

AMENDED IN SENATE APRIL 26, 2016
AMENDED IN SENATE MARCH 28, 2016

SENATE BILL

No. 1073

Introduced by Senator Monning

February 16, 2016

An act to amend Sections 105250, 105251, and 131051 of, and to add Sections 105249, 105251.1, 105251.2, and 105251.3 to, the Health and Safety Code, relating to public health.

LEGISLATIVE COUNSEL'S DIGEST

SB 1073, as amended, Monning. Residential housing: lead-based paint.

Existing law requires the State Department of Public Health to implement and administer a residential lead-based paint hazard reduction program, as specified, including adopting regulations regarding accreditation of providers of health and safety training to employees who engage in or supervise lead-related construction work, as defined, and certification of employees who have successfully ~~completed~~ *completed* that training and to establish and impose fees for those accreditations and certifications and for licensing entities engaged in lead-related occupations, as specified.

This bill would require the department ~~to~~ *to, in consultation with the Contractors' State License Board*, update those regulations and other regulations governing lead-related construction work ~~to~~ *to, where appropriate*, conform to the federal Environmental Protection Agency's Lead Renovation, Repair, and Painting Rule or to be more stringent. *The bill would also require the department to, in coordination with the Contractors' State License Board, develop and implement an education and outreach effort to provide the regulated community clear*

information on the regulations. The bill would require the department to request authorization from the agency to enforce provisions of that rule and, upon receiving that authorization, to adopt regulations establishing procedures pursuant to which a local law enforcement agency, as defined, may elect to assume and carry out responsibility for those enforcement activities in its jurisdiction. The bill would require a local enforcement agency that elects to carry out those enforcement activities to submit an annual report to the department regarding those activities, as specified.

This bill would require the department to review and revise its fee schedule a minimum of once in any 8-year period and, if necessary, adopt regulations establishing new fee amounts that account for changes in the cost of living, not to exceed the department's reasonable costs to administer those provisions. The bill would also require the department to submit a report, on or before February 28 of each year, to the federal Environmental Protection Agency that contains a registry of programs, individuals, and entities certified by the department as of December 31 of the preceding calendar year and information, if any, received by the department from local law enforcement agencies regarding their enforcement activities. The bill would prohibit a certified lead inspector or assessor, certified lead project monitor, or certified lead sampling technician from performing lead-related construction on a structure on which that person conducted lead hazard evaluation and would require the department to revoke the certification of a person who violates that prohibition. The bill would also make related findings and declarations and a conforming change.

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. (a) The Legislature finds and declares all of the
- 2 following:
- 3 (1) The United States Consumer Product Safety Commission
- 4 banned the use of lead-based paint in homes and public buildings,
- 5 effective February 27, 1978, but lead paint, often in a dangerously
- 6 deteriorated condition, remains present in many California homes
- 7 built prior to 1978.

1 (2) People are most commonly exposed to lead when home
2 renovation, repair, and painting projects disturb lead-based painted
3 surfaces and release lead-contaminated dust.

4 (3) Given the well-documented and substantial adverse effects
5 of lead exposure on human health, persistent residential lead
6 contamination is a serious public health and environmental justice
7 issue throughout California.

8 (b) It is the intent of the Legislature to reduce the risk of lead
9 poisoning by establishing a state program based on the federal
10 Environmental Protection Agency’s Lead Renovation, Repair, and
11 Painting Rule.

12 SEC. 2. Section 105249 is added to the Health and Safety Code;
13 ~~immediately preceding Section 10250~~, *immediately preceding*
14 *Section 105250*, to read:

15 105249. This chapter shall be known, and may be cited, as the
16 California Lead Safety Enhancement Act of 2016.

17 SEC. 3. Section 105250 of the Health and Safety Code is
18 amended to read:

19 105250. (a) A program is hereby established within the
20 department to meet the requirements of the Residential Lead-Based
21 Paint Hazard Reduction Act of 1992 (42 U.S.C. Sec. 4851 and
22 following) and Title X of the Housing and Community
23 Development Act of 1992 (~~P.L. 102-550~~); (*Public Law 102-550*).

24 (b) The department shall implement and administer the program.
25 The department shall have powers and authority consistent with
26 the intent of, and shall adopt regulations to establish the program
27 as an authorized state program pursuant to, Title IV, Sections 402
28 to 404, inclusive, of the Toxic Substances Control Act (15 U.S.C.
29 Sec. 2601 and following).

30 (c) (1) Regulations regarding accreditation of training providers
31 that the department adopts pursuant to subdivision (b) shall include,
32 but not be limited to, provisions governing accreditation of
33 providers of health and safety training to employees who engage
34 in or supervise lead-related construction work, as defined in Section
35 105251, and certification of employees who have successfully
36 completed that training.

37 (2) Regulations regarding accreditation of training providers
38 shall, as a condition of accreditation, require providers to offer
39 training that meets the requirements of Section 6717 of the Labor
40 Code.

1 (d) (1) The department shall, on or before August 1, 1994, adopt
2 regulations establishing fees for the accreditation of training
3 providers, the certification of individuals, and the licensing of
4 entities engaged in lead-related occupations. The fees imposed
5 pursuant to this paragraph shall be established at levels not
6 exceeding an amount sufficient to cover the costs of administering
7 and enforcing the standards and regulations adopted under this
8 section. The fees established pursuant to this paragraph shall not
9 be imposed on any state or local government or nonprofit training
10 program.

