

AMENDED IN ASSEMBLY AUGUST 18, 2016

AMENDED IN ASSEMBLY JUNE 29, 2016

AMENDED IN SENATE FEBRUARY 18, 2016

SENATE BILL

No. 877

Introduced by Senator Pan
(Principal coauthors: Senators Monning and Wolk)
(Coauthors: Assembly Members Bonta and Brown)

January 15, 2016

An act to add Article 3 (commencing with Section 131230) to Chapter 2 of Part 1 of Division 112 of the Health and Safety Code, relating to public health.

LEGISLATIVE COUNSEL'S DIGEST

SB 877, as amended, Pan. Reporting and tracking of violent deaths.

Existing law establishes the State Department of Public Health, which is responsible for various programs relating to the health and safety of people in the state, including licensing health facilities, regulating food and drug safety, and monitoring and preventing communicable and chronic diseases.

This bill would, to the extent that funding is appropriated by the Legislature or available through private funds in each fiscal year, require the department to establish and maintain the California Electronic Violent Death Reporting System. The bill would further require the department to collect data on violent deaths, as specified, ~~and enter into contracts, grants, or other agreements with one or more local agencies~~ *and to post on the department's Internet Web site a summary and analysis of the collected data. The bill would authorize the department to enter into a contract, grant, or other agreement with a local agency*

to collect certain data, *within the agency’s own jurisdiction or through other local agencies, as specified*, and would authorize the department to apply for ~~grants~~ *grants* to implement these provisions. The bill would, to the extent that funding is available for this purpose, authorize a law enforcement agency to report to the department data on the circumstances surrounding all violent deaths from investigative reports and laboratory toxicology reports to be used by the department for the limited purpose of conducting public health surveillance and epidemiology. The bill would also make related legislative findings and declarations.

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. The Legislature finds and declares all of the
- 2 following:
- 3 (a) Information and data regarding violent deaths can help
- 4 provide states and communities with a clearer understanding of
- 5 violent deaths and therefore lead to better prevention of violent
- 6 deaths.
- 7 (b) According to the federal Centers for Disease Control and
- 8 Prevention (CDC), in the United States, violence accounts for
- 9 approximately 56,000 deaths annually. Violent deaths result from
- 10 the intentional use of physical force or power against oneself,
- 11 another person, or a group or community, and include suicide,
- 12 homicide, and legal intervention deaths. Violence adversely affects
- 13 all Americans, not only through premature death, but also through
- 14 medical costs and lost productivity.
- 15 (c) The CDC further notes that the cost of these deaths totaled
- 16 \$47.2 billion: \$47 billion in work loss costs and \$215 million in
- 17 medical treatment.
- 18 (d) In 2002, the National Violent Death Reporting System
- 19 (NVDRS) was established as a surveillance system that pulls
- 20 together data on violent deaths. NVDRS collects information from
- 21 death certificates, coroner or medical examiner reports, police
- 22 reports, and crime laboratories.
- 23 (e) NVDRS data ~~informs~~ *inform* decisionmakers and program
- 24 planners about the magnitude, trends, and characteristics of violent
- 25 deaths in a particular state or community so appropriate prevention

1 efforts can be identified and implemented, and the data facilitates
2 *facilitate* the evaluation of state-based prevention programs and
3 strategies.

4 (f) According to NVDRS, a national system will allow the CDC
5 to provide information for every state to inform their prevention
6 efforts. It will also ensure enhanced information on the national
7 scope of the problem of violent deaths is available to monitor and
8 track trends and to inform national efforts.

9 SEC. 2. Article 3 (commencing with Section 131230) is added
10 to Chapter 2 of Part 1 of Division 112 of the Health and Safety
11 Code, to read:

12

13 Article 3. Electronic Violent Death Reporting System

14

15 131230. (a) To the extent that funding is appropriated by the
16 Legislature or available through private funds in each fiscal year,
17 the department shall establish and maintain the California
18 Electronic Violent Death Reporting System.

19 (b) The department shall collect data on violent deaths as
20 reported from data sources, including, but not limited to, death
21 certificates, law enforcement reports, and coroner or medical
22 examiner reports. The department shall post on its Internet Web
23 site a summary and analysis of the collected data.

24 (c) ~~(1) The department shall enter into contracts, grants, or~~
25 ~~other agreements with one or more local agencies may enter into~~
26 ~~a contract, grant, or other agreement with a local agency to collect~~
27 ~~the data specified in subdivision (b).~~ *(b) within the agency's*
28 *jurisdiction.*

29 (2) (A) *The department may enter into a contract, grant, or*
30 *other agreement with a local agency to collect the data specified*
31 *in subdivision (b) from other local agencies if the following*
32 *conditions are met:*

33 (i) *The local agency entering into the agreement agrees to*
34 *collect the data from the other local agencies.*

35 (ii) *The local agency entering into the agreement is not*
36 *responsible for reporting to the department data that have not*
37 *been made available by the other local agencies.*

38 (B) *The other local agencies described in subparagraph (A)*
39 *may also enter into their own agreements with the department*
40 *pursuant to paragraph (1).*

1 (3) *The data collected pursuant to paragraph (1) or (2) shall*
2 *be limited to data that the local agency entering into the agreement*
3 *or the other local agencies are authorized to collect within their*
4 *respective jurisdictions.*

5 (4) *A local agency entering into an agreement pursuant to*
6 *paragraph (1) or (2) shall collect data based on existing or new*
7 *data elements required by the California Electronic Violent Death*
8 *Reporting System only to the extent that resources are made*
9 *available.*

10 (d) To the extent that funding is available for this purpose, a
11 law enforcement agency may report to the department data on the
12 circumstances surrounding all violent deaths from investigative
13 reports and, if available, laboratory toxicology reports to be used
14 by the department for the limited purpose of conducting public
15 health surveillance and epidemiology. Aggregate data shall be
16 public, but individual identifying information shall remain
17 confidential. The collected data shall be based on the data elements
18 of the federal Centers for Disease Control and Prevention’s
19 National Violent Death Reporting System.

20 (e) The department may apply for grants provided under the
21 National Violent Death Reporting System for purposes of
22 implementing this section.

23 (f) The department may accept private or foundation moneys
24 to implement this section.

25 (g) This section does not limit data sources that the department
26 may collect, which may include any public agency document that
27 may contain data on violent deaths.

28 131231. For purposes of this article, “violent death” means a
29 death resulting from the use of physical force or power against
30 oneself, another person, or a group or community, and includes,
31 but is not limited to, homicide, suicide, legal intervention deaths,
32 unintentional firearm deaths, and undetermined intent deaths.