

AMENDED IN SENATE JUNE 12, 2008

AMENDED IN SENATE SEPTEMBER 5, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 211

Introduced by Assembly Member Jones
(Coauthors: Senators Kuehl and Torlakson)

January 25, 2007

An act to add Section 101037 to the Health and Safety Code, relating to local health officers: 101037 to, to add Article 3 (commencing with Section 104705) to Chapter 2 of Part 3 of Division 103 of, and to add Part 8 (commencing with Section 106050) to Division 103 of, the Health and Safety Code, relating to health.

LEGISLATIVE COUNSEL'S DIGEST

AB 211, as amended, Jones. ~~Local health officers. Healthy living: local health officers: Community Makeover Grant program: public health activities.~~

Existing law permits the establishment of the position of county health officer for the performance of various duties and powers relating to public health.

This bill would authorize the local health officer to provide assistance to cities and counties with regard to public health issues as they relate to local land use planning and transportation planning processes.

Existing law requires the State Department of Public Health to establish within the department a program on tobacco use and health to reduce tobacco use in California by conducting health education interventions and behavior change programs at the state level, in the community, and in other nonschool settings. Existing law requires the

department to award and administer grants for projects directed at the prevention of tobacco-related diseases.

This bill would create the Community Makeover Grant program that would be administered by the department. The bill would require the department to award grants to local health departments in cities and counties that would serve as the local lead agencies under the program, for specified purposes, including supporting local grants that may be used to develop new programs and improving existing programs that promote active living and healthy eating. The bill would require the department to issue guidelines and to specify data reporting requirements for local lead agencies to comply with various requirements relating to the administration of the program. The bill would also require the department to develop a sustained media campaign to educate the public about the importance of obesity prevention.

This bill would provide that it shall be implemented only to the extent funds are appropriated in the annual Budget Act or in another statute, or the department is able to procure private or public grant funding to carry out the purposes of this bill.

Existing law authorizes the State Department of Public Health to perform studies, demonstrate innovative methods, and disseminate information relating to the protection, preservation, and advancement of public health.

This bill would give the department and local health departments access to electronic medical record data for purposes of carrying out mandated public health activities, including implementation and evaluation of public health interventions to prevent and control disease.

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

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

- 1 SECTION 1. Section 101037 is added to the Health and Safety
- 2 Code, to read:
- 3 101037. The county local health officer may provide assistance
- 4 to cities and counties with regard to public health issues as they
- 5 relate to local land use planning and transportation planning
- 6 processes. This assistance may include, but is not limited to:
- 7 (a) The prevention of obesity and chronic diseases such as
- 8 diabetes, some forms of cancer, arthritis and stroke in relation to

1 physical activity, and issues of ease of walking and biking and
2 vehicle miles traveled.

3 (b) Respiratory disease and air quality.

4 (c) Injury prevention and motor vehicle crashes.

5 (d) Healthier eating opportunities and community design.

6 (e) Drinking water quality.

7 (f) Mental well-being and parks, trails, and open space.

8 (g) Social capital and sense of community.

9 (h) Violence prevention and street safety.

10 SEC. 2. Article 3 (commencing with Section 104705) is added
11 to Chapter 2 of Part 3 of Division 103 of the Health and Safety
12 Code, to read:

13
14 Article 3. Community Makeover Grants

15
16 104705. (a) The Community Makeover Grant program is
17 hereby created and shall be administered by the department. The
18 department shall award grants to local health departments to serve
19 as local lead agencies in accordance with this article.

20 (b) For purposes of determining the amount of each grant
21 awarded under this article, local health departments shall be
22 allocated, at a minimum, base funding in proportion to total
23 available funding.

24 (c) Except as provided in subdivision (b), local health
25 departments shall receive an allocation based on each county's
26 or city's proportion of the statewide population, to be expended
27 for purposes that include, but need not be limited to:

28 (1) Creating a community infrastructure that promotes active
29 living and healthy eating.

30 (2) Coordinating with, at a minimum, city, county, school,
31 community, and business partners to facilitate community level,
32 multisector collaboration for the development and implementation
33 of strategies to facilitate active living and healthy eating across
34 the spectrum of prevention.

35 (3) Conducting competitive grant application processes to
36 support local grants. These local grants may be used to develop
37 new programs and improve existing programs to promote physical
38 activity for children and families, improve access to healthy foods,
39 and better utilize community recreation facilities, including
40 changes in the social and built environments.

1 (4) Preparing program interventions and materials that will be
2 available in accessible, and culturally and linguistically
3 appropriate, formats.

4 (5) Providing assistance to local and regional agencies with
5 regard to health, including conducting analyses of the health
6 impacts of local and regional land use, zoning, transportation,
7 housing, education policy, and economic development decisions.