11 (2) Beginning January 1, 2017, the department shall review its
12 schedule of fees collected pursuant to this paragraph at least once
13 in any eight-year period and, if necessary, adopt regulations
14 establishing new fee amounts that account for changes in the cost
15 of living, not to exceed the department's reasonable costs to
16 administer this chapter.

17 (e) All regulations affecting the training of employees shall be
18 adopted in consultation with the Division of Occupational Safety
19 and Health. The regulations shall include provisions for allocating
20 to the division an appropriate portion of funds to be expended for
21 the program for the division's cost of enforcing compliance with
22 training and certification requirements.

23 (f) (1) The department shall review and amend its training,
24 certification, and accreditation regulations adopted under this
25 section as is necessary to ensure continued eligibility for federal
26 and state funding of lead-hazard reduction activities in the state.

27 (2) The department ~~shall~~ *shall, in consultation with the*
28 *Contractors' State License Board*, review and amend its regulations
29 governing lead-related construction work, including training,
30 certification, and accreditation, *to review, and where appropriate,*
31 *conform to* the federal Environmental Protection Agency's
32 Lead Renovation, Repair, and Painting Program Rule (40 C.F.R.
33 745) or impose more stringent requirements and standards that are
34 consistent with Section 2617 of Title 15 of the United States Code.

35 (3) (A) The department shall request authorization from the
36 federal Environmental Protection Agency to administer and enforce
37 all of the provisions of ~~40 C.F.R. Part 745~~, Subpart E and Subpart
38 ~~E~~ *L of Part 745 of Title 40 of the Code of Federal Regulations.*

39 (B) *The department, in coordination with the Contractors' State*
40 *License Board, shall develop and implement an education and*

1 *outreach effort to provide the regulated community clear*
2 *information on the regulations.*

3 ~~(B)~~

4 (C) (i) Upon receipt of authorization, if any, from the agency
5 pursuant to subparagraph (A), the department shall adopt
6 regulations establishing procedures pursuant to which a local law
7 enforcement agency may elect to assume and carry out
8 responsibility for those enforcement activities in its jurisdiction.

9 (ii) A local enforcement agency that elects to assume
10 enforcement responsibility as described in ~~subclause~~ *clause* (i)
11 shall, on or before February 28 of each year, submit to the
12 department a report of its enforcement activities during the
13 immediately preceding calendar year.

14 SEC. 4. Section 105251 of the Health and Safety Code is
15 amended to read:

16 105251. For purposes of this chapter, the following definitions
17 apply:

18 (a) The following terms have the respective meanings set forth
19 in Chapter 8 (commencing with Section 35001) of Division 1 of
20 Title 17 of the California Code of Regulations adopted by the State
21 Department of Public Health pursuant to Sections 105250 and
22 124160: “abatement,” “accredited training provider,” “certificate,”
23 “course completion form,” “CDPH-approved course,” “lead
24 hazard,” “lead hazard evaluation,” “lead-related construction
25 work,” “public building,” and “residential building.”

26 (b) “Code enforcement officer” means a sworn or ~~non-sworn~~
27 *nonsworn* inspector, officer, or investigator employed by a city,
28 county, or city and county, who possesses specialized training in,
29 and whose primary duties are, the prevention, detection,
30 investigation, and enforcement of violations of laws regulating
31 substandard housing conditions, public nuisance, public health,
32 safety, and welfare, public works, business activities, consumer
33 protection, building standards, land use, or municipal affairs.

34 (c) “Department” means the State Department of Public Health.

35 (d) “Fund” means the Lead-Related Construction Fund created
36 by subdivision (a) of Section 105251.1.

37 (e) “Local enforcement agency” means the health department,
38 environmental agency, housing department, or building department
39 of any city, county, or city and county.

1 SEC. 5. Section 105251.1 is added to the Health and Safety
2 Code, to read:

3 105251.1. (a) All fees collected pursuant to this chapter shall
4 be deposited in the Lead-Related Construction Fund, which is
5 hereby created in the State Treasury.

6 (b) (1) Moneys in the fund shall be expended by the department
7 upon appropriation by the Legislature for the purposes of this
8 chapter.

9 (2) Moneys in the fund are available for cashflow borrowing
10 pursuant to Sections 16310 and 16381 of the Government Code.

11 (3) Of the amount appropriated in Item 4265-001-0070 of
12 Section 2.00 of the Budget Act of 2009, five hundred thousand
13 dollars (\$500,000) from the Occupational Lead Poisoning
14 Prevention Account shall be used to administer the program in the
15 2009–10 fiscal year. These funds shall be repaid to the
16 Occupational Lead Poisoning Prevention Account upon a
17 determination by the Department of Finance that sufficient moneys
18 are available in the Lead-Related Construction Fund. No interest
19 shall be paid by the Lead-Related Construction Fund at the time
20 of repayment.

21 SEC. 6. Section 105251.2 is added to the Health and Safety
22 Code, to read:

23 105251.2. On or before February 28 of each year, the
24 department shall submit a report to the federal Environmental
25 Protection Agency that contains all of the following information:

26 (a) The registry, as of December 31 of the immediately
27 preceding calendar year, of the training programs, individuals, and
28 entities certified by the department pursuant to Section 105250.

