early intervention projects, and report its findings to the Legislature on or before January 1, 1992, and on or before January 1 of each subsequent year.

(b) The department shall continuously collect data from each early intervention project. The data collected may include, but not be limited to, the following:

- (1) The total number of clients served.
- (2) The number of clients utilizing each service provided by the project.
- (3) Demographics on clients in the aggregate.
- (4) The source of funding for each type of service provided.
- (5) The cost of each type of service provided.
- (6) Medical treatment modalities utilized in the aggregate.
- (7) Changes in the clinical status of clients in the aggregate.
- (8) Changes in behaviors that present risks of transmitting HIV infection of the clients in the aggregate.
- (9) The psychosocial changes of clients in the aggregate.
- (10) Referrals made by the project.
- (11) Perceived unmet needs of the clients served by the project.

(c) The department shall develop and distribute to each early intervention project forms for data collection that are designed to elicit information necessary for the department to comply with the requirements of subdivision (b). The data may be used by the department to comply with the requirements of subdivision (a).

*(Added by Stats. 1995, Ch. 415, Sec. 7. Effective January 1, 1996.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
SB-1360	Committee on Health and Human Services	Reorganization of the Health and Safety Code: public health.	Chaptered 08/11/1995		-		

#### COMMENTS/RECOMMENDATIONS:

According to the Department of Public Health, this program no longer exists within the department.



## REPORT NO. 6

### HEALTH AND SAFETY CODE

#### DIVISION 102. VITAL RECORDS AND HEALTH STATISTICS [102100. - 103925.]

*( Division 102 added by Stats. 1995, Ch. 415, Sec. 4. )*

#### PART 1. VITAL RECORDS [102100. - 103800.]

*( Part 1 added by Stats. 1995, Ch. 415, Sec. 4. )*

#### CHAPTER 6. Death Registration [102775. - 102925.]

*( Chapter 6 added by Stats. 1995, Ch. 415, Sec. 4. )*

#### ARTICLE 5. American Indians [102900. - 102925.]

*( Article 5 added by Stats. 1995, Ch. 415, Sec. 4. )*

102920.

The department shall report to the Legislature on or before January 1, 1994, on the implementation of this article. The department also shall report to the Legislature, on or before four years after the date that the initial funding is received to implement this article, on the results of the study required by this article.

*(Added by Stats. 1995, Ch. 415, Sec. 4. Effective January 1, 1996.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
SB-1360	Committee on Health and Human Services	Reorganization of the Health and Safety Code: public health.	Chaptered 08/11/1995		-		

### COMMENTS/RECOMMENDATIONS:

According to the Department of Public Health, reports were due in 1994 and 1998 on the Death Rate for American Indians. The Legislature may wish to ask the Department if this program was ever funded and if the reports were ever completed.

## REPORT NO. 7

### HEALTH AND SAFETY CODE

#### DIVISION 20. MISCELLANEOUS HEALTH AND SAFETY PROVISIONS [24000. - 26204.]

*( Division 20 enacted by Stats. 1939, Ch. 60. )*

#### CHAPTER 2.5. Asbestos Safety [24275. - 24275.]

*( Chapter 2.5 added by Stats. 1985, Ch. 1587, Sec. 7. )*

#### 24275.

(a) The State Department of Health Services, in conjunction with the study required pursuant to Chapter 116 of the Statutes of 1986, shall report to the Legislature by January 1, 1987, and periodically thereafter, on the most effective air monitoring standard for the airborne concentration of asbestos in any public school building that is both economically and technologically feasible. If the department believes that the air monitoring standard for asbestos in public school buildings as specified in Section 49410.7 of the Education Code should be revised, it shall promulgate a regulation to that effect.

(b) The department shall provide the Office of Public School Construction with appropriate sampling methodology for use in taking air samples in public school buildings.

*(Amended by Stats. 1994, Ch. 1228, Sec. 8. Effective January 1, 1995.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
SB-1552	Margett	State Allocation Board: Office of Public School Construction.	Amended Assembly 07/02/2008	11/30/2008 - From Assembly without further action.	Assembly-Died - Appropriations	Yes	Majority
SB-1735		School facilities.	Chaptered 09/30/1994		-		

#### COMMENTS/RECOMMENDATIONS:

According to the Department of Public Health, the last report was completed in 2004 and the Department of Toxic Substances Control is lead on this issue. The Legislature may wish to consider in the future looking at the reporting requirements of the Department of Toxic Substance Control under the recently adopted government re-organization.

## REPORT NO. 8

### HEALTH AND SAFETY CODE

#### DIVISION 104. ENVIRONMENTAL HEALTH [106500. - 119405.]

*( Division 104 added by Stats. 1995, Ch. 415, Sec. 6. )*

#### PART 5. SHERMAN FOOD, DRUG, AND COSMETIC LAWS [109875. - 111915.]

*( Part 5 added by Stats. 1995, Ch. 415, Sec. 6. )*

#### CHAPTER 5. Food [110425. - 111223.]

*( Chapter 5 added by Stats. 1995, Ch. 415, Sec. 6. )*

#### ARTICLE 12. Bottled, Vended, Hauled, and Processed Water [111070. - 111198.]

*( Article 12 added by Stats. 1995, Ch. 415, Sec. 6. )*

#### 111198.

In its annual budget report to the Legislature, the department shall provide, in connection to the entities it regulates under this article, all of the following information:

- (a) The total number of licenses, by type and county, issued in the prior calendar year.
- (b) The number of inspections performed by the department in the previous calendar year, broken down by county and license type.
- (c) The number and type of major violations, and the actions taken to correct those violations.
- (d) The number and dollar value of fines levied under subdivision (c).

*(Added by Stats. 2007, Ch. 575, Sec. 7. Effective January 1, 2008.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
SB-220	Corbett	Vended water.	Chaptered 10/13/2007	10/13/2007 - Chaptered by Secretary of State. Chapter 575, Statutes of 2007.	Secretary of State-Chaptered	Yes	Majority

#### COMMENTS/RECOMMENDATIONS:

The Legislature may wish to require the Department of Public Health to include this information on their website.

