

Senate Bill No. 1

Passed the Senate May 8, 1997

Secretary of the Senate

Passed the Assembly May 5, 1997

Chief Clerk of the Assembly

This bill was received by the Governor this ____ day
of _____, 1997, at ____ o'clock __M.

Private Secretary of the Governor



CHAPTER ____

An act to add Section 2248 to the Business and Professions Code, relating to health, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1, Burton. Health: prostate cancer.

Existing law imposes certain duties on physicians and surgeons in providing services in the diagnosis and treatment of cancer. Existing law urges physicians and surgeons to make specified information concerning the treatment of prostate cancer available to patients when appropriate.

This bill would establish the Grant H. Kenyon Prostate Cancer Detection Act and would require a physician and surgeon who, during a physical examination, examines a patient's prostate gland, to provide information to the patient about the availability of appropriate diagnostic procedures, including, but not limited to, the prostate specific antigen (PSA) test, if certain conditions are present. The bill would provide that violation of its provisions constitutes unprofessional conduct.

This bill would declare that it is to take effect immediately as an urgency statute.

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

SECTION 1. Section 2248 is added to the Business and Professions Code, to read:

2248. This section shall be known as, and may be cited as, the Grant H. Kenyon Prostate Cancer Detection Act.

(a) If a physician and surgeon, during a physical examination, examines a patient's prostate gland, the physician and surgeon shall provide information to the patient about the availability of appropriate diagnostic procedures, including, but not limited to, the prostate antigen (PSA) test, if any of the following conditions are present:



- (1) The patient is over 50 years of age.
- (2) The patient manifests clinical symptomatology.
- (3) The patient is at an increased risk of prostate cancer.

(4) The provision of the information to the patient is medically necessary, in the opinion of the physician and surgeon.

(b) Violation of subdivision (a) constitutes unprofessional conduct and is not subject to Section 2314.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

Prostate cancer is currently a leading cause of cancer death in males in this country. In order to save as many people's lives from this deadly disease as soon as possible through public awareness of the availability of early detection procedures, it is necessary that this act take effect immediately.



Approved _____, 1997

Governor