29 (b) Information, if any, submitted to the department by local
30 enforcement agencies pursuant—~~subclause~~ *to clause* (ii) of
31 subparagraph ~~(B)~~ (C) of paragraph (3) of subdivision (f) of Section
32 105250.

33 SEC. 7. Section 105251.3 is added to the Health and Safety
34 Code, to read:

35 105251.3. (a) A certified lead inspector or assessor, certified
36 lead project monitor, or certified lead sampling technician
37 conducting lead hazard evaluation on a structure shall not conduct
38 lead-related construction on that structure.

39 (b) The department shall revoke the certification of a person
40 who violates subdivision (a).

1 SEC. 8. Section 131051 of the Health and Safety Code is
2 amended to read:

3 131051. The duties, powers, functions, jurisdiction, and
4 responsibilities transferred to the State Department of Public Health
5 shall, pursuant to the act that added this section, include all of the
6 following previously performed by the former State Department
7 of Health Services:

8 (a) Under the jurisdiction of the Deputy Director for Prevention
9 Services:

10 (1) The Office of AIDS, including but not limited to:

11 (A) The AIDS Drug Assistance Program (Chapter 6
12 (commencing with Section 120950) of Part 4 of Division 105).

13 (B) The AIDS Early Intervention Program (Chapter 4
14 (commencing with Section 120900) of Part 4 of Division 105).

15 (C) The CARE Services Program, provided for pursuant to the
16 federal Ryan White CARE Act, 42 U.S.C. Section 300ff.

17 (D) The CARE/Health Insurance Premium Payment Program
18 (federal Ryan White CARE Act, 42 U.S.C. Sec. 300ff).

19 (E) The Housing Opportunities for Persons with AIDS Program
20 (Section 100119).

21 (F) The Residential AIDS Licensed Facilities Program (former
22 Section 100119; Chapter 2 (commencing with Section 120815) of
23 Part 4 of Division 105).

24 (G) The AIDS Case Management Program (federal Ryan White
25 CARE Act, 42 U.S.C. Sec. 300ff; Chapter 2 (commencing with
26 Section 120815) of Part 4 of Division 105).

27 (H) The AIDS Medi-Cal Waiver Program (former Section
28 100119; 42 U.S.C. Sec. 1396n(c)).

29 (I) The Bridge Project (former Section 100119).

30 (J) The HIV Therapeutic Monitoring Program (Chapter 16
31 (commencing with Section 121345) of Part 4 of Division 105).

32 (K) The Learning Immune Function Enhancement program
33 (former Section 100119).

34 (L) The San Ysidro Prevention Project (Section 113019).

35 (M) The California Statewide Treatment Education Program
36 (former Section 100119).

37 (N) The HIV Counseling and Testing Program (Section 113019).

38 (O) The Neighborhood Intervention Geared Toward High-Risk
39 Testing ~~program~~ Program (former Section 100119).

- 1 (P) The Perinatal Transmission Prevention Project (Section
2 113019).
- 3 (Q) The California AIDS Clearinghouse (Section 113019).
- 4 (R) The California Disclosure Assistance and Partner
5 Services/Partner Counseling and Referral Services (Section
6 113019).
- 7 (S) The African-American HIV Initiative (Section 113019;
8 Chapter 13.7 (commencing with Section 120290) of Part 4 of
9 Division 105).
- 10 (T) The Injection Drug User HIV Testing Utilizing Hepatitis C
11 Testing High-Risk Initiative (Section 113019).
- 12 (U) The Prevention with Positives High-Risk Initiative (Section
13 113019).
- 14 (V) The Statewide Technical Assistance Initiatives (Section
15 113019).
- 16 (W) The HIV/AIDS Case Registry (Sections 113019, 120125,
17 and 120130).
- 18 (2) The Office of Binational Border Health, including, but not
19 limited to, all of the following:
- 20 (A) The California-Mexico Health Initiative (Part 3
21 (commencing with Section 475) of Division 1).
- 22 (B) The Early Warning Infectious Disease Surveillance Program
23 (Chapter 2 (commencing with Section 1250) of Division 2; Chapter
24 2 (commencing with Section 120130) of Part 1 of Division 105).
- 25 (3) The Division of Communicable Disease Control, including,
26 but not limited to, all of the following:
- 27 (A) The Infant Botulism Treatment and Prevention Program
28 (Article 2.5 (commencing with Section 123700) of Chapter 3 of
29 Part 2 of Division 106).
- 30 (B) The Sexually Transmitted Disease Control Program (Part
31 3 (commencing with Section 120500) of Division 105).
- 32 (C) The Infectious Disease Program (Chapter 2 (commencing
33 with Section 120130) of Part 1 of Division 105).
- 34 (D) The Bioterrorism Epidemiology Program.
- 35 (E) ~~The Vector-Borne~~ *Vectorborne Disease Program* (Part 11
36 (commencing with Section 116100) of Division 104).
- 37 (F) The Tuberculosis Control Program (Part 5 (commencing
38 with Section 121350) of Division 105).
- 39 (G) The Microbial Diseases Laboratory (Chapter 2 (commencing
40 with Section 100250) of Division 101).