## **REPORT NO. 9**

### **HEALTH AND SAFETY CODE**

#### **DIVISION 103. DISEASE PREVENTION AND HEALTH PROMOTION [104100. - 106036.]**

*( Division 103 added by Stats. 1995, Ch. 415, Sec. 5. )*

#### **PART 1. CHRONIC DISEASE [104100. - 104324.5.]**

*( Part 1 added by Stats. 1995, Ch. 415, Sec. 5. )*

#### **CHAPTER 2. Cancer (Reserved) [104145. - 104200.]**

*( Chapter 2 heading added by Stats. 1995, Ch. 415, Sec. 5. )*

#### **ARTICLE 3. Cancer Awareness [104200. - 104200.]**

*( Article 3 added by Stats. 2000, Ch. 792, Sec. 1. )*

#### **104200.**

(a) Subject to subdivision (f), the department shall conduct the Cervical Cancer Community Awareness Campaign to do all of the following:

(1) To provide awareness, assistance, and information regarding cervical cancer and the human papillomavirus (HPV). These efforts shall include provider education aimed at promoting the awareness of HPV and its link to cervical cancer. Information regarding prevention, early detection, options for testing, and treatment costs shall be included.

(2) To promote the availability of preventive treatment for cervical cancer for women in California.

(3) To perform other activities related to cervical cancer.

(b) (1) For purposes of the Cervical Cancer Community Awareness Campaign, the department shall establish a study of and research regarding cervical cancer.

(2) The study and research shall contain, but not be limited to, statistical information in order to target appropriate regions of the state with the Cervical Cancer Community Awareness Campaign. The statistical information shall include, but not be limited to, age, ethnicity, region, and socioeconomic status of the women in the state in relation to cervical cancer. The research shall provide studies of current treatment evolutions, possible cures, and the availability of preventive care for women in the state in relation to cervical cancer.

(c) To the extent feasible and appropriate, the Cervical Cancer Community Awareness Campaign shall be incorporated into existing cancer awareness programs operated by the department.

(d) On or before January 1, 2007, the department shall report to the chairs and vice chairs of the health committees of both houses of the Legislature on the progress of the campaign. The report shall do all of the following:

(1) Provide an overview of progress being made in fulfilling the duties of the Cervical Cancer Community Awareness Campaign.

(2) Recommend strategies or actions to reduce the occurrence of cervical cancer among, and the burden caused by cervical cancer on, women in the state.

(3) Review statistical and qualitative data on the prevalence and burden of cervical cancer and HPV in California.

(e) There is hereby established in the State Treasury the Cervical Cancer Fund to be expended by the State Department of Health Services, upon appropriation of nonstate funds by the Legislature, solely for the Cervical Cancer Community Awareness Campaign.

(f) (1) The department shall conduct the Cervical Cancer Community Awareness Campaign only if voluntary contributions are received to support its activities pursuant to this section. The continued implementation of this section shall be contingent upon the receipt of voluntary contributions for that purpose.

(2) Voluntary contributions received for purposes of this subdivision shall be deposited into the Cervical Cancer Fund.

(g) This section shall be implemented only after the Department of Finance determines that nonstate funds in an amount sufficient to fully support the activities of this section have been deposited with the state. Thereafter, this section shall continue to be implemented only to the extent that the Department of Finance determines that sufficient nonstate funds to fully support the activities of this section have been deposited with the state for purposes of this section. If the Department of Finance determines that insufficient voluntary contributions for purposes of implementing this section have been deposited with the state by January 1, 2007, the Department of Finance shall notify either the Chief Clerk of the Assembly or the Secretary of the Senate of this fact, and this section shall be repealed on January 1, 2007, unless a later enacted statute, that is enacted before January 1, 2007, deletes or extends that date.

*(Amended by Stats. 2005, Ch. 550, Sec. 2. Effective January 1, 2006. Conditionally repealed on January 1, 2007, as prescribed by its own provisions.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-1431	Committee on Accountability and Administrative Review	Government reports.	Amended Assembly 01/24/2012	01/31/2012 - In Senate. Read first time. To Com. on RLS. for assignment.	Senate-Pending Referral	Yes	Majority
AB-2599	Cardenas	Cervical Cancer Community Awareness Campaign.	Chaptered 09/28/2000	09/28/2000 - Chaptered by Secretary of State - Chapter 792, Statutes of 2000. 09/28/2000 - Approved by the Governor.	-		
SB-615	Figueroa	Cervical cancer.	Chaptered 10/05/2005	10/05/2005 - Chaptered by Secretary of State. Chapter 550, Statutes of 2005. 10/05/2005 - Approved by Governor.	-	Yes	Majority

**COMMENTS/RECOMMENDATIONS:**

The Cervical Cancer Awareness Campaign was conditioned on receiving voluntary contributions. This provision already allows for the conditional repeal of the program in 2007 if the Department of Finance determines insufficient funding to run the program.

## REPORT NO. 10

### HEALTH AND SAFETY CODE

#### DIVISION 104. ENVIRONMENTAL HEALTH [106500. - 119405.]

*( Division 104 added by Stats. 1995, Ch. 415, Sec. 6. )*

#### PART 5. SHERMAN FOOD, DRUG, AND COSMETIC LAWS [109875. - 111915.]

*( Part 5 added by Stats. 1995, Ch. 415, Sec. 6. )*

#### CHAPTER 1. General Provisions and Definitions [109875. - 110040.]

*( Chapter 1 added by Stats. 1995, Ch. 415, Sec. 6. )*

#### 109971.

“Medical food” means any product that meets the definition of medical food in the Federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 360ee(b)(3)). The department shall review all changes to the federal definition of “medical food” before those changes are incorporated by reference pursuant to this section. Within six months after the effective date of any changes to the federal definition, the department shall complete its review of the changes, and submit a report to the Senate Health and Human Services Committee and the Assembly Health Committee that describes the changes and makes a recommendation as to whether it is appropriate to incorporate the changes by reference pursuant to this section. Any change to the federal definition shall take effect pursuant to this section one year after the effective date of the federal change, unless a law that specifically prohibits the change from taking effect is enacted and becomes effective.

*(Amended by Stats. 2001, Ch. 641, Sec. 3. Effective January 1, 2002.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
SB-1226	Committee on Health and Human Services	Environmental specialists: food safety.	Chaptered 10/09/2001	10/09/2001 - Chaptered by Secretary of State. Chapter 641, Statutes of 2001.	-		
SB-2182	Committee on Health and Human Services	Environmental health: food.	Chaptered 09/29/2000	09/29/2000 - Chaptered by Secretary of State. Chapter 870, Statutes of 2000.	-		

#### COMMENTS/RECOMMENDATIONS:

According to the Department of Public Health, changes to the federal definition of "Medical Food" are already disseminated. The Legislature may wish to consider retaining this requirement which also requires a recommendation on whether California should make the same change.

