

ASSEMBLY BILL

No. 1530

Introduced by Assembly Member Lieber

February 23, 2007

An act to add Section 105206 to the Health and Safety Code, relating to pesticide poisoning.

LEGISLATIVE COUNSEL'S DIGEST

AB 1530, as introduced, Lieber. Pesticide poisoning.

Existing law establishes standards for the handling and use of pesticides and for determining the hazards posed by pesticides to worker safety. Existing law imposes various reporting requirements on physicians and local health officers when there are known or suspected instances of pesticide poisoning. Under existing law, worker reentry into areas treated by pesticides determined to be hazardous to worker safety may be restricted by whether pesticide residue levels on treated plants are determined by scientific analysis not to be a significant factor in cholinesterase depression or other health effects.

This bill would require a laboratory that performs cholinesterase testing on a specimen of human blood, with regard to determining pesticide residue levels for those purposes, to electronically report specified information on every person tested to the Office of Environmental Health Hazard Assessment, the Office of Pesticide Regulation, and the Occupational Health Branch and the Environmental Health Laboratory Branch of the Department of Public Health. The bill would also require the Office of Environmental Health Hazard Assessment to immediately share this information, in an electronic format, with the appropriate county agricultural commissioner, the local health officer, and the health care provider that ordered the test. The

bill would also impose other related reporting requirements and would require the Office of Environmental Health Hazard Assessment to prepare an annual report on the cholinesterase testing program.

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

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

1 SECTION 1. Section 105206 is added to the Health and Safety
2 Code, to read:

3 105206. (a) A laboratory that performs cholinesterase testing
4 pursuant to Section 12981 of the Food and Agriculture Code or
5 Section 6728 of Title 3 of the California Code of Regulations on
6 a specimen of human blood drawn in California shall electronically
7 report the information specified in subdivision (b) on every person
8 tested to the Office of Environmental Health Hazard Assessment
9 (OEHHA), the Department of Pesticide Regulation, and to the
10 Occupational Health Branch and the Environmental Health
11 Laboratory Branch in the State department of Public Health.
12 OEHHA shall immediately share this information, in an electronic
13 format, with the appropriate county agricultural commissioner,
14 local health officer, and the health care provider that ordered the
15 test.

16 (b) The testing laboratory shall report all of the following
17 information in complying with subdivision (a):

18 (1) The test results in International Units per milliliter of sample
19 (IU/mL).

20 (2) The purpose of the test, including, but not limited to,
21 baseline, 30-day, periodic, and suspected illness, pursuant to the
22 requirements of Section 6728 of Title 3 of the California Code of
23 Regulations.

24 (3) The name, gender, and, if available, social security number
25 of the person tested.

26 (4) The person’s birth date, if the analyzing laboratory has that
27 information, or if not, the person’s age.

28 (5) The person’s address, if the analyzing laboratory has that
29 information, or if not, a telephone number by which the person
30 may be contacted.

31 (6) The person’s job title or occupation.

- 1 (7) The name, address, and telephone number of the health care
2 provider or medical supervisor that ordered the analysis.
- 3 (8) The name, address, and telephone number of the analyzing
4 laboratory.
- 5 (9) The name, address, and telephone number of the person's
6 employer.
- 7 (10) The accession number of the specimen.
- 8 (11) The time and date that the sample was collected from the
9 patient, and the time and date the analysis was performed.
- 10 (c) In addition, the testing laboratory shall report to OEHHA,
11 the State Department of Public Health, and the Department of
12 Pesticide Regulation other information in its possession or that
13 may come into its possession that directly relates to the
14 cholinesterase test or to the identity, location, medical management,
15 or environmental management of the person tested.
- 16 (d) The employer of a person tested pursuant to subdivision (a)
17 shall ensure that the person receives a copy of the cholinesterase
18 test results or any recommendations from the medical supervisor
19 within 14 days of receiving the information.
- 20 (e) All information reported pursuant to this section shall be
21 confidential, as provided in Section 100330, except that OEHHA,
22 the Department of Pesticide Regulation, or the State Department
23 of Public Health may share the information for the purpose of
24 surveillance, case management, investigation, environmental
25 assessment, environmental remediation, or abatement with the
26 appropriate county agricultural commissioner and local health
27 officer.
- 28 (f) The State Public Health Officer may assess a fine up to five
29 hundred dollars (\$500) per person per case against any laboratory
30 that knowingly fails to meet the reporting requirements of this
31 section.
- 32 (g) OEHHA may review the cholinesterase test results, in
33 consultation with the Department of Pesticide Regulation and the
34 State Department of Public Health, and may provide an appropriate
35 medical or toxicological consultation to the medical supervisor.
36 OEHHA may request additional medical information relevant to
37 the cholinesterase test results from the medical supervisor of the
38 person tested.
- 39 (h) In consultation with the Department of Pesticide Regulation
40 and the State Department of Public Health, OEHHA shall prepare

1 an annual report on the cholinesterase testing program. The report
2 may evaluate the program's effectiveness, assess program
3 compliance and compliance with this section, make
4 recommendations to the Legislature, and examine other issues it
5 deems necessary. OEHHA shall make the report publicly available
6 on its Internet Web site.

O