- 1 (H) The Viral and Rickettsial Disease Laboratory (Chapter 2
2 (commencing with Section 100250) of Division 101).
- 3 (I) The West Nile Human Surveillance Program (Chapter 2
4 (commencing with Section 116110) of Part 11 of Division 104).
- 5 (J) The Immunization Program (Part 2 (commencing with
6 Section 120325) of Division 105).
- 7 (K) The Vaccines for Children Program (Part 2 (commencing
8 with Section 120325) of Division 105).
- 9 (4) The Division of Chronic Disease and Injury Control,
10 including, but not limited to, all of the following:
- 11 (A) The IMPACT Prostate Cancer Treatment Program (Chapter
12 7 (commencing with Section 104322) of Part 1 of Division 103),
13 until June 30, 2012. Commencing July 1, 2012, the duties, powers,
14 functions, jurisdiction, and responsibilities of the State Department
15 of Public Health regarding this program are hereby with the State
16 Department of Health Care Services.
- 17 (B) The Every Woman Counts ~~program~~ *Program* (Breast and
18 Cervical Cancer Screening Program) (Article 1.3 (commencing
19 with Section 104150) of Chapter 2 of Part 1 of Division 103;
20 Section 30461.6 of the Revenue and Taxation Code), until June
21 30, 2012. Commencing July 1, 2012, the duties, powers, functions,
22 jurisdiction, and responsibilities of the State Department of Public
23 Health regarding this program are hereby with the State Department
24 of Health Care Services.
- 25 (C) The Well-Integrated Screening and Evaluation for Women
26 Across the Nation Demonstration Project (Article 1.3 (commencing
27 with Section 104150) of Chapter 2 of Part 1 of Division 103).
- 28 (D) The California Nutrition Network (Chapter 2 (commencing
29 with Section 104575) of Part 3 of Division 103).
- 30 (E) The Cancer Research Program (Article 2 (commencing with
31 Section 104175) of Chapter 2 of Part 1 of Division 103).
- 32 (F) The Translational Cancer Research and Technology Transfer
33 Program (Article 2 (commencing with Section 104175) of Chapter
34 2 of Part 1 of Division 103).
- 35 (G) The Ken Maddy California Cancer Registry (Chapter 2
36 (commencing with Section 103875) of Part 2 of Division 102).
- 37 (H) The California Osteoporosis Prevention and Education
38 Program (Chapter 1 (commencing with Section 125700) of Part 8
39 of Division 106).

- 1 (I) The Preventive Health Care for the Aging Program (Part 4
2 (commencing with Section 104900) of Division 103).
- 3 (J) The California Arthritis Prevention Program (former Section
4 100185).
- 5 (K) The Office of Oral Health (Chapter 3 (commencing with
6 Section 104750) of Part 3 of Division 103).
- 7 (L) The Children’s Dental Disease Prevention Program (Article
8 3 (commencing with Section 104770) of Chapter 3 of Part 3 of
9 Division 103).
- 10 (M) The Community Water Fluoridation Program (Article 3.5
11 (commencing with Section 116409) of Chapter 4 of Part 12 of
12 Division 104).
- 13 (N) The California Asthma Public Health Initiative (Chapter
14 6.5 (commencing with Section 104316) of Part 1 of Division 103).
- 15 (O) The California Obesity Prevention Initiative (Chapter 2
16 (commencing with Section 104575) of Part 3 of Division 103).
- 17 (P) The School Health Connections program (Chapter 2
18 (commencing with Section 104575) of Part 3 of Division 103).
- 19 (Q) The California Project LEAN (Chapter 2 (commencing with
20 Section 104575) of Part 3 of Division 103).
- 21 (R) The California Center for Physical Activity (Section
22 131085).
- 23 (S) The California Diabetes Program (Section 131085).
- 24 (T) The Preventive Medicine Residency Program (Section
25 131090).
- 26 (U) The California Epidemiologic Investigation Service (Article
27 4 (commencing with Section 100325) of Chapter 2 of Part 1 of
28 Division 101).
- 29 (V) The Continuing Professional Education Program (Section
30 131090).
- 31 (W) The Injury Surveillance and Epidemiology Program (Part
32 2 (commencing with Section 104325) of Division 103).
- 33 (X) The State and Local Injury Control Program (Chapter 1
34 (commencing with Section 104325) of Part 2 of Division 103).
- 35 (Y) The Office on Disability and Health (former Section
36 100185).
- 37 (Z) The Alzheimer’s Disease Program (Article 4 (commencing
38 with Section 125275) of Chapter 2 of Part 5 of Division 106).
- 39 (AA) The California Tobacco Control Program (Chapter 1
40 (commencing with Section 104350) of Part 3 of Division 103).