## REPORT NO. 11

### HEALTH AND SAFETY CODE

#### DIVISION 26. AIR RESOURCES [39000. - 44474.]

*( Division 26 repealed and added by Stats. 1975, Ch. 957. )*

#### PART 6. AIR TOXICS "HOT SPOTS" INFORMATION AND ASSESSMENT [44300. - 44394.]

*( Part 6 added by Stats. 1987, Ch. 1252, Sec. 1. )*

#### CHAPTER 4. Risk Assessment [44360. - 44366.]

*( Chapter 4 added by Stats. 1987, Ch. 1252, Sec. 1. )*

#### 44361.

(a) Each health risk assessment shall be submitted to the district. The district shall make the health risk assessment available for public review, upon request. After preliminary review of the emissions impact and modeling data, the district shall submit the health risk assessment to the State Department of Health Services for review and, within 180 days of receiving the health risk assessment, the State Department of Health Services shall submit to the district its comments on the data and findings relating to health effects. The district shall consult with the state board as necessary to adequately evaluate the emissions impact and modeling data contained within the risk assessment.

(b) For the purposes of complying with this section, the State Department of Health Services may select a qualified independent contractor to review the data and findings relating to health effects. The State Department of Health Services shall not select an independent contractor to review a specific health risk assessment who may have a conflict of interest with regard to the review of that health risk assessment. Any review by an independent contractor shall comply with the following requirements:

(1) Be performed in a manner consistent with guidelines provided by the State Department of Health Services.

(2) Be reviewed by the State Department of Health Services for accuracy and completeness.

(3) Be submitted by the State Department of Health Services to the district in accordance with this section.

(c) The district shall reimburse the State Department of Health Services or the qualified independent contractor designated by the State Department of Health Services pursuant to subdivision (b), within 45 days of its request, for its actual costs incurred in reviewing a health risk assessment pursuant to this section.

(d) If a district requests the State Department of Health Services to consult with the district concerning any requirement of this part, the district shall reimburse the State Department of Health Services, within 45 days of its request, for the costs incurred in the consultation.

(e) Upon designation of the high priority facilities, as specified in subdivision (a) of Section 44360, the State Department of Health Services shall evaluate the staffing requirements of this section and may submit recommendations to the Legislature, as appropriate, concerning the maximum number of health risk assessments to be reviewed each year pursuant to this section.

*(Added by Stats. 1987, Ch. 1252, Sec. 1. Operative July 1, 1988, by Section 44384. Note: See changes set forth in Governor's Reorg. Plan 1 of 1991.)*

### NO RELATED LEGISLATION

**COMMENTS/RECOMMENDATIONS:** The Legislature may wish to retain this reporting requirement as it is due only if the department is required to evaluate staffing requirements for high priority facilities.

**REPORT NO. 12**

**HEALTH AND SAFETY CODE**

10460 (code section not found)

**COMMENTS/RECOMMENDATIONS:** According to the Department of Public Health, funding has never been provided to the Healthy Food Purchase Pilot program, which may have already been repealed.



## REPORT NO. 13

### HEALTH AND SAFETY CODE

#### DIVISION 105. COMMUNICABLE DISEASE PREVENTION AND CONTROL [120100. - 122420.]

*( Division 105 added by Stats. 1995, Ch. 415, Sec. 7. )*

#### PART 4. HUMAN IMMUNODEFICIENCY VIRUS (HIV) [120775. - 121349.3.]

*( Part 4 added by Stats. 1995, Ch. 415, Sec. 7. )*

#### CHAPTER 15. HIV Reporting Systems [121340. - 121340.]

*( Chapter 15 added by Stats. 2002, Ch. 926, Sec. 2. )*

#### 121340.

(a) The State Department of Health Services, in consultation with the California Conference of Local Health Officers, the California Medical Association, HIV treatment providers, and public health and other stakeholders, shall determine, no later than December 31, 2005, whether California's HIV reporting system has achieved compliance with standards and criteria necessary to ensure continued federal funding for California under the federal Ryan White Comprehensive AIDS Resources Emergency (CARE) Act of 1990 (Public Law 101-381), as amended October 20, 2000 (Public Law 106-345).

(b) The department shall inform the appropriate committees of the Legislature of its findings under subdivision (a) by December 31, 2005.

(c) The department shall also report to the appropriate committees of the Legislature all written communications from the Centers for Disease Control and Prevention to the state received before December 31, 2005, that indicate that California's HIV reporting system has not or will not meet the federal standards and criteria for an HIV reporting system pursuant to the Ryan White CARE Act.

*(Added by Stats. 2002, Ch. 926, Sec. 2. Effective January 1, 2003.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-518	Mazzoni	AIDS: clean needle and syringe exchange projects.	Amended Assembly 04/28/1999	11/30/2000 - Died at Desk.	-	Yes	Majority
AB-2994	Wright	HIV reporting requirements.	Chaptered 09/26/2002	09/26/2002 - Chaptered by Secretary of State - Chapter 926, Statutes of 2002.	-		

**COMMENTS/RECOMMENDATIONS:** According to the Department of Public Health, there is no record of this report, due in 2005. This requirement pre-dated the split of the Department of Health Care Services and the Department of Public Health.

## REPORT NO. 14

### HEALTH AND SAFETY CODE

#### DIVISION 105. COMMUNICABLE DISEASE PREVENTION AND CONTROL [120100. - 122420.]

*( Division 105 added by Stats. 1995, Ch. 415, Sec. 7. )*

#### PART 2. IMMUNIZATIONS [120325. - 120480.]

*( Part 2 added by Stats. 1995, Ch. 415, Sec. 7. )*

#### CHAPTER 4. Reports [120475. - 120476.]

*( Chapter 4 added by Stats. 1995, Ch. 415, Sec. 7. )*

#### 120476.

The department shall submit to the Legislature, by January 31, 2008, a sustainability plan for full funding of a statewide immunization information system that integrates existing immunization systems throughout the state. The plan shall demonstrate how the department will fully populate and sustain the statewide immunization information system over time.

*(Added by Stats. 2006, Ch. 329, Sec. 2. Effective January 1, 2007.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-576	Wolk	Immunizations.	Chaptered 09/19/2006	09/19/2006 - Chaptered by Secretary of State - Chapter 329, Statutes of 2006. 09/19/2006 - Approved by the Governor.	-	Yes	Majority

**COMMENTS/RECOMMENDATIONS:** According to the Department of Public Health, this program was not funded or implemented. In the future, the Legislature may wish to consider reporting requirements on the alternative information system currently being implemented.