8 (6) Assessing, monitoring, and providing surveillance for
9 obesity, chronic illness, and related individual, social, and
10 environmental risk factors at a local level.

11 (7) Disseminating information to the public, local policy makers,
12 and local agencies.

13 (d) The department shall do both of the following:

14 (1) Issue guidelines for local lead agencies regarding both of
15 the following:

16 (A) Comprehensive community intervention strategies that
17 include policy and environmental changes to promote active living
18 and healthy eating and to prevent obesity and chronic illness.

19 (B) Methods for conducting analyses of health impacts of local
20 and regional land use, zoning, transportation, housing, education
21 policy, and economic development decisions.

22 (2) Prepare a report to the Legislature regarding health and
23 the built environment, in consultation with other agencies and
24 local health departments, including recommendations for the
25 formal incorporation of health issues in local planning, such as
26 through incorporation in general, area, redevelopment, housing,
27 and transportation plans, and the funding thereof.

28 (e) The department shall specify data reporting requirements
29 for local lead agencies and their subcontractors.

30 (f) (1) The department shall conduct a fiscal and program
31 review on a regular basis.

32 (2) If the department determines that any local lead agency is
33 not in compliance with any provision of this article, the local lead
34 agency shall submit to the department, within 60 days, a plan for
35 complying with this article.

36 (3) The department may withhold funds allocated under this
37 article from local lead agencies that are not in compliance with
38 this article.

39 (g) For purposes of this article, “department” means the State
40 Department of Public Health.

1 104710. (a) The department shall provide a variety of training,
2 consultation, and technical assistance to support local programs,
3 including development and dissemination of standardized
4 methodologies for assessing the health impacts of land use,
5 housing, transportation, education policy, economic development,
6 and other relevant policy determinations.

7 (b) Notwithstanding any other provision of law, the department
8 may use a request for proposal process to select a contractor, or
9 may directly award contracts to provide the services described in
10 subdivision (a) to another state, federal, or auxiliary organization.

11 (c) Any organization awarded a contract under this section
12 shall demonstrate the ability to provide statewide assistance to
13 accelerate progress, and to ensure the long-term impact of local
14 obesity prevention programs.

15 104715. (a) The department shall track and monitor measures
16 for obesity, chronic illness, and related risk factors, including, but
17 not limited to, active living, healthy eating, and individual, social,
18 and environmental indicators. These tracking and evaluation
19 activities shall utilize scientifically appropriate methods, and may
20 include, but need not be limited to, the following:

21 (1) Tracking statewide health indicators.

22 (2) Evaluations funded projects, determining baseline measures
23 and progress toward goals, as well as capturing successes and
24 emerging models.

25 (3) Comparing the effectiveness of individual programs to inform
26 funding decisions and program modifications.

27 (4) Incorporating other aspects into the evaluation that have
28 been identified by the department in consultation with state and
29 local advisory groups, local health departments, and other
30 interested parties.

31 (5) Forecasting health and economic cost consequences
32 associated with obesity and chronic illness.

33 (6) If funding is available, utilizing a sample size that is
34 adequate to produce county-, ethnic-, and disability-specific
35 estimates.

36 (b) The purpose of the evaluation shall be to direct the most
37 efficient allocation of resources appropriated under this article
38 to accomplish the maximum reduction of obesity rates. The
39 comprehensive evaluation shall be designed to measure the extent

1 to which programs funded pursuant to this article promote the
2 goals identified in the California Obesity Prevention Plan.

3 104720. The department shall develop a campaign, including,
4 but not limited to, media advertisements and public relations
5 programs, to educate the public about the importance of obesity
6 prevention, that frames active living and healthy eating as
7 “California living.” The campaign-centered efforts shall be closely
8 linked with community-level program, policy, and environmental
9 change efforts, shall promote community policy, environmental,
10 and social norm changes, and shall be available in accessible,
11 and culturally and linguistically appropriate, formats.

12 104725. The department shall provide technical assistance to
13 help employers integrate wellness policies and programs into
14 employee benefit plans and worksites.

15 104726. Notwithstanding any other provision of law, this article
16 shall be implemented only to the extent funds are appropriated for
17 purposes of this article in the annual Budget Act or in another
18 statute, or the department is able to procure private or public grant
19 funding to carry out the purposes of this article.

20 SEC. 3. Part 8 (commencing with Section 106050) is added to
21 Division 103 of the Health and Safety Code, to read:

22
23 PART 8. HEALTHY CALIFORNIA
24

25 106050. The State Department of Public Health and local
26 health departments shall have access to electronic medical record
27 data for purposes of carrying out mandated public health activities,
28 including surveillance, monitoring of community health status,
29 and implementation and evaluation of public health interventions
30 to prevent and control disease. The department shall view and use
31 the data to which it has access pursuant to this section in full
32 compliance with all applicable state and federal laws regarding
33 the protection of confidentiality of personal health information.