- 1 (5) The Division of Drinking Water and Environmental
2 Management, including, but not limited to, all of the following:
- 3 (A) The Medical Waste Management Program (Part 14
4 (commencing with Section 117600) of Division 104).
- 5 (B) The Department of Defense Oversight Program (Radiologic
6 Guidance and Approvals) (Part 9 (commencing with Section
7 114650) of Division 104).
- 8 (C) The Nuclear Emergency Response Program (Part 9
9 (commencing with Section 114650) of Division 104).
- 10 (D) The Institutions Program (Environmental Surveys) (Article
11 5 (commencing with Section 116025) of Chapter 5 of Part 10 of
12 Division 104).
- 13 (E) The Drinking Water Field Management program (Chapter
14 4 (commencing with Section 116270) of Part 12 of Division 104).
- 15 (F) The Environmental Health Specialist Registration Program
16 (Article 1 (commencing with Section 106600) of Chapter 4 of Part
17 1 of Division 104).
- 18 (G) The Sanitation and Radiation Laboratory (Article 2
19 (commencing with Section 100250) of Chapter 2 of Part 1 of
20 Division 101); Chapter 4 (commencing with Section 116270) of
21 Part 12 of Division 104).
- 22 (H) The Radon Program (Chapter 7 (commencing with Section
23 105400) of Part 5 of Division 103; Chapter 4 (commencing with
24 Section 116270) of Part 12, and Article 2 (commencing with
25 Section 106750) of Chapter 4 of Part 1, of Division 104).
- 26 (I) The Shellfish Sanitation Program (Chapter 5 (commencing
27 with Section 112150) of Part 6 of Division 104).
- 28 (J) The Ocean Beach Safety Programs (Article 2 (commencing
29 with Section 115875) of Chapter 5 of Part 10 of Division 104).
- 30 (K) The Bioterrorism Planning and Response for Drinking
31 Water, Medical Waste, and Environmental Health program (Article
32 6 (commencing with Section 101315) of Chapter 3 of Part 3 of
33 Division 101).
- 34 (L) The Safe Drinking Water State Revolving Fund (Chapter
35 4.5 (commencing with Section 116760) of Part 12 of Division
36 104).
- 37 (M) The Drinking Water Technical Programs (Chapter 4
38 (commencing with Section 16270) of Part 12 of Division 104;
39 Chapter 4.5 (commencing with Section 116760) of Part 12 of
40 Division 104; Article 3 (commencing with Section 106875) of

1 Chapter 4 of Part 1 of Division 104; Chapter 5 (commencing with
2 Section 116775) of Part 12 of Division 104; Chapter 5
3 (commencing with Section 115825) of Part 10 of Division ~~104~~;
4 *104 of this code*; Chapter 7 (commencing with Section 13500) of
5 Division 7 of the Water Code; Section 13411 of the Water Code).

6 (N) The Water Security, Clean Drinking Water, Coastal and
7 Beach Protection Act of 2002 (Proposition 50) (Division 26.5
8 (commencing with Section 79500) of the Water Code).

9 (6) The Division of Environmental and Occupational Disease
10 Control, including, but not limited to, all of the following:

11 (A) The California Birth Defect Monitoring Program (Chapter
12 1 (commencing with Section 103825) of Part 2 of Division 102).

13 (B) The Childhood Lead Poisoning Prevention Program (Chapter
14 5 (commencing with Section 105275) of Part 5 of Division 103;
15 Article 7 (commencing with Section 124125) of Chapter 3 of Part
16 2 of Division 106).

17 (C) The California Lead Safety Enhancement Act of 2016
18 (Chapter 4 (commencing with Section 105249) of Part 5 of
19 Division 103).

20 (D) The Epidemiology Studies Laboratory ~~(Sections~~ (*Section*
21 25416, former Section 100170, Section 100325, and Section
22 104324.25).

23 (E) The Center for Autism and Developmental Disabilities
24 Research and Epidemiology (former Section 100170).

25 (F) The Cancer Cluster/Environmental Investigations (former
26 Section 100170).

27 (G) The Toxic Mold Program (Chapter 18 (commencing with
28 Section 26100) of Division 20).

29 (H) The Federal Agency for Toxic Substances and Disease
30 Registry Health Assessments, Education and Investigations
31 program (former Section 100170).

32 (I) The Fish Contamination Outreach and Education program
33 (former Section 100170).

34 (J) The Air Pollution and Cardiovascular Disease in the
35 California Teachers Study Cohort Project (former Section 100170).

36 (K) The Delta Watershed Fish Project (outreach, education, and
37 training to reduce exposures to mercury in fish) (former Section
38 100170).

1 (L) The Environmental Health Laboratory (former Section
2 100170; Article 2 (commencing with Section 100250) of Chapter
3 2 of Part 1 of Division 101).

4 (M) The Indoor Air Quality program (Chapter 7 (commencing
5 with Section 105400) of Part 5 of Division 103).

6 (N) The Outdoor Air Quality program (Section 60.9 of the Labor
7 Code).

8 (O) The Laboratory Response Network for Chemical Terrorism
9 program (former Section 100170; Article 2 (commencing with
10 Section 100250) of Chapter 2 of Part 1 of Division 101).

11 (P) The Air Quality and Human Monitoring Support Program
12 (former Section 100170).

13 (Q) The Hazard Evaluation System and Information Service
14 Program (Article 1 (commencing with Section 105175) of Chapter
15 2 of Part 5 of Division 103; Section 147.2 of the Labor Code).

16 (R) The Occupational Health Surveillance and Evaluation
17 Program (Article 1 (commencing with Section 105175) of Chapter
18 2 of Part 5 of Division 103).

19 (S) The Occupational Lead Poisoning Prevention Program
20 (Article 2 (commencing with Section 105185) of Chapter 2 of Part
21 5 of Division 103).

22 (T) The Occupational Blood Lead Registry (Article 2
23 (commencing with Section 105185) of Chapter 2 of Part 5 of
24 Division 103).

25 (7) The Division of Food, Drug and Radiation Safety, including,
26 but not limited to, all of the following:

27 (A) The Drug Licensing Program (Article 6 (commencing with
28 Section 111615) of Chapter 6 of Part 5 of Division 104).