## REPORT NO. 15

### HEALTH AND SAFETY CODE

#### DIVISION 104. ENVIRONMENTAL HEALTH [106500. - 119405.]

( Division 104 added by Stats. 1995, Ch. 415, Sec. 6. )

#### PART 5. SHERMAN FOOD, DRUG, AND COSMETIC LAWS [109875. - 111915.]

( Part 5 added by Stats. 1995, Ch. 415, Sec. 6. )

#### CHAPTER 1. General Provisions and Definitions [109875. - 110040.]

( Chapter 1 added by Stats. 1995, Ch. 415, Sec. 6. )

#### 109951.

“Infant formula” shall have the same definition as that term is used in the Federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 321(z)). The department shall review all changes to the federal definition of “infant formula” before those changes are incorporated by reference pursuant to this section. Within six months after the effective date of any changes to the federal definition, the department shall complete its review of the changes, and submit a report to the Senate Health and Human Services Committee and the Assembly Health Committee that describes the changes and makes a recommendation as to whether it is appropriate to incorporate the changes by reference pursuant to this section. Any change to the federal definition shall take effect pursuant to this section one year after the effective date of the federal change, unless a law that specifically prohibits the change from taking effect is enacted and becomes effective.

[\(Amended by Stats. 2001, Ch. 641, Sec. 2. Effective January 1, 2002.\)](#)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
SB-1226	Committee on Health and Human Services	Environmental specialists: food safety.	Chaptered 10/09/2001	10/09/2001 - Chaptered by Secretary of State. Chapter 641, Statutes of 2001.	-		
SB-2182	Committee on Health and Human Services	Environmental health: food.	Chaptered 09/29/2000	09/29/2000 - Chaptered by Secretary of State. Chapter 870, Statutes of 2000.	-		

**COMMENTS/RECOMMENDATIONS:** According to the Department of Public Health, federal changes to the definition of "infant formula" are already reported to the Legislature and public as they occur. The Legislature may wish to consider requiring DPH to provide this information on their website.

## REPORT NO. 16

### HEALTH AND SAFETY CODE

#### DIVISION 104. ENVIRONMENTAL HEALTH [106500. - 119405.]

*( Division 104 added by Stats. 1995, Ch. 415, Sec. 6. )*

#### PART 3. PRODUCT SAFETY [108040. - 108941.]

*( Part 3 added by Stats. 1995, Ch. 415, Sec. 6. )*

#### CHAPTER 9. Control of Lead Release From Tableware [108850. - 108915.]

*( Chapter 9 added by Stats. 1995, Ch. 415, Sec. 6. )*

#### ARTICLE 3. Enforcement [108875. - 108915.]

*( Article 3 added by Stats. 1995, Ch. 415, Sec. 6. )*

#### 108875.

The department is responsible for the administration and enforcement of this chapter. The department, upon request, shall report to the Legislature concerning the number and findings of inspections performed and samples taken to determine compliance with this chapter.

[\*\(Amended by Stats. 2001, Ch. 745, Sec. 148. Effective October 12, 2001.\)\*](#)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
SB-1191	Speier	State and local reporting requirements.	Chaptered 10/12/2001	10/12/2001 - Chaptered by Secretary of State. Chapter 745, Statutes of 2001.	-		
SB-1360	Committee on Health and Human Services	Reorganization of the Health and Safety Code: public health.	Chaptered 08/11/1995		-		

**COMMENTS/RECOMMENDATIONS:** This report on compliance with laws governing lead in tableware is upon the request of the Legislature. According to the Department of Public health, this report has not been requested or submitted for 10 years. The Legislature may wish to consider retaining this option in statute.

## REPORT NO. 17

### HEALTH AND SAFETY CODE

#### DIVISION 106. PERSONAL HEALTH CARE (INCLUDING MATERNAL, CHILD, AND ADOLESCENT) [123100. - 125850.]

( Division 106 added by Stats. 1995, Ch. 415, Sec. 8. )

#### PART 2. MATERNAL, CHILD, AND ADOLESCENT HEALTH [123225. - 124250.]

( Part 2 added by Stats. 1995, Ch. 415, Sec. 8. )

#### CHAPTER 2. Maternal Health [123375. - 123620.]

( Chapter 2 added by Stats. 1995, Ch. 415, Sec. 8. )

#### ARTICLE 3. Community-Based Perinatal System [123475. - 123525.]

( Article 3 added by Stats. 1995, Ch. 415, Sec. 8. )

#### 123516.

(a) The department, in consultation with the program administrators, may contract with one or more qualified organizations to assist the department in ensuring that grantees implement the program as established under Section 123491 and to conduct an annual evaluation of the implementation of the grant program on a statewide basis. The first evaluation shall be due 12 months after the award of grants pursuant to Section 123492.

(b) (1) In conducting its monitoring and evaluation activities, the department shall be guided by program performance standards developed by the department in consultation with the Nurse-Family Partnership program.

(2) The department shall submit the results of each annual evaluation to the Governor and the appropriate policy and fiscal committees of each house of the Legislature.

(3) The annual evaluation shall contain, but not be limited to, the extent to which each grantee participating in the program has done each of the following:

(A) Recruited a population of low-income, first-time mothers.

(B) Enrolled families early in pregnancy and followed them through the second birthday of the child.

(C) Conducted visits that are of comparable frequency, duration, and content as those delivered in the randomized clinical trials of the program.

(D) Assessed the health and well-being of the mothers and children enrolled in the program according to common indicators of maternal, child, and family health.

*(Added by Stats. 2006, Ch. 878, Sec. 6. Effective January 1, 2007.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
SB-869	Bowen	Nurse-Family Partnership program.	Enrolled 09/09/2005	01/26/2006 - Stricken from Senate file. Veto sustained.	-	Yes	Majority
SB-1596	Runner	Nurse-Family Partnership program.	Chaptered 09/30/2006	09/30/2006 - Chaptered by Secretary of State. Chapter 878, Statutes of 2006. 09/30/2006 - Approved by Governor.	-	Yes	Majority

#### COMMENTS/RECOMMENDATIONS:

According to the Department of Public Health, sufficient voluntary contributions have not been collected to implement the Nurse Family Partnership program.

**REPORT NO. 18**

**SB 1726 (CHAPTER 679, STATUTES OF 2002) SECTION 2 UN-CODIFIED**

**SEC. 2.**

If the United States Consumer Product Safety Commission adopts new standards relating to entrapment hazards in swimming pools and spas, the Director of Health Services shall review the standards within 90 days of their adoption, and shall make his or her recommendations to the Governor and the Legislature regarding whether the State of California should adopt the new federal standards.

**COMMENTS/RECOMMENDATIONS:** The Legislature may wish to retain this reporting requirement which not only notifies lawmakers on federal standards, but also makes recommendations for modifications to state law.

