

AMENDED IN ASSEMBLY MARCH 20, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1592

Introduced by Assembly Member Beth Gaines

February 3, 2014

An act to add Article 1 (commencing with Section 104250) to Chapter 4 of Part 1 of Division 103 of the Health and Safety Code, relating to diabetes.

LEGISLATIVE COUNSEL'S DIGEST

AB 1592, as amended, Beth Gaines. ~~Diabetes.~~ *California Diabetes Program.*

Existing law establishes the State Department of Public Health and sets forth its powers and duties, including, but not limited to, the administration of the California Diabetes Program.

This bill would require the department to submit a report to the Legislature by December 31 of each odd-numbered year that is to include, among other things, information on the financial impact of diabetes on the Medi-Cal program, the Public Employees' Medical and Hospital Care Act, and public health programs, and detailed action plans for combating diabetes with a range of actionable items for consideration by the Legislature, as specified, and would require the department to make the biannual reports available on its Internet Web site. The bill would authorize the department to use statistical data from external sources and requires the State Department of Health Care Services to provide the department with any relevant statistical data for purposes of creating the biannual reports. The bill would require the department to ensure that all grant funds from the federal Centers for Disease Control and Prevention and other federal sources for the

California Diabetes Program are expended for the purpose of diabetes prevention, treatment, and awareness pursuant to the grant requirements, and the creation of the biannual reports.

The bill would also make related findings and declarations.

~~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 state the intent of the Legislature to enact legislation that would create a statewide plan to address diabetes in California.~~

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. Article 1 (commencing with Section 104250) is
2 added to Chapter 4 of Part 1 of Division 103 of the Health and
3 Safety Code, to read:

4
5 Article 1. California Diabetes Program
6

7 104250. The Legislature finds and declares all of the following:

8 (a) It is reported by the California Diabetes Program that one
9 in seven adult Californians has diabetes, and the numbers are
10 rising rapidly. The actual number of those whose lives are affected
11 by diabetes is unknown and stands to be much higher when
12 factoring in the incidence of type 1 diabetes and undiagnosed
13 gestational diabetes.

14 (b) California has the greatest number of annual new cases of
15 diabetes in the United States.

16 (c) The incidence of diabetes amongst all Californians has
17 increased 32 percent over the past decade.

18 (d) Over 11.4 million people in California have prediabetes, a
19 condition that is a precursor to full onset type 2 diabetes. This
20 suggests that the total population of those diagnosed will continue
21 to rise in the absence of interventions.

22 (e) The prevalence of diagnosed gestational diabetes in
23 California has increased 60 percent in just seven years, from 3.3
24 percent of hospital deliveries in 1998 to 5.3 percent of hospital
25 deliveries in 2005, with the federal Centers for Disease Control

1 *and Prevention stating that the diagnosis rate could run as high*
2 *as 18.3 percent.*

3 *(f) The fiscal impact to the State of California, including total*
4 *health care and related costs for the treatment of diabetes, was*
5 *over \$35.9 billion in 2010.*

6 *(g) A recent study of a large state with a sizable diabetes*
7 *population found that the rate of diagnosed diabetes in the state's*
8 *Medicaid population is nearly double that of its general population.*

9 *(h) There is no cure for any type of diabetes.*

10 *(i) Diabetes when left untreated can lead to serious and costly*
11 *complications and a reduced life span.*

12 *(j) Many of these serious complications can be delayed or*
13 *avoided with timely diagnosis, effective patient self-care, and*
14 *improved social awareness.*

15 *(k) It is the intent of the Legislature to require the State*
16 *Department of Public Health to create a diabetes action plan that*
17 *provides policy guidance to prevent, treat, and increase awareness*
18 *of diabetes and that aids in the reduction of the fiscal impact of*
19 *diabetes to the state.*

20 *104251. (a) The State Department of Public Health, as part*
21 *of the California Diabetes Program, shall submit a report to the*
22 *Legislature by December 31 of each odd-numbered year that shall*
23 *include all of the following:*

