

AMENDED IN SENATE AUGUST 19, 2014
AMENDED IN SENATE JUNE 23, 2014
AMENDED IN ASSEMBLY MAY 28, 2014
AMENDED IN ASSEMBLY MAY 23, 2014
AMENDED IN ASSEMBLY MAY 6, 2014
AMENDED IN ASSEMBLY APRIL 23, 2014
AMENDED IN ASSEMBLY APRIL 2, 2014
AMENDED IN ASSEMBLY MARCH 20, 2014
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1592

**Introduced by Assembly Member Beth Gaines
(Coauthors: Assembly Members Bonta, Chávez, Fong, Fox, Garcia,
and Gonzalez)**

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, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1592, as amended, Beth Gaines. 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 State Department of Public Health to submit a report to the Legislature by December 31, 2015, that is to

~~include, includes, among other things, an assessment of the benefits of implemented programs and activities information on the progress of the implementation of evidence-based strategies aimed at preventing and controlling managing diabetes, and detailed action plans for combating diabetes with a range of actionable items for consideration by the Legislature that will aid in attaining the goals set forth by the department in the California Wellness Plan for 2014 and the Diabetes Burden Report. The bill would also authorize the department to update the report as necessary and at the department’s discretion. The bill would require the department to make the report and any updates available on its Internet Web site. The bill would authorize the department to use statistical data from external sources, and would require the State Department of Health Care Services to provide the department with any relevant statistical data for purposes of creating the report. The bill would require the State Department of Public Health to also include guidelines to reduce the fiscal burden of diabetes to the state in the Diabetes Burden Report, which is to be completed by December 31, 2014.~~

The bill would also make related findings and declarations.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: 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 rising
 10 rapidly. The actual number of those whose lives are affected by
 11 diabetes is unknown and stands to be much higher when factoring
 12 in the incidence of type 1 diabetes and undiagnosed gestational
 13 diabetes.

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

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

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

9 (e) The prevalence of diagnosed gestational diabetes in
10 California has increased 60 percent in just seven years, from 3.3
11 percent of hospital deliveries in 1998 to 5.3 percent of hospital
12 deliveries in 2005, with the federal Centers for Disease Control
13 and Prevention stating that the diagnosis rate could run as high as
14 18.3 percent.

15 (f) The fiscal impact to the State of California, including total
16 health care and related costs for the treatment of diabetes, was over
17 \$35.9 billion in 2010.

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

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

22 (i) Diabetes when left untreated can lead to serious and costly
23 complications and a reduced lifespan.

24 (j) Many of these serious complications can be delayed or
25 avoided with timely diagnosis, effective patient self-care, and
26 improved social awareness.

27 (k) The State Department of Public Health has created the
28 California Wellness Plan for 2014 that provides a set of desired
29 outcomes regarding diabetes in the state.

30 (l) The State Department of Public Health will complete a
31 Diabetes Burden Report by December 31, 2014, and will include
32 in the report, information on the prevalence of diabetes in
33 California compared to the rest of the United States, risk factors
34 for developing diabetes and diabetes complications, and the
35 prevalence of ~~obesity, inactivity,~~ *obesity* and cardiovascular disease
36 risk factors among individuals with diabetes as compared to
37 individuals without diabetes in California. The report will address
38 the prevalence of prediabetes, complications of diabetes, and
39 diabetes mortality in ~~California as compared to the rest of the~~
40 ~~United States.~~ *California*. The report will also outline the

1 department’s programs and activities that address the burden of
2 diabetes in California.

3 (m) It is the intent of the Legislature to require the State
4 Department of Public Health, as part of the California Diabetes
5 Program, to create a diabetes action plan that provides policy
6 guidance to prevent, treat, and increase awareness of diabetes and
7 to aid the state in complying with the goals provide to the
8 Legislature information, including the annual federal Centers for
9 Disease Control and Prevention progress report on
10 diabetes-related activities conducted by the State Department of
11 Public Health and expenditures associated with diabetes-related
12 program activities. These activities are set forth by the State
13 Department of Public Health in the California Wellness Plan for
14 2014 and the Diabetes Burden Report.

