

AMENDED IN SENATE JUNE 20, 2006

AMENDED IN SENATE JUNE 1, 2006

AMENDED IN ASSEMBLY MAY 2, 2006

AMENDED IN ASSEMBLY APRIL 17, 2006

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 2226

**Introduced by Assembly Member Garcia
(Coauthors: Assembly Members Coto and Wyland)**

February 22, 2006

~~An act to add Article 6.7 (commencing with Section 124123) to Chapter 3 of Part 2 of Division 102 of the Health and Safety Code, An act to add Section 49452.7 to the Education Code, relating to diabetes screening.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2226, as amended, Garcia. Diabetes screening.

Existing law requires the governing body of each county or counties to establish a community child health and disability prevention program for the purpose of providing early and periodic assessments of the health status of children in the county or counties. Existing law requires the health screening and evaluation part of each program to include for each child screening tests for vision, hearing, anemia, tuberculosis, diabetes, and urinary tract conditions. Existing law requires the governing board of each school district to exclude from school, for not more than 5 days, any 1st grade pupil who has not provided either a certificate documenting that the child has received the appropriate health screening and evaluation services or a waiver

signed by the child's parents or guardian indicating that they do not want, or are unable, to obtain these services.

Existing law establishes, until January 1, 2008, a 3-year pilot program and requires any school district that volunteers to participate in the program to screen pupils for the risk of developing type 2 diabetes mellitus in conjunction with a screening program for scoliosis. Existing law specifies individuals who may perform and supervise the screenings, and prescribes procedures for the screening process, including, but not limited to, compliance with standards and procedures developed by the State Department of Education. The program provides for parent or guardian notification of any pupil suspected of being at elevated risk of developing type 2 diabetes mellitus, as described.

This bill would, on and after July 1, 2010, require the governing board of each school district or the authority of each other public institution, as specified, to provide a type 2 diabetes information sheet developed by the Department of Education to the parent or guardian of incoming 7th grade pupils.

By increasing the duties of local officials, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares all of the
2 following:

3 (1) The State of California has the second highest rate of
4 overweight and low-income children in the nation.

5 (2) Since the early 1970s the childhood obesity rate has more
6 than doubled for preschool children, aged two to five years,

1 inclusive, and for adolescents, aged 12 to 19 years, inclusive, and
2 it has more than tripled for children aged 6 to 11 years, inclusive.

3 (3) The average weight for a 10-year-old boy in 1963 was 74.2
4 pounds, and by 2002, it was nearly 85 pounds. The average
5 weight for a 10-year-old girl in 1963 was 77.4 pounds, and by
6 2002, it was nearly 88 pounds.

7 (4) African-American, Hispanic, and Native American
8 adolescents have higher rates of obesity than the rest of the
9 population. Up to 24 percent of African-American and Hispanic
10 children are above the 95th percentile in weight.

11 (5) Fifty percent of overweight children and teens remain
12 overweight as adults.

13 (6) Childhood obesity has been linked to diabetes,
14 hypertension, and heart disease. Type 2 diabetes, which until
15 recently affected only adults, now affects a growing number of
16 children and accounts for almost 50 percent of new diabetes
17 cases among children in some communities in the nation.

18 (7) Diabetes is the sixth leading cause of death in the United
19 States and is associated with several health risks. These health
20 risks include heart disease and stroke, high blood pressure,
21 kidney disease, nervous system damage, gum disease, and
22 blindness.

23 (8) Early detection and proper diagnosis of type 2 diabetes
24 among adolescents enables teens to be treated at a stage where
25 long-term health damage has not yet occurred.

26 (9) With early detection, these risks can be subverted for
27 people affected by prediabetes, and for those already diagnosed
28 with diabetes, these risks can be reduced through proper exercise,
29 nutrition, and weight management.

30 (10) In 2005, 176,500 people aged 20 years or younger were
31 diagnosed with diabetes. This accounts for 0.22 percent of all
32 people aged 20 years or younger.

33 (11) In addition, 2,000,000 adolescents aged 12–19 have
34 prediabetes and with early detection and proper management of
35 glucose levels, people can delay or even prevent type 2 diabetes
36 from ever developing.

37 (12) The prevalence of diabetes is 1.7 times higher in Latinos
38 than non-Latino whites.

39 (13) Two and one-half million or 9.5 percent of all Latino
40 Americans aged 20 or older have diabetes.

1 (14) Approximately 24 percent of Mexican-Americans in the
 2 United States and 26 percent of Puerto Ricans between the ages
 3 of 45 and 74 have diabetes.

4 (15) An estimated 44 percent of Latinos over 65 will have
 5 diabetes by 2020.

6 ~~SEC. 2. Article 6.7 (commencing with Section 124123) is~~
 7 ~~added to Chapter 3 of Part 2 of Division 102 of the Health and~~
 8 ~~Safety Code, to read:~~

9
 10 ~~Article 6.7. Diabetes Screening~~

11
 12 *SEC. 2. Section 49452.7 is added to the Education Code, to*
 13 *read:*

14 ~~124123.~~

15 49452.7. (a) On and after July 1, 2010, the governing
 16 authority shall provide an information sheet regarding type 2
 17 diabetes to the parent or guardian of incoming 7th grade pupils.
 18 The information sheet may be provided to the parent or guardian
 19 of incoming 7th graders with the information provided pursuant
 20 to Section 48980 of the Education Code. The information sheet
 21 shall include, but shall not be limited to, all of the following:

- 22 (1) A description of type 2 diabetes.
 - 23 (2) A description of the risk factors and warning signs
 24 associated with type 2 diabetes.
 - 25 (3) A recommendation that pupils displaying or possibly
 26 suffering from risk factors or warning signs associated with type
 27 2 diabetes should be screened for type 2 diabetes.
 - 28 (4) A description of treatments and prevention methods of
 29 type 2 diabetes.
 - 30 (5) A description of the different types of diabetes screening
 31 tests available.
- 32 (b) The information sheet shall be developed by the *State*
 33 Department of Education in coordination with any other entity
 34 the department deems appropriate. The information sheet shall be
 35 made available to each governing authority through the *State*
 36 Department of Education's Web site and any other Web site the
 37 department deems appropriate, as well as by providing written
 38 copies of the information sheet to the governing authority upon
 39 written request to the department.

1 (c) It is the intent of the Legislature that school districts, to the
2 extent that resources or funds, or both, are available, provide
3 information to parents regarding locations at which parents may
4 receive *diabetes screening and education* services at free or
5 reduced costs from public or private sources.

6 (d) For purposes of this section, “governing authority” means
7 the governing board of each school district or the authority of
8 each other public institution responsible for the operation and
9 control of the institution or the principal or administrator of each
10 public school or institution.

11 SEC. 3. If the Commission on State Mandates determines
12 that this act contains costs mandated by the state, reimbursement
13 to local agencies and school districts for those costs shall be
14 made pursuant to Part 7 (commencing with Section 17500) of
15 Division 4 of Title 2 of the Government Code.