## **REPORT NO. 19**

### **HEALTH AND SAFETY CODE**

#### **DIVISION 103. DISEASE PREVENTION AND HEALTH PROMOTION [104100. - 106036.]**

*( Division 103 added by Stats. 1995, Ch. 415, Sec. 5. )*

#### **PART 1. CHRONIC DISEASE [104100. - 104324.5.]**

*( Part 1 added by Stats. 1995, Ch. 415, Sec. 5. )*

#### **CHAPTER 6. The Prostate Cancer Act of 1998 [104310. - 104315.]**

*( Chapter 6 added by Stats. 1998, Ch. 939, Sec. 1. )*

#### **104315.**

- (a) The Prostate Cancer Screening Program shall be established in the State Department of Health Care Services.
- (b) The program shall apply to both of the following:
- (1) Uninsured men 50 years of age and older.
  - (2) Uninsured men between 40 and 50 years of age who are at high risk for prostate cancer, upon the advice of a physician or upon the request of the patient.
- (c) For purposes of this chapter, “uninsured” means not covered by any of the following:
- (1) Medi-Cal.
  - (2) Medicare.
  - (3) A health care service plan contract or policy of disability insurance that covers screening for prostate cancer for men 50 years of age and older, and for men between 40 and 50 years of age who are at high risk for prostate cancer upon the advice of a physician or upon the request of the patient.
  - (4) Any other form of health care coverage that covers screening for prostate cancer for men 50 years of age and older, and for men between 40 and 50 years of age who are at high risk for prostate cancer upon the advice of a physician or upon the request of the patient.
- (d) The program shall include all of the following:
- (1) Screening of men for prostate cancer as an early detection health care measure.
  - (2) After screening, medical referral of screened men and services necessary for definitive diagnosis.
  - (3) If a positive diagnosis is made, then assistance and advocacy shall be provided to help the person obtain necessary treatment.
  - (4) Outreach and health education activities to ensure that uninsured men are aware of and appropriately utilize the services provided by the program.
- (e) Any entity funded by the program shall coordinate with other local providers of prostate cancer screening, diagnostic, followup, education, and advocacy services to avoid duplication of effort. Any entity funded by the program shall comply with any applicable state and federal standards regarding prostate cancer screening.
- (f) Administrative costs of the department shall not exceed 10 percent of the funds allocated to the program. Indirect costs of the entities funded by this program shall not exceed 12 percent. The department shall define “indirect costs” in accordance with applicable state and federal law.
- (g) Any entity funded by the program shall collect data and maintain records that are determined by the department to be necessary to facilitate the state department’s ability to monitor and evaluate the effectiveness of the entities and the program. Commencing with the program’s second year of operation, and notwithstanding Section 10231.5 of the Government Code, the department shall submit an annual report to the Legislature and any other appropriate entity. The

report shall describe the activities and effectiveness of the program and shall include, but not be limited to, the following types of information regarding those served by the program:

- (1) The number.
- (2) The ethnic, geographic, and age breakdown.
- (3) The stages of presentation.
- (4) The diagnostic and treatment status.
- (h) The department or any entity funded by the program shall collect personal and medical information necessary to administer the program from any individual applying for services under the program. The information shall be confidential and shall not be disclosed other than for purposes directly connected with the administration of the program or except as otherwise provided by law or pursuant to prior written consent of the subject of the information.
- (i) The department or any entity funded by the program may disclose the confidential information to medical personnel and fiscal intermediaries of the state to the extent necessary to administer the program, and to other state public health agencies or medical researchers if the confidential information is necessary to carry out the duties of those agencies or researchers in the investigation, control, or surveillance of prostate cancer.
- (j) The department shall adopt regulations to implement the Prostate Cancer Screening Program in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.
- (k) This section shall not be implemented unless and until funds are appropriated for this purpose in the annual Budget Act.
- (l) To implement the Prostate Cancer Screening Program, the department may contract, to the extent permitted by Section 19130 of the Government Code, with public and private entities, or utilize existing health care service provider enrollment and payment mechanisms, including the Medi-Cal program's fiscal intermediary. However, the Medi-Cal program's fiscal intermediary shall only be utilized if services provided under the program are specifically identified and reimbursed in a manner that does not claim federal financial reimbursement. Any contracts with, and the utilization of, the Medi-Cal program's fiscal intermediary shall not be subject to Chapter 3 (commencing with Section 12100) of Part 2 of Division 2 of the Public Contract Code. Contracts to implement the Prostate Cancer Screening Program entered into by the department with entities other than the Medi-Cal program's fiscal intermediary shall not be subject to Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code.

*(Amended by Stats. 2012, Ch. 23, Sec. 24. Effective June 27, 2012.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-910		Prostate cancer.	Chaptered 09/29/1998		-		
AB-1467	Committee on Budget	Health.	Chaptered 06/27/2012	06/27/2012 - Chaptered by Secretary of State - Chapter 23, Statutes of 2012.	Secretary of State-Chaptered	Yes	Majority
AB-2143	Matthews	Health: cancer programs.	Chaptered 08/26/2002	08/26/2002 - Chaptered by Secretary of State - Chapter 274, Statutes of 2002. 08/26/2002 - Approved by the	-		



Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
				Governor.			
SB-1007	Committee on Budget and Fiscal Review	Health.	Amended Assembly 06/13/2012	06/14/2012 - Withdrawn from committee. (Ayes 47. Noes 25. Page 5301.) 06/14/2012 - Ordered to second reading. 06/14/2012 - Read second time. Ordered to third reading.	Assembly-In Floor Process	Yes	Majority

**COMMENTS/RECOMMENDATIONS:**

According to the Department of Public Health, this program contracted out to UCLA and information is available upon request. The Legislature may wish to consider retaining this annual requirement.

## REPORT NO. 20

### HEALTH AND SAFETY CODE

#### DIVISION 106. PERSONAL HEALTH CARE (INCLUDING MATERNAL, CHILD, AND ADOLESCENT) [123100. - 125850.]

( Division 106 added by Stats. 1995, Ch. 415, Sec. 8. )

#### PART 2. MATERNAL, CHILD, AND ADOLESCENT HEALTH [123225. - 124250.]

( Part 2 added by Stats. 1995, Ch. 415, Sec. 8. )

#### CHAPTER 3. Child Health [123650. - 124174.6.]

( Chapter 3 added by Stats. 1995, Ch. 415, Sec. 8. )

#### ARTICLE 10. Public School Health Center Support Program [124174. - 124174.6.]

( Article 10 added by Stats. 2006, Ch. 334, Sec. 1. )

#### 124174.5.

- (a) The program, in collaboration with the State Department of Education, shall act as a liaison for school-based health centers.
- (b) Beginning on or before January 1, 2009, the program shall provide a biennial update to the appropriate policy and fiscal committees of the Legislature that includes information on all of the following:
- (1) The number and geographical distribution of school health centers.
  - (2) The number of schoolage children who were served by school health centers.
  - (3) The type and volume of health and mental health services provided by school health centers.
  - (4) A description of state funds used by school health centers.
  - (5) A description of any obstacles to the financial sustainability of school health centers and any necessary policy changes that would address those financial obstacles.
- (c) The department shall post on its Web site any written materials provided to the Legislature as part of the updates required by this section.

