

AMENDED IN ASSEMBLY APRIL 16, 2007

Senate Concurrent Resolution

No. 29

Introduced by Senators Scott, Cox, Torlakson, and Yee

March 13, 2007

Senate Concurrent Resolution No. 29—Relative to Lyme Disease Awareness Month.

LEGISLATIVE COUNSEL'S DIGEST

SCR 29, as amended, Scott. Lyme Disease Awareness Month.

This measure would proclaim the month of May 2007; as Lyme Disease Awareness Month.

Fiscal committee: no.

1 WHEREAS, Lyme disease is caused by the spirochete (a
2 corkscrew-shaped bacteria) called *Borrelia burgdorferi* and is
3 transmitted by the western black-legged tick. Lyme disease was
4 first identified in North America in the 1970s in Lyme,
5 Connecticut, the town for which it was then named. This disease
6 has since been reported in many areas of the country, including
7 52 counties in California. Its spread is essentially global, having
8 been reported in 30 countries on 6 continents and several islands.
9 Lyme disease, therefore, is not “rare” and 25 percent of its victims
10 are under 15 years of age; and

11 WHEREAS, The federal Centers for Disease Control and
12 Prevention (CDC) made Lyme disease a nationally notifiable
13 condition in 1982. Over 125,000 cases have since been reported
14 nationwide, making Lyme disease the most frequently reported
15 vector-borne disease. In 2002, the number of cases reported
16 increased by 40 percent over the prior year to 23,763 cases. The

1 CDC estimates that only 10 percent of the Lyme disease cases are
2 actually reported, and the current CDC surveillance criteria is
3 outdated and leads to gross underreporting; and

4 WHEREAS, Lyme disease mimics many other diseases and is
5 called the second “great imitator” after syphilis. Patients are often
6 misdiagnosed with more familiar conditions, including chronic
7 fatigue, fibromyalgia, multiple sclerosis, amyotrophic lateral
8 sclerosis (Lou Gehrig’s disease), or Parkinson’s disease, for which
9 there is no cure, only palliative remedies. Manifestations of
10 cognitive and memory impairment from neurological Lyme disease
11 are commonly misdiagnosed as depression or other mental
12 conditions; and

13 WHEREAS, Prompt treatment with antibiotics at the onset of
14 Lyme disease can cure the infection and prevent complications of
15 “persistent Lyme disease.” However, if treatment is delayed, the
16 disease will cause progressive debilitation and recovery will take
17 much longer; and

18 WHEREAS, In California, the western black-legged tick (*Ixodes*
19 *pacificus*) transmits the bacteria that cause Lyme disease during
20 its bite and blood draw. These ticks are most common in the coastal
21 regions and along the western slope of the Sierra Nevada range.
22 Ticks prefer cool moist environments, such as shaded grasses,
23 shrubs, and leaf litter under trees in oak woodlands; and

24 WHEREAS, Ticks have three life stages. The larvae and nymphs
25 are found in low, moist vegetation such as in leaf litter and oak
26 tree trunks. Adults are found on the tips of grasses and shrubs,
27 often along trails and usually carried by deer. Infected nymphs
28 and adult females of the western black-legged tick can transmit
29 Lyme disease bacterium to humans. Because nymphs are tiny and
30 difficult to see, they may not be removed promptly. Nymphs are
31 most active in spring and early summer, when people are most
32 likely to be outdoors. Indeed, the peak time for contracting the
33 disease is between April and June, hence the designation of May
34 as Lyme Disease Awareness Month; and

35 WHEREAS, There are fewer than 30 “Lyme-literate” physicians
36 in clinical practice in California, resulting in frequent misdiagnosis
37 and undertreatment of patients. This marginalization has led to
38 broken families, financial hardship, job loss, increased numbers
39 of people on disability or welfare, and even death. Lyme disease

1 is a hidden public health epidemic that must be addressed promptly;
2 and

3 WHEREAS, In 1999, Senate Bill 1115 established the Lyme
4 Disease Advisory Committee (LDAC) to provide information and
5 service to the Lyme patient community and to focus expertise and
6 potential leadership on this public health epidemic and to encourage
7 ~~the use of protective clothing. Yet, little has been done despite the~~
8 ~~fact that the United States Department of Defense has developed~~
9 ~~an “Insect Repellent System” for military clothing based on field~~
10 ~~research at certain military bases in California, with specialized~~
11 ~~emphasis on Lyme disease; and *the use of protective clothing; and*~~

12 WHEREAS, In 2002, Assembly Bill 2125 established that Lyme
13 disease could be a compensable employment injury through the
14 workers’ compensation system for certain law enforcement
15 personnel, thus recognizing that Lyme disease could be an
16 occupational hazard and job injury; and

17 WHEREAS, In 2004, the International Lyme and Associated
18 Diseases Society developed “Evidence-based Guidelines for the
19 Management of Lyme Disease,” published in Expert Review and
20 Anti-infective Ther.:2(1), 2004. It is now clear that long-term
21 antibiotic treatment of persistent Lyme disease can be effective;
22 and

23 WHEREAS, In 2004, Assembly Bill 1091 revised the method
24 by which the state may modify the list of reportable diseases
25 making Lyme disease laboratory-reportable in addition to
26 doctor-reportable. This made a difference. For the first half of
27 2006, 119 Lyme disease cases were reported, versus 26 and 17
28 reported for the years 2005 and 2004, respectively; and

29 WHEREAS, Recently, in 2005, Assembly Bill 592 had a
30 two-fold purpose: to ensure that physicians who diagnose Lyme
31 disease based on personal examination and develop a treatment
32 plan based on informed consent with the patient can not be charged
33 with incompetence for this professional practice, and specifically
34 recognizing the treatment of “persistent Lyme disease” opening a
35 window for both physicians and patients to see that this complex
36 disease can indeed be treated. Today, California and Rhode Island
37 are the only states in the United States that have this kind of state
38 legislation; and

1 WHEREAS, The Legislature finds that this disease is a
2 developing epidemic that presents a major health threat to all
3 Californians; now, therefore, be it

4 *Resolved by the Senate of the State of California, the Assembly*
5 *thereof concurring*, That the Legislature of the State of California
6 hereby proclaims the month of May 2007; as Lyme Disease
7 Awareness Month; and be it further

8 *Resolved*, That the Secretary of the Senate transmit copies of
9 this resolution to the author for appropriate distribution.