

ASSEMBLY BILL

No. 1621

Introduced by Assembly Member Halderman

February 8, 2012

An act to amend Section 2248 of the Business and Professions Code, relating to medicine.

LEGISLATIVE COUNSEL'S DIGEST

AB 1621, as introduced, Halderman. Physicians and surgeons: prostate cancer.

Existing law, the Medical Practice Act, provides for the licensure and regulation of physicians and surgeons by the Medical Board of California. Existing law requires a physician and surgeon examining a patient's prostate gland during a physical examination to provide the patient with specified information if certain conditions are present.

This bill would exempt from this requirement a physician and surgeon working on a trauma case, defined as any injured person who has been evaluated by prehospital personnel according to policies and procedures established by the local EMS agency and who has been found to require transportation to a trauma facility.

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

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

- 1 SECTION 1. Section 2248 of the Business and Professions
- 2 Code is amended to read:
- 3 2248. This section shall be known as, and may be cited as, the
- 4 Grant H. Kenyon Prostate Cancer Detection Act.

- 1 (a) If a physician and surgeon, during a physical examination,
2 examines a patient's prostate gland, the physician and surgeon
3 shall provide information to the patient about the availability of
4 appropriate diagnostic procedures, including, but not limited to,
5 the prostate antigen (PSA) test, if any of the following conditions
6 are present:
- 7 (1) The patient is over 50 years of age.
 - 8 (2) The patient manifests clinical symptomatology.
 - 9 (3) The patient is at an increased risk of prostate cancer.
 - 10 (4) The provision of the information to the patient is medically
11 necessary, in the opinion of the physician and surgeon.
- 12 (b) Violation of subdivision (a) constitutes unprofessional
13 conduct and is not subject to Section 2314.
- 14 (c) *This section shall not apply to a physician and surgeon*
15 *working on a trauma case as defined in Section 1798.160 of the*
16 *Health and Safety Code.*