[\(Added by Stats. 2006, Ch. 334, Sec. 1. Effective January 1, 2007.\)](#)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-2560	Ridley-Thomas	Public School Health Center Support Program.	Chaptered 09/19/2006	09/19/2006 - Chaptered by Secretary of State - Chapter 334, Statutes of 2006. 09/19/2006 - Approved by the Governor.	-	Yes	Majority

#### COMMENTS/RECOMMENDATIONS:

According to the Department of Public Health, funding for this program has been eliminated.

## **REPORT NO. 21**

### **HEALTH AND SAFETY CODE**

#### **DIVISION 104. ENVIRONMENTAL HEALTH [106500. - 119405.]**

*( Division 104 added by Stats. 1995, Ch. 415, Sec. 6. )*

#### **PART 9. RADIATION [114650. - 115342.]**

*( Part 9 added by Stats. 1995, Ch. 415, Sec. 6. )*

#### **CHAPTER 8. Radiation Control Law [114960. - 115273.]**

*( Chapter 8 added by Stats. 1995, Ch. 415, Sec. 6. )*

#### **ARTICLE 3. Control Agency [114990. - 115055.]**

*( Article 3 added by Stats. 1995, Ch. 415, Sec. 6. )*

#### **115000.1.**

- (a) For the purposes of this section, the following terms have the following meanings:
- (1) “Generate” means to produce or cause the production of, or to engage in an activity which otherwise results in the creation or increase in the volume of, low-level radioactive waste.
  - (2) (A) “Generator” means any person who, by his or her actions, or by the actions of his or her agent, employee, or independent contractor, generates low-level radioactive waste in the state.  
(B) For purposes of this section, a person who provides for or arranges for the collection, transportation, treatment, storage, or disposal of low-level radioactive waste generated by others is a generator only to the extent that his or her actions, or the actions of his or her agent, employee, or independent contractor, generate low-level radioactive waste.
  - (3) “Person” means an individual, partnership, corporation, or other legal entity, including any state, interstate, federal, or municipal governmental entity.
  - (4) “Waste” means material that is not in use and is no longer useful.
  - (5) “Generator category” includes, but is not limited to, any of the following:
    - (A) Nuclear powerplants.
    - (B) Reactor vendors or designers.
    - (C) Government.
    - (D) Medicine.
    - (E) Academia.
    - (F) Aerospace.
    - (G) Military.
    - (H) Research.
    - (I) Industrial gauges.
    - (J) Manufacturing.
  - (6) “Low-level radioactive waste” or “LLRW” has the same meaning as defined in Article 2 of the Southwestern Low-Level Radioactive Waste Disposal Compact, as set forth in Section 115255.
  - (7) “Class” means the class of low-level radioactive waste. “Class A”, “class B”, and “class C” waste are those classes defined in Section 61.55 of Title 10 of the Code of Federal Regulations.
  - (8) “Licensed LLRW disposal facility” means any of the three disposal facilities located at Barnwell, South Carolina; Clive, Utah; or Richland, Washington, that exist on January 1, 2003.
- (b) The department shall, for the protection of public health and safety maintain a file of each manifest from each generator of LLRW that is sent to a disposal facility or to a facility subject to the Southwestern Low-level Radioactive Waste Disposal Compact, as set forth in Article 17 (commencing with Section 115250).

- (c) The department shall, for the protection of public health and safety, maintain a file of all LLRW transferred for disposal to a licensed LLRW disposal facility during the reporting period, either directly or through a broker or agent, that shall meet all of the following conditions:
- (1) Specify the category of generator, class, quantity by activity, and volume of LLRW, including an estimate of the peak and average quantities in storage, along with the identity of the generator, and the chemical and physical characteristics of that waste, including its half-life, properties, or constituents, and radionuclides present at, or above, the minimum labeling requirements, with their respective concentrations and amounts of radioactivity.
  - (2) Be updated annually, at minimum, to ensure an accurate and timely depiction of radioactive waste in the state.
  - (3) Include all of the following information in the file:
    - (A) The total volume, volume by class, and activity by radionuclide and class.
    - (B) The types and specifications of individual containers used and the number of each type transferred for disposal.
    - (C) The maximum surface radiation exposure level on any single container of LLRW transferred, the number of disposal containers that exceed 200 mR/hour, and the volume, class, and activity by radionuclide.
    - (D) The identification of each licensed LLRW disposal facility to which LLRW was transferred, either directly or through a broker or agent, and the volume and activity by class of LLRW transferred by each broker to each licensed LLRW disposal facility.
    - (E) The identification of all brokers or agents to which LLRW was transferred and the volume and activity by class of the generator's LLRW transferred by each broker or agent to each licensed LLRW disposal facility.
    - (F) The weight of source material by its type. For purposes of this paragraph, "type" includes, but is not limited to, natural uranium, depleted uranium, or thorium.
    - (G) The total number of grams of special nuclear material by radionuclide, and the maximum number of grams of special nuclear material in any single shipment by radionuclide.
    - (H) As complete a description as practicable of the principal chemical and physical form of the LLRW by volume and radionuclide, including the identification of any known hazardous properties, other than its radioactive property.
    - (I) For solidified or sorbed liquids, the nature of the liquid, the solidifying or sorbing agent used, and the final volume.
    - (J) For LLRW containing more than 0.1 percent by weight chelating agents, the identification of the chelating agent, the volume and weight of the LLRW and the weight percentage of chelating agent.
    - (K) For LLRW that was treated, either by the generator or its agent or independent contractor, in preparation for transfer to a licensed LLRW disposal facility described in paragraph (8) of subdivision (a) for the purpose of reducing its volume or activity by any method including reduction by storage for decay, or for the purpose of changing its physical or chemical characteristics in a manner other than by solidification or sorption of liquids, the file shall include a description of the treatment process.
    - (L) The volume, volume by class, and activity by radionuclide and class of that LLRW, if any, that the generator is holding at the end of the annual reporting period because the generator knows or has reason to believe that LLRW will not be accepted for disposal at any of the licensed LLRW disposal facilities. The file shall include a description of this LLRW.
  - (d) The department shall maintain a file on each generator's LLRW stored, including specific radionuclides, total volume, volume by class, total activity, and activity by radionuclide and class

of LLRW stored for decay and stored for later transfer, including the periods of time for both types of storage.

