

**ASSEMBLY BILL**

**No. 1683**

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**Introduced by Assembly Member Jones**

February 13, 2014

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An act to add Section 103886 to the Health and Safety Code, relating to disease reporting.

LEGISLATIVE COUNSEL'S DIGEST

AB 1683, as introduced, Jones. Ken Maddy California Cancer Registry.

Existing law requires the State Department of Public Health to establish a statewide system for the collection of information determining the incidence of cancer known as the Ken Maddy California Cancer Registry. Existing law authorizes the department to designate any demographic parts of the state as regional cancer incidence reporting areas and establish regional cancer registries to provide cancer incidence data. Under existing law, all cancers diagnosed or treated in the reported area are required to be reported to the representative of the department authorized to compile that data, or any other person or entity designated to cooperate with that representative. Existing regulations require cancer reporting facilities and physicians to employ a mechanism to ensure that their patients are informed that the facility will report each patient with cancer to the State Department of Public Health as required by law.

Under existing law, health care practitioners, including, among others, physicians and surgeons, and any hospital or other facility providing diagnostic or treatment services to patients with cancer are required to grant to the department or the authorized representative access to all records that would identify cases of cancer or would establish

characteristics of the cancer, treatment of the cancer, or medical status of any identified cancer patient. All information collected pursuant to those provisions is generally required to be kept confidential.

This bill would require the State Department of Public Health to inform a patient diagnosed with cancer or receiving cancer therapy treatment from a hospital or other facility providing therapy to that patient within an area designated as a cancer reporting area of the reporting requirement. This bill would require the department to notify the patient within 6 months of his or her case being reported to the department. The bill would also prohibit the department from disclosing confidential patient information to certain specified persons or entities until the department informs the patient of the reporting requirement. The bill would also allow a patient to refuse to participate in any research study and authorizes a patient to request that his or her contact information be withheld from health researchers.

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 103886 is added to the Health and Safety
- 2 Code, to read:
- 3 103886. (a) A patient diagnosed with cancer by a physician
- 4 and surgeon, dentist, podiatrist, or other health care practitioner
- 5 or a patient receiving cancer therapy treatment from any hospital
- 6 or other facility providing therapy to that patient within an area
- 7 designated as a cancer reporting area shall be informed by the
- 8 department of the reporting requirement described in Section
- 9 103885. The department shall notify the patient within six months
- 10 of his or her case being reported to the department.
- 11 (b) The department shall not disclose confidential information
- 12 to any persons, other states' cancer registries, federal cancer control
- 13 agencies, local health officers, or health researchers pursuant to
- 14 Section 103885, until the department informs the patient of the
- 15 reporting requirement described in Section 103885.
- 16 (c) The patient may refuse to participate in any research study
- 17 and may request that his or her contact information be withheld
- 18 from those persons or health researchers who obtain the patient's
- 19 confidential information pursuant to Section 103885.

1 (d) All notifications to the patient required under this section  
2 shall be distributed in a cost-effective manner.

3 (e) The department shall adopt regulations as it determines are  
4 necessary for the implementation of this section in accordance  
5 with the Administrative Procedure Act, Chapter 3.5 (commencing  
6 with Section 11340) of Part 1 of Division 3 of Title 2 of the  
7 Government Code.

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