29 (B) The Consumer Product Safety Program (Part 3 (commencing
30 with Section 108100) of Division 104).

31 (C) The Export Program (Article 2 (commencing with Section
32 110190) of Chapter 2 of Part 5 of Division 104).

33 (D) The Food Safety Inspection Program (Part 5 (commencing
34 with Section 109875) and Part 6 (commencing with Section
35 111940) of Division 104).

36 (E) The Foodborne Illness and Tampering Emergency Response
37 Program (Part 5 (commencing with Section 109875) of Division
38 104).

39 (F) The Retail Food Safety Program (Part 7 (commencing with
40 Section 113700) of Division 104).

- 1 (G) The Food Safety Industry Education and Training Program
2 (pursuant to Section 110485).
- 3 (H) The Medical Device Licensing Program (Article 6
4 (commencing with Section 111615) of Chapter 6 of Part 5 of
5 Division 104).
- 6 (I) The Medical Device Safety Program (Part 5 (commencing
7 with Section 109875) of Division 104).
- 8 (J) The Stop Tobacco Access to Kids Enforcement Program
9 (STAKE) (Division 8.5 (commencing with Section 22950) of the
10 Business and Professions Code).
- 11 (K) The Food and Drug Laboratory (Chapter 2 (commencing
12 with Section 100250) of Division 101).
- 13 (L) The Drug Safety Program (Part 4 (commencing with Section
14 109250) and Part 5 (commencing with Section 109875) of Division
15 104).
- 16 (M) The General Food Safety Program (Part 5 (commencing
17 with Section 109875) and Part 6 (commencing with Section
18 111940) of Division 104).
- 19 (N) The Food Testing Program (Chapter 2 (commencing with
20 Section 100250) of Division 101).
- 21 (O) The Forensic Alcohol Testing Program (Article 2
22 (commencing with Section 100700) of Chapter 4 of Part 1 of
23 Division 101).
- 24 (P) The Methadone Laboratory Regulating Program (Article 2
25 (commencing with Section 11839.23) of Chapter 10 of Part 2 of
26 Division 10.5).
- 27 (Q) The Radiologic Health Program (Part 9 (commencing with
28 Section 114650) of Division 104).
- 29 (R) The Mammography Program (Chapter 6 (commencing with
30 Section 114840) of Part 9 of Division 104).
- 31 (S) The Radioactive Materials Licensing and Inspection Program
32 (Chapter 8 (commencing with Section 114960) of Part 9 of
33 Division 104).
- 34 (T) The Radiological Technologist Certification Program
35 (Article 5 (commencing with Section 106955) of Part 1, and Article
36 3 (commencing with Section 114855) of Chapter 6 of Part 9 of
37 Division 104).
- 38 (U) The Radioactive Waste Tracking Program (Chapter 8
39 (commencing with Section 114960) of Part 9 of Division 104).

- 1 (V) The Radioactive Waste Minimization Program (Chapter 8
2 (commencing with Section 114960) of Part 9 of Division 104).
- 3 (W) The Low Level Radioactive Waste Management, Treatment
4 and Disposal Program (Chapter 8 (commencing with Section
5 114960) of Part 9 of Division 104).
- 6 (X) The Statewide Environmental Radiation Monitoring
7 Program (pursuant to Section 114755).
- 8 (Y) The Department of Energy Oversight Program (Part 9
9 (commencing with Section 114650) of Division 104).
- 10 (Z) The X-Ray Machine Inspection and Registration and
11 Mammography Quality Standards Act Inspection Program (Article
12 5 (commencing with Section 106955) of Part 1, and Article 3
13 (commencing with Section 114855) of Chapter 6 of Part 9 of
14 Division 104).
- 15 (8) The Deputy Director for Laboratory Science, including, but
16 not limited to, all of the following:
- 17 (A) The Environmental Laboratory Accreditation Program
18 (Article 3 (commencing with Section 100825) of Chapter 4 of Part
19 1 of Division 101).
- 20 (B) The Laboratory Central Services Program (Article 2
21 (commencing with Section 100250) of Chapter 2 of Part 1 of
22 Division 101).
- 23 (C) The National Laboratory Training Network (Section
24 131085).
- 25 (D) The Laboratory Field Services ~~program~~ *Division* (Chapter
26 3 (commencing with Section 1200) of Division 2 of the Business
27 and Professions Code).
- 28 (b) Under the jurisdiction of the Deputy Director for Licensing
29 and Certification:
- 30 (1) The General Acute Care Hospitals Licensing Program
31 (Chapter 2 (commencing with Section 1250) of Division 2).
- 32 (2) The Acute Psychiatric Hospitals Licensing Program (Chapter
33 2 (commencing with Section 1250) of Division 2).
- 34 (3) The Special Hospitals Licensing Program (Chapter 2
35 (commencing with Section 1250) of Division 2).
- 36 (4) The Chemical Dependency Recovery Hospitals Licensing
37 Program (Chapter 2 (commencing with Section 1250) of Division
38 2).
- 39 (5) The Skilled Nursing ~~Facilities~~ *Facility* Licensing Program
40 (Chapter 2 (commencing with Section 1250) of Division 2).