(e) (1) The department shall prepare an annual report, including a set of tables summarizing data collected from the activities and maintenance of files specified in subdivisions (c) and (d) to the department. These annual data tables shall contain information that summarizes and categorizes, by category, and if applicable, subcategory, of generator and location by county and identity of generator, the nature, characteristics and the total volume, volume by class, total activity and activity by radionuclide and class of LLRW generated, disposed of, treated, transferred, stored for later transfer, and stored for decay during each calendar year.

(2) The department shall note, in the set of tables prepared pursuant to paragraph (1), any generator for which data are lacking.

(f) The department shall make the information described in subdivisions (c) and (d) available to the public in a format that aggregates the information by county. The department shall not make public the identity and location of any site where LLRW is stored or used. The department may combine information from multiple counties if necessary to protect public security.

Notwithstanding any other provision of law the department shall not make the report prepared pursuant to subdivision (e) available to the public, and the report is not subject to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 6 of Title 1 of the Government Code).

(g) The department may make the information described in subdivisions (c) and (d) available upon request to any Member of the Legislature. No Member of the Legislature may disclose the identity or location of any site where LLRW is stored or used to any member of the general public.

(h) To meet the requirements of this section, each generator shall submit to the department the information included in Forms 540, 541, and 542, and any successor forms, of the Nuclear Regulatory Commission, for each LLRW shipment. In addition, for purposes of subparagraph (L) of paragraph (4) of subdivision (c) and subdivision (d), each generator shall annually complete and submit to the department the information included on Forms 540, 541, and 542, and any successor forms, of the Nuclear Regulatory Commission that describe the LLRW stored and shipped by the generator.

*(Amended by Stats. 2003, Ch. 62, Sec. 193. Effective January 1, 2004.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
SB-600	Committee on Judiciary	Maintenance of the codes.	Chaptered 07/14/2003	07/14/2003 - Chaptered by Secretary of State. Chapter 62, Statutes of 2003. 07/14/2003 - Approved by Governor.	-		
SB-205	Kuehl	Radioactive waste.	Chaptered 09/26/2002	09/26/2002 - Chaptered by Secretary of State. Chapter 891, Statutes of 2002.	-		

**COMMENTS/RECOMMENDATIONS:**

This information on radioactive waste is required to be provided to the Legislature upon request. The Legislature may wish to retain this option in statute.

## REPORT NO. 22

### EDUCATION CODE

#### TITLE 1. GENERAL EDUCATION CODE PROVISIONS [1. - 32500.]

( Title 1 enacted by Stats. 1976, Ch. 1010. )

#### DIVISION 1. GENERAL EDUCATION CODE PROVISIONS [1. - 32500.]

( Division 1 enacted by Stats. 1976, Ch. 1010. )

#### PART 19. MISCELLANEOUS [32001. - 32454.]

( Part 19 enacted by Stats. 1976, Ch. 1010. )

#### CHAPTER 2. School Safety—Public Institutions [32210. - 32254.]

( Chapter 2 enacted by Stats. 1976, Ch. 1010. )

#### ARTICLE 4. Lead-Safe Schools Protection Act [32240. - 32245.]

( Article 4 added by Stats. 1992, Ch. 1317, Sec. 2. )

#### 32242.

The department shall do all of the following:

(a) Design and implement a strategy for identifying the characteristics of high-risk schools and provide a basis for statewide estimates of the presence of lead in schools attended by young children.

(b) Conduct a sample survey, as described in Section 32241, to determine the likely extent and distribution of lead exposure to children from paint on the school, soil in play areas at the school, drinking water at the tap, and other potential sources identified by the department for this purpose. To the maximum extent possible, limited sample testing shall be used to validate survey results. The department shall compile and summarize the results of that survey and report those results to the Legislature and the State Department of Education.

(c) Within 60 days of the completion of testing a schoolsite, the department shall notify the principal of the school or director of the schoolsite of the survey results. Within 45 days of receiving the survey results, the principal or director, as the case may be, shall notify the teachers and other school personnel and parents of the survey results.

(d) Make recommendations to the Legislature and the State Department of Education, based on the survey results and consideration of appropriate federal and state standards, on the feasibility and necessity of conducting statewide lead testing and any additional action needed relating to lead contamination in the schools.

(e) As deemed necessary and appropriate in view of the survey results, develop environmental lead testing methods and standards to ensure the scientific integrity of results, for use by schools and contractors designated by schools for that purpose.

(f) Evaluate the most current cost-effective lead abatement technologies.

(g) Work with the State Department of Education to develop voluntary guidelines for distribution to requesting schools to ensure that lead hazards are minimized in the course of school repair and maintenance programs and abatement procedures.

*(Amended by Stats. 1993, Ch. 589, Sec. 36. Effective January 1, 1994.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-1659		School lead sampling.	Chaptered 09/30/1992		-		
AB-2211	Committee on Judiciary	Maintenance of the codes.	Chaptered 10/01/1993		-		

**COMMENTS/RECOMMENDATIONS:** This information on the School Lead Sample Survey is required to be provided to the Legislature upon request. The Legislature may wish to retain this option in statute.

**REPORT NO. 23**

**WELFARE AND INSTITUTIONS CODE**

**DIVISION 9. PUBLIC SOCIAL SERVICES [10000. - 18996.]**

*( Division 9 added by Stats. 1965, Ch. 1784. )*

**PART 6. MISCELLANEOUS PROVISIONS [18000. - 18996.]**

*( Part 6 added by Stats. 1965, Ch. 1784. )*

**CHAPTER 14. Community Challenge Grant Program [18993. - 18993.9.]**

*( Chapter 14 added by Stats. 1996, Ch. 197, Sec. 51. )*

**18993.8.**

The department shall conduct a statewide independent evaluation of the program, assessing the program's effectiveness in achieving stated outcomes as established by the department. The department shall submit its findings from the evaluation to the Legislature within six months of the completion of each grant cycle. The evaluation shall be performed only when for this purpose funds are appropriated in the annual Budget Act.

*(Amended by Stats. 2000, Ch. 847, Sec. 2. Effective January 1, 2001.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-3483		Health.	Chaptered 07/22/1996		-		
SB-1338	Figueroa	Health: youth pregnancies: Community Challenge Grant Program: evaluation.	Chaptered 09/29/2000	09/29/2000 - Chaptered by Secretary of State. Chapter 847, Statutes of 2000.	-		

**COMMENTS/RECOMMENDATIONS:**

According to the Department of Public Health, this program was eliminated in July, 2010.

