

AMENDED IN ASSEMBLY MARCH 18, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2696

Introduced by Assembly Member Beth Gaines

February 19, 2016

~~An act to amend Section 131005 of the Health and Safety Code, relating to public health. 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 2696, as amended, Beth Gaines. ~~State Public Health Officer.~~
Diabetes prevention and management.

Existing law establishes the State Department of Public Health and sets forth its powers and duties pertaining to, among other things, protecting, preserving, and advancing public health, including disseminating information regarding diseases.

This bill would require the State Department of Public Health to submit a report to the Legislature on or before January 1, 2018, that includes a summary and compilation of recommendations, as specified, on diabetes prevention and management from certain sources, including the University of California and the federal Centers for Disease Control and Prevention. The bill would require the department to, commencing July 1, 2017, annually post on its Internet Web site a summary of the amount and source of any funding directed to, and expenditures by, the department for programs and activities aimed at preventing or managing diabetes.

~~Existing law establishes the position of the State Public Health Officer, who serves as the director of the State Department of Public Health.~~

~~The officer is required to be a licensed physician and surgeon, pursuant to the Medical Practice Act, and to have demonstrated medical, public health, and management experience.~~

~~This bill would make technical, nonsubstantive changes to this provision.~~

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. Diabetes.

6
7 104250. The Legislature finds and declares all of the following:

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

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

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

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

21 (e) The prevalence of diagnosed gestational diabetes in
22 California has increased 60 percent in just seven years, from 3.3
23 percent of hospital deliveries in 1998 to 5.3 percent of hospital
24 deliveries in 2005, with the federal Centers for Disease Control
25 and Prevention stating that the diagnosis rate could run as high
26 as 18.3 percent.

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

1 (g) *There is a disproportionate prevalence of type 2 diabetes*
2 *among Californians who are Black, Hispanic, or of Asian origin*
3 *compared to the general population. As of 2010, the incidence of*
4 *diabetes among Black and Hispanic people was nearly double that*
5 *among non-Hispanic Whites at approximately 14 percent. Asians*
6 *and Pacific Islanders, in the aggregate, experience higher rates*
7 *of diabetes than other populations. Certain groups within the Asian*
8 *and Pacific Islander population experience the highest prevalence*
9 *and risk overall, including Filipino, South Asians, and Pacific*
10 *Islanders, who suffer from diabetes at rates of 15 percent, 16*
11 *percent, and more than 18 percent, respectively.*

12 (h) *A recent study of a large state with a sizable diabetes*
13 *population found that the rate of diagnosed diabetes in that state's*
14 *Medicaid population is nearly double that of its general population.*

15 (i) *There is no cure for any type of diabetes; however, there is*
16 *evidence that diabetes can be prevented or delayed in onset through*
17 *lifestyle changes and medical intervention.*

18 (j) *Diabetes when left untreated can lead to serious and costly*
19 *complications and a reduced lifespan.*

20 (k) *Many of these serious complications can be delayed or*
21 *avoided with timely diagnosis, effective patient self-care, and*
22 *improved social awareness.*

23 (l) *It is the intent of the Legislature to require the State*
24 *Department of Public Health to provide to the Legislature*
25 *information, including the annual federal Centers for Disease*
26 *Control and Prevention progress report, on diabetes prevention*
27 *and management activities conducted by the State Department of*
28 *Public Health and expenditures associated with diabetes prevention*
29 *and management activities. These activities are set forth by the*
30 *State Department of Public Health in the California Wellness Plan*
31 *2014 and the report dated September 2014 entitled "Burden of*
32 *Diabetes in California."*

33 104251. (a) *The State Department of Public Health shall*
34 *submit a report to the Legislature on or before January 1, 2018,*
35 *that includes a summary and compilation of recommendations on*
36 *diabetes prevention and management, if any, from all of the*
37 *following sources:*

38 (1) *The University of California.*

39 (2) *The federal Centers for Disease Control and Prevention.*

40 (3) *The California Wellness Plan.*

1 (4) Other statewide diabetes stakeholder groups.

2 (5) Other entities identified by the department as having relevant
3 findings and recommendations.

4 (b) The department shall include in the report any
5 recommendations from those institutions on all of the following
6 items:

7 (1) Evidence-based strategies to prevent or manage diabetes.

8 (2) An analysis of the financial impact diabetes and its
9 complications have on the state.

10 (3) Policy recommendations for the prevention and management
11 of diabetes.

12 (c) The department shall also include in the report a description
13 of the existing level of coordination between state departments
14 with regard to programmatic activities and the provision of
15 information to the public regarding managing and preventing
16 diabetes and its complications.

17 (d) Commencing July 1, 2017, the department shall annually
18 post all of the following information on its Internet Web site:

19 (1) A summary of the amount and source of any funding directed
20 to the department for programs and activities aimed at preventing
21 or managing diabetes.

22 (2) A summary of the expenditures by the department on
23 programs and activities aimed at preventing or managing diabetes.

24 (e) (1) The requirement for submitting a report imposed under
25 subdivision (a) is inoperative on January 1, 2024.

26 (2) The report submitted to the Legislature pursuant to this
27 section shall be submitted in compliance with Section 9795 of the
28 Government Code.

29 ~~SECTION 1. Section 131005 of the Health and Safety Code~~
30 ~~is amended to read:~~

31 ~~131005. (a) There is in state government an executive officer~~
32 ~~known as the State Public Health Officer, who shall be appointed~~
33 ~~by the Governor, subject to confirmation by the Senate, and hold~~
34 ~~office at the pleasure of the Governor. The State Public Health~~
35 ~~Officer shall receive the annual salary provided by Article 1~~
36 ~~(commencing with Section 11550) of Chapter 6 of Part 1 of~~
37 ~~Division 3 of Title 2 of the Government Code.~~

38 ~~(b) The State Public Health Officer shall serve as the director~~
39 ~~of, and have control over, the State Department of Public Health.~~

1 ~~(e) Any statutory reference to “director,” “the Director of Health~~
2 ~~Services,” “the Director of Public Health,” or the “Director of the~~
3 ~~State Department of Public Health,” regarding a function~~
4 ~~transferred to the State Department of Public Health pursuant to~~
5 ~~Chapter 2 (commencing with Section 131050), is deemed to,~~
6 ~~instead, refer to the State Public Health Officer.~~

7 ~~(d) Any statutory reference to “department” or “state~~
8 ~~department” regarding a function transferred to the State~~
9 ~~Department of Public Health pursuant to Chapter 2 (commencing~~
10 ~~with Section 131050), shall refer to the State Department of Public~~
11 ~~Health.~~

12 ~~(e) The director shall be a physician and surgeon who is licensed~~
13 ~~pursuant to Chapter 5 (commencing with Section 2000) of Division~~
14 ~~2 of the Business and Professions Code, and who has demonstrated~~
15 ~~medical, public health, and management experience.~~