- 1 (6) The Intermediate Care ~~Facilities~~ *Facility* Licensing Program
- 2 (Chapter 2 (commencing with Section 1250) of Division 2).
- 3 (7) The Intermediate Care ~~Facilities-Developmentally~~
- 4 ~~Facility-Developmentally~~ Disabled Licensing Program (Chapter
- 5 2 (commencing with Section 1250) of Division 2).
- 6 (8) The Intermediate Care ~~Facilities-Developmentally~~
- 7 ~~Facility-Developmentally~~ Disabled-Habilitative Licensing Program
- 8 (Chapter 2 (commencing with Section 1250) of Division 2).
- 9 (9) The Intermediate Care ~~Facility-Developmentally~~
- 10 ~~Facility-Developmentally~~ Disabled-Nursing Licensing Program
- 11 (Chapter 2 (commencing with Section 1250) of Division 2).
- 12 (10) The Home Health Agencies Licensing Program (Chapter
- 13 8 (commencing with Section 1725) of Division 2).
- 14 (11) The Referral Agencies Licensing Program (Chapter 2.3
- 15 (commencing with Section 1400) of Division 2).
- 16 (12) The Adult Day Health Centers Licensing Program (Chapter
- 17 3.3 (commencing with Section 1570) of Division 2).
- 18 (13) The ~~Congregate Living Health Facilities~~ *congregate living*
- 19 *health facilities* (Chapter 2 (commencing with Section 1250) of
- 20 Division 2).
- 21 (14) The Psychology Clinics Licensing Program (Chapter 1
- 22 (commencing with Section 1200) of Division 2).
- 23 (15) The Primary Clinics—Community and Free Licensing
- 24 Program (Chapter 1 (commencing with Section 1200) of Division
- 25 2).
- 26 (16) The Specialty Clinics—Rehab Clinics Licensing Program
- 27 (Chapter 1 (commencing with Section 1200) of Division 2).
- 28 (17) The Dialysis Clinics Licensing Program (Chapter 1
- 29 (commencing with Section 1200) of Division 2).
- 30 (18) The Pediatric Day Health/Respite Care Licensing Program
- 31 (Chapter 2 (commencing with Section 1250) of Division 2).
- 32 (19) The Alternative Birthing Centers Licensing Program
- 33 (Chapter 1 (commencing with Section 1200) of Division 2).
- 34 (20) The Hospice Licensing Program (Chapter 2 (commencing
- 35 with Section 1339.30) of Division 2).
- 36 (21) The Correctional Treatment Centers Licensing Program
- 37 (Chapter 2 (commencing with Section 1250) of Division 2).
- 38 (22) The Medicare/Medi-Cal Certification Program (Chapter 7
- 39 (commencing with Section 14000) of Part 3 of Division 9 of the
- 40 Welfare and Institutions Code).

1 (23) The Nursing Home Administrator Professional Certification
2 Program (Chapter 2.35 (commencing with Section 1416) of
3 Division 2).

4 (24) The Certified Nursing Assistants Professional Certification
5 Program (Chapter 2 (commencing with Section 1337) of Division
6 2).

7 (25) The Home Health Aides Professional Certification Program
8 (Chapter 8 (commencing with Section 1725) of Division 2).

9 (26) The Hemodialysis Technicians Professional Certification
10 Program (Chapter 3 (commencing with Section 1247) of Division
11 2 of the Business and Professions Code; Chapter 10 (commencing
12 with Section 1794) of Division ~~2~~; *2 of this code*).

13 (27) The Criminal Background Clearance Program (Chapter 2
14 (commencing with Section 1337), Chapter 3 (commencing with
15 Section 1520), Chapter 3.01 (commencing with Section 1569.15),
16 Chapter 3.4 (commencing with Section 1496.80) of Division 2,
17 and Chapter 4 (commencing with Section 11150) of Division 8).

18 (c) Under the jurisdiction of the Deputy Director for Health
19 Information and Strategic Planning:

20 (1) The Refugee Health Program (Subpart G of Part 400 of Title
21 45 of the Code of Federal Regulations).

22 (2) The Office of County Health Services (Article 5
23 (commencing with Section 101300) of Chapter 3 of Part 3 of
24 Division ~~101~~; *101 of this code*; Part 4.7 (commencing with Section
25 16900) of Division 9 of the Welfare and Institutions Code).

26 (3) The Medically Indigent Services Program (Article 5
27 (commencing with Section 101300) of Chapter 3 of Part 3 of
28 Division 101).

29 (4) The Office of Vital Records (Part 1 (commencing with
30 Section 102100) of Division 102).

31 (5) The Office of Health Information and Research (Article 1
32 (commencing with Section 102175) of Chapter 2 of Part 1 of
33 Division 102; Section 128730).

34 (6) The Local Public Health Services Program (Article 5
35 (commencing with Section 101300) of Chapter 3 of Part 3 of
36 Division 101).

37 (7) The *National* Center for Health Statistics (Part 1
38 (commencing with Section 102100) of Division 102; Section
39 128730).