## REPORT NO. 24

### HEALTH AND SAFETY CODE

#### DIVISION 102. VITAL RECORDS AND HEALTH STATISTICS [102100. - 103925.]

*( Division 102 added by Stats. 1995, Ch. 415, Sec. 4. )*

#### PART 1. VITAL RECORDS [102100. - 103800.]

*( Part 1 added by Stats. 1995, Ch. 415, Sec. 4. )*

#### CHAPTER 15. Fees of State and Local Registrars [103600. - 103730.]

*( Chapter 15 added by Stats. 1995, Ch. 415, Sec. 4. )*

#### ARTICLE 2. Fee for Certified Copy or Search of Records [103625. - 103660.]

*( Article 2 added by Stats. 1995, Ch. 415, Sec. 4. )*

#### 103641.

The State Registrar shall annually prepare a summary report of all statewide activities related to revenues collected by the State Registrar pursuant to subdivision (f) of Section 103625. The report shall include, but not be limited to, the following:

(a) A report that combines the information that counties are required to submit pursuant to subdivision (f) of Section 103625.

(b) Information regarding revenues collected by the State Registrar pursuant to subdivision (f) of Section 103625 for the previous calendar year, including, but not limited to, the manner in which, and purpose for which, the revenues were expended.

*(Amended by Stats. 2001, Ch. 171, Sec. 8. Effective August 10, 2001.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-430	Cardenas	Health: budget implementation.	Chaptered 08/10/2001	08/10/2001 - Chaptered by Secretary of State - Chapter 171, Statutes of 2001.	-		
AB-2755		Vital statistics.	Chaptered 09/25/1996		-		

#### COMMENTS/RECOMMENDATIONS:

If the Legislature this annual report to continue, they may wish to consider adding a provision guiding to whom the report should be provided. According to the Department of Public health, no information on the progress of the Vital Records Improvement Project has ever been requested.



## REPORT NO. 25

### HEALTH AND SAFETY CODE

#### DIVISION 2. LICENSING PROVISIONS [1200. - 1795.]

*( Division 2 enacted by Stats. 1939, Ch. 60. )*

#### CHAPTER 4. Human Whole Blood, Human Whole Blood Derivatives, and Other Biologics [1600. - 1630.]

*( Chapter 4 repealed and added by Stats. 1963, Ch. 1055. )*

#### ARTICLE 7. Blood Donations [1625. - 1626.]

*( Article 7 added by Stats. 1976, Ch. 917. )*

#### 1626.

- (a) Except as provided in subdivisions (b) and (c), it shall be unlawful, in any transfusion of blood, to use any blood that was obtained from a paid donor.
- (b) Subdivision (a) shall not be applicable to any transfusion of blood that was obtained from a paid donor if the physician and surgeon performing the transfusion has determined, taking into consideration the condition of the patient who is the recipient of the transfusion, that other blood of a type compatible with the blood type of the patient cannot reasonably be obtained for the transfusion.
- (c) Subdivision (a) shall not apply to blood platelets secured from paid donors through the hemapheresis process if all of the following requirements are satisfied:
- (1) The blood platelets are ordered by a doctor holding a valid California physician's and surgeon's certificate.
  - (2) The blood platelets are secured from a single donor and are sufficient to constitute a complete platelet transfusion.
  - (3) The donor's identification number is recorded on the platelet label and is kept in the records of the entity providing the blood platelets for a minimum of five years.
  - (4) The donor has been examined by a doctor holding a valid California physician's and surgeon's certificate, and a repeat donor is reexamined at least annually.
  - (5) The transfusion is performed in a general acute care hospital.
  - (6) The blood platelets are processed according to standards issued by the American Association of Blood Banks, pursuant to Section 1602.1.
  - (7) The donor and blood are tested in accordance with regulations issued by the State Department of Health Services.
  - (8) The entity providing the blood platelets is licensed by the State Department of Health Services.
  - (9) The information that the donor of the blood platelets was compensated is printed on the label in accordance with Section 1603.5.
  - (10) In all instances, a potential donor shall provide a blood sample, which shall be tested with the standard panel of blood tests required by the State Department of Health Services for all blood donations. The results of the testing shall be obtained, evaluated, and determined to be acceptable prior to allowing the potential donor to provide his or her first donation of platelets. In addition, all donors shall be required to schedule an appointment for platelet donation.
  - (11) Any entity that is not collecting blood platelets from paid donors on August 1, 2000, shall obtain written permission from the director prior to compensating any donor for blood platelets.
- (d) Subdivision (c) shall become inoperative on January 1, 2003.
- (e) (1) Commencing in January 1996, and every year thereafter through the 2002 calendar year, those blood banks acquiring blood platelets from paid donors shall report all of the following information to the State Department of Health Services:

- (A) The specific actions undertaken to obtain blood platelets from volunteer donors.
- (B) The percentage of compensated and volunteer donors from whom blood platelets were obtained during the period covered by the report.
- (C) The number of repeat donors making platelet donations during the period covered by the report.
- (2) The department shall transmit the information received pursuant to this subdivision to the Senate Health and Human Services Committee and the Assembly Health Committee for review by those committees consistent with subdivision (a). The department shall monitor and assess the supply and distribution of hemapheresis products, and shall recommend to the Legislature any action the department believes beneficial to the supply, safety, and quality of blood products used in this state.
- (3) Paragraph (1) of this subdivision is not intended to require the disclosure and reporting of information that would put the blood banks at a competitive disadvantage in attracting volunteer donors.

*(Amended by Stats. 2000, Ch. 362, Sec. 2. Effective January 1, 2001.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-589		Blood containers: labeling.	Chaptered 09/20/1989		-		
AB-2286		Blood: importation of blood products: standards.	Chaptered 09/21/1992		-		
AB-2714	Wesson	Blood: blood products.	Chaptered 09/08/2000	09/08/2000 - Chaptered by Secretary of State - Chapter 362, Statutes of 2000.	-		
SB-37		Blood transfusions: options.	Chaptered 10/02/1989		-		
SB-1099		Blood products: platelets.	Chaptered 09/27/1994		-		
SB-1401	Vincent	Blood products.	Amended Senate 05/24/2002	11/30/2002 - From committee without further action.	-	Yes	Majority

### **COMMENTS/RECOMMENDATIONS:**

According to the Department of Public Health, the reporting requirement only involved blood banks requiring blood platelets from paid donors from 1994-2002.