

## Assembly Bill No. 833

### CHAPTER 754

An act to add Sections 138.4 and 109278 to the Health and Safety Code, relating to cancer.

[Approved by Governor October 7, 1997. Filed  
with Secretary of State October 7, 1997.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 833, Ortiz. Gynecological cancers.

Existing law establishes the Office of Women's Health within the State Department of Health Services. The functions of the office include, among others, to communicate and disseminate information and perform a liaison function within the department and to providers of health, social, educational, and support services to women.

This bill would direct the department to place priority on providing information to consumers, patients, and health care providers relating to women's gynecological cancers. The bill would authorize the department, in consultation with certain persons, to produce or contract with others to develop the materials required by this provision, as the office deems appropriate, or collect and distribute certain available publications, to be made available to the public free of charge. The bill would authorize the department to require, where appropriate, health care providers to provide or make available these materials to patients and would provide for the Medical Board of California, as well as other sources, to distribute these materials.

The bill would require every medical care provider primarily responsible for providing to a patient an annual gynecological examination to provide that patient during the annual examination a standardized summary in layperson's language and in a language understood by the patient containing a description of the symptoms and methods for diagnosing gynecological cancers.

*The people of the State of California do enact as follows:*

SECTION 1. Section 138.4 is added to the Health and Safety Code, to read:

138.4. (a) The State Department of Health Services shall place priority on providing information to consumers, patients, and health care providers regarding women's gynecological cancers, including, signs and symptoms, risk factors, the benefits of early detection through appropriate diagnostic testing, and treatment options.

(b) The information may include, but is not limited to, the following elements:

(1) Educational and informational materials in print, audio, video, electronic, or other media.

(2) Public service announcements and advertisements.

(c) (1) The department may produce or contract with others to develop the materials described in this section as the director deems appropriate, or may survey available publications from, among other sources, the National Cancer Institute and the American Cancer Society, and may collect and formulate a distribution plan and disseminate these publications according to the plan. These materials may be made available to the public free of charge and may include distribution through the Medical Board of California, as well as through other sources according to the distribution plan.

(2) The department may require, as it deems appropriate, health care providers to make these materials available to patients.

(d) In exercising the powers under this section, the office shall consult with appropriate health care professionals and providers, consumers, and patients, or organizations representing them.

(e) The department may appoint a Women's Gynecological Cancer Information Advisory Council which may include representation from health care professionals and providers, consumers, patients, and other appropriate interests. Members of the council shall receive no compensation for their services, but shall be allowed their actual and necessary expenses incurred in the performance of their duties.

(f) The department's duties pursuant to this section are contingent upon the department receiving funds appropriated for this purpose.

(g) The department may adopt any regulations necessary and appropriate for the implementation of this section.

SEC. 2. Section 109278 is added to the Health and Safety Code, to read:

109278. (a) The medical care provider primarily responsible for providing to a patient an annual gynecological examination shall provide to that patient during the annual examination a standardized summary in layperson's language and in a language understood by the patient containing a description of the symptoms and appropriate methods of diagnoses for gynecological cancers. Use of existing publications developed by nationally recognized cancer organizations is not precluded by this section.

(b) For the purposes of this section, "medical care provider" means a health care professional licensed pursuant to Division 2 (commencing with Section 500) of the Business and Professions Code



or pursuant to an initiative act referred to in that division providing medical care within his or her lawful scope of practice.

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