- 1 (8) The Medical Marijuana Program (Article 2.5 (commencing
2 with Section 11362.7) of Chapter 6 of Division 10 of the Health
3 and Safety Code).
- 4 (d) Under the jurisdiction of the Deputy Director for Primary
5 Care and Family Health:
- 6 (1) The Maternal, ~~Child~~ *Child*, and Adolescent Health ~~program~~
7 *Program* (Part 2 (commencing with Section 123225) of Division
8 106).
- 9 (2) The Adolescent Family Life Program (Article 1
10 (commencing with Section 124175) of Chapter 4 of Part 2 of
11 Division 106).
- 12 (3) The Advanced Practice Nurse Training program (Part 2
13 (commencing with Section 123225) of Division 106).
- 14 (4) The *California* Black Infant Health Program (Part 2
15 (commencing with Section 123225) of Division 106).
- 16 (5) The Breastfeeding Program (Article 3 (commencing with
17 Section 123360) of Chapter 1 of Part 2 of Division 6).
- 18 (6) The California Diabetes and Pregnancy Program (Part 2
19 (commencing with Section 123225) of Division 106).
- 20 (7) The California Initiative to Improve Adolescent Health *by*
21 *the Year 2010* (Part 2 (commencing with Section 123225) of
22 Division 106).
- 23 (8) The Childhood Injury Prevention Program (Article 4
24 (commencing with Section 100325) of Chapter 2 of Division 101).
- 25 (9) The Comprehensive Perinatal Services Program (Article 3
26 (commencing with Section 123475) of Chapter 2 of Part ~~2~~; *2 of*
27 *this code*; Section 14134.5 of the Welfare and Institutions Code).
- 28 (10) The *California* Fetal and Infant Mortality Review Program
29 (Article 1 (commencing with Section 123650) of Chapter 3 of Part
30 2 of Division 106).
- 31 (11) The Human Stem Cell Research Program (Chapter 3
32 (commencing with Section 125290.10) of Part 5 of Division 106;
33 Chapter 1 (commencing with Section 125300) of Part 5.5 of
34 Division 106).
- 35 (12) The ~~Local Health Department~~ *local health department*
36 Maternal, ~~Child~~ *Child*, and Adolescent Health Program (Section
37 123255).
- 38 (13) The Maternal Mortality Review Program (Article 4
39 (commencing with Section 100325) of Chapter 2 of Division 101).

- 1 (14) The Oral Health Program (Part 2 (commencing with Section
2 123225) of Division 106).
- 3 (15) The Preconception Health and Health Care Initiative (Part
4 2 (commencing with Section 123225) of Division 106).
- 5 (16) The Regional Perinatal Programs of California (Article 4
6 (commencing with Section 123550) of Chapter 2 of Part 2 of
7 Division 106).
- 8 (17) The Perinatal Dispatch Centers Outreach and Education
9 Program (Article 4 (commencing with Section 123750) of Chapter
10 3 of Part 2 of Division 106).
- 11 (18) The State Early Childhood Comprehensive ~~Services~~
12 *Systems* program (Part 2 (commencing with Section 123225) of
13 Division 106).
- 14 (19) The Sudden Infant Death Syndrome Program (Article 3
15 (commencing with Section 123725) of Chapter 3 of Part 2 of
16 Division 106).
- 17 (20) The Youth Pilot Program (Chapter 12.85 (commencing
18 with Section 18987) of Part 6 of Division 9 of the Welfare and
19 Institutions Code).
- 20 (21) The Office of Family Planning (Chapter 8.5 (commencing
21 with Section 14500) of Part 3 of Division 9 of the Welfare and
22 Institutions Code; Division 24 (commencing with Section 24000)
23 of the Welfare and Institutions Code), until June 30, 2012.
24 Commencing July 1, 2012, the duties, powers, functions,
25 jurisdiction, and responsibilities of the State Department of Public
26 Health regarding this office are hereby with the State Department
27 of Health Care Services.
- 28 (22) The Community Challenge Grant Program (Section 14504.1
29 of the Welfare and Institutions Code, and Chapter 14 (commencing
30 with Section 18993) of Part 6 of Division 9 of the Welfare and
31 Institutions Code).
- 32 (23) The Information and Education Program (Section 14504.3
33 of the Welfare and Institutions Code).
- 34 (24) The Family PACT Program (subdivision (aa) of Section
35 14132 and Section 24005 of the Welfare and Institutions Code),
36 until June 30, 2012. Commencing July 1, 2012, the duties, powers,
37 functions, jurisdiction, and responsibilities of the State Department
38 of Public Health regarding this program are hereby with the State
39 Department of Health Care Services.

- 1 (25) The Male Involvement Program (Section 14504 of the
2 Welfare and Institutions Code).
- 3 (26) The TeenSMART Outreach Program (Section 14504.2 of
4 the Welfare and Institutions Code).
- 5 (27) The Battered Women Shelter Program (Chapter 6
6 commencing with Section 124250) of Part 2 of Division 106).
- 7 (28) The Women, ~~Infants~~ *Infants*, and Children ~~Program~~
8 *program* (Article 1 (commencing with Section 123275) of Chapter
9 1 of Part 2 of Division 106).
- 10 (29) The WIC Supplemental Nutrition Program (Article 1
11 commencing with Section 123275) of Chapter 1 of Part 2 of
12 Division 106).
- 13 (30) The Farmers Market Nutrition Program (Section 123279).
- 14 (31) *The Genetic Disease Screening* Program (Chapter 1
15 commencing with Section 124975) of Part 5 of Division 106).
- 16 (32) The Newborn Screening Program (Chapter 1 (commencing
17 with Section 124975) of Part 5 of Division 106).
- 18 (33) The Prenatal Screening Program (Chapter 1 (commencing
19 with Section 124975) of Part 5 of Division 106).

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