15 104251. (a) The State Department of Public Health, as part of
16 the California Diabetes Program, shall submit a report to the
17 Legislature by December 31, 2015, that shall include all of the
18 following:

19 ~~(1) An assessment of the benefits of implemented programs and~~
20 ~~activities aimed at preventing and controlling diabetes. The~~
21 ~~assessment shall document both of the following:~~

22 *(1) Information on the progress of the implementation of*
23 *evidence-based strategies aimed at preventing and managing*
24 *diabetes and the yearly expenditures associated with the*
25 *implementation of these strategies.*

26 *(2) The annual Federal Centers for Disease Control and*
27 *Prevention progress report on diabetes-related activities conducted*
28 *by the State Department of Public Health.*

29 ~~(A)~~

30 (3) The amount and source for any funding directed to the State
31 Department of Public Health and the State Department of Health
32 Care Services from the Legislature for programs and activities
33 aimed at reaching those with diabetes.

34 ~~(B) The amount and source for any funding directed to the State~~
35 ~~Department of Public Health and the State Department of Health~~
36 ~~Care Services that may be used for the purposes of the action plans~~
37 ~~required pursuant to paragraph (3).~~

38 ~~(2)~~

39 (4) A description of the level of coordination between the State
40 Department of Public Health and the State Department of Health

1 Care Services in preventing, ~~treating~~, managing, and increasing
2 awareness of all forms of diabetes and its complications within
3 the Medi-Cal population.

4 ~~(3) Detailed action plans for combating diabetes with a range~~
5 ~~of actionable~~

6 (5) *Actionable* items for consideration by the Legislature that
7 will aid in attaining the goals set forth by the State Department of
8 Public Health in the California Wellness Plan for 2014 and the
9 Diabetes Burden Report.

10 ~~(4) A detailed budget blueprint identifying needs, costs, and~~
11 ~~resources required to implement the action plans required pursuant~~
12 ~~to paragraph (3) for consideration by the Legislature. The budget~~
13 ~~blueprint to the Legislature shall include a cost-benefit analysis to~~
14 ~~assist in prioritizing plans by level of efficiency.~~

15 (b) The State Department of Public Health may, as necessary
16 and at its discretion, issue updates to the report specified in
17 subdivision (a) in future years. The State Department of Public
18 Health shall make the report and any updates issued pursuant to
19 this section available on its Internet Web site. The report and any
20 updates submitted pursuant to subdivision (a) shall be submitted
21 in compliance with Section 9795 of the Government Code.

22 ~~104252. (a) In order to reduce potential costs incurred by the~~
23 ~~State Department of Public Health in the process of creating the~~
24 ~~report as required pursuant to Section 104251, the State Department~~
25 ~~of Public Health may use statistical data from external sources.~~

26 ~~(b) (1) The State Department of Health Care Services shall~~
27 ~~provide to the State Department of Public Health any relevant~~
28 ~~statistical data for the purposes of creating the report.~~

29 ~~(2) To ensure patient privacy, all data transferred to the State~~
30 ~~Department of Public Health from the State Department of Health~~
31 ~~Care Services shall conform to requirements described in the~~
32 ~~federal Health Insurance Portability and Accountability Act of~~
33 ~~1996 (Public Law 104-191).~~

34 ~~104253.~~

35 104252. The State Department of Public Health shall also
36 include in the Diabetes Burden Report, which is to be completed
37 by December 31, 2014, guidelines that will reduce the fiscal burden
38 of diabetes to the state.

39 SEC. 2. This act is an urgency statute necessary for the
40 immediate preservation of the public peace, health, or safety within

1 the meaning of Article IV of the Constitution and shall go into
2 immediate effect. The facts constituting the necessity are:
3 In order for the state to combat diabetes and reduce the fiscal
4 burden to the state in combating diabetes at the earliest possible
5 time, it is necessary that this act take effect immediately.

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