24 *(1) The financial impact of all types of diabetes on the Medi-Cal*
25 *program, the Public Employees' Medical and Hospital Care Act*
26 *(PEMHCA), as administered by the California Public Employees'*
27 *Retirement System (CalPERS) for current employees, their families,*
28 *and retirees, and public health programs, and shall include both*
29 *of the following:*

30 *(A) The number of individuals with diabetes covered by*
31 *Medi-Cal or PEMHCA, and the number of individuals with*
32 *diabetes without insurance.*

33 *(B) The cost or impact diabetes and its complications place on*
34 *both public and private entities within the state.*

35 *(2) The number of persons with diabetes and family members*
36 *impacted by prevention and diabetes control programs*
37 *implemented by the State Department of Public Health, the*
38 *financial toll or impact diabetes and its complications places on*
39 *the program, and the financial toll or impact diabetes and its*

1 complications places on the State Department of Public Health in
2 comparison to other chronic diseases and conditions.

3 (3) An assessment of the benefits of implemented programs and
4 activities aimed at preventing and controlling diabetes. The
5 assessment shall document both of the following:

6 (A) The amount and source for any funding directed to the State
7 Department of Public Health from the Legislature for programs
8 and activities aimed at reaching those with diabetes.

9 (B) The amount and source for any funding directed to the State
10 Department of Public Health that may be used for the purposes
11 of the action plans required pursuant to paragraph (5).

12 (4) A description of the level of coordination between the State
13 Department of Public Health, the Medi-Cal program, and CalPERS
14 in preventing, treating, managing, and increasing awareness of
15 all forms of diabetes and its complications.

16 (5) Detailed action plans for combating diabetes with a range
17 of actionable items for consideration by the Legislature. The plans
18 shall identify proposed action steps to reduce the impact of type
19 1 diabetes, type 2 diabetes, gestational diabetes, prediabetes, and
20 their related complications. The plans shall also identify expected
21 outcomes of the action steps proposed in the following biennium
22 while also establishing benchmarks for preventing and controlling
23 relevant forms of diabetes.

24 (6) A detailed budget blueprint identifying needs, costs, and
25 resources required to implement the action plans required pursuant
26 to paragraph (5) for consideration by the Legislature. The budget
27 blueprint to the Legislature shall include a cost-benefit analysis
28 to assist in prioritizing plans by level of efficiency.

29 (b) The State Department of Public Health shall make the
30 biannual reports available on its Internet Web site.

31 (c) A report submitted pursuant to subdivision (a) shall be
32 submitted in compliance with Section 9795 of the Government
33 Code.

34 104252. (a) In order to reduce potential costs incurred by the
35 State Department of Public Health in the process of creating the
36 biannual reports as required pursuant to Section 104251, the State
37 Department of Public Health may use statistical data from external
38 sources.

39 (b) (1) The State Department of Health Care Services shall
40 provide to the State Department of Public Health any relevant

1 *statistical data for the purposes of the creation of the biannual*
2 *report.*

3 *(2) To ensure patient privacy, all data transferred to the State*
4 *Department of Public Health from the State Department of Health*
5 *Care Services shall conform to requirements described in the*
6 *federal Health Insurance Portability and Accountability Act of*
7 *1996 (Public Law 104-191).*

8 *104253. The State Department of Public Health shall ensure*
9 *that all grant funds from the federal Centers for Disease Control*
10 *and Prevention and other federal sources for the California*
11 *Diabetes Program are expended for the purpose of diabetes*
12 *prevention, treatment, awareness pursuant to the grant*
13 *requirements, and the creation of the biannual reports as required*
14 *pursuant to Section 104251.*

15 ~~SECTION 1. It is the intent of the Legislature to enact~~
16 ~~legislation that would create a statewide plan to address diabetes~~
17 ~~in California.~~