

ASSEMBLY BILL

No. 1501

Introduced by Assembly Member Correa

February 26, 1999

An act to add Section 1367.665 to the Health and Safety Code, relating to health care service plans.

LEGISLATIVE COUNSEL'S DIGEST

AB 1501, as introduced, Correa. Health care service plans: hysterectomies.

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans administered by the Commissioner of Corporations. Under existing law, willful violation of any of these provisions is punishable as either a felony or a misdemeanor.

Existing law requires physicians and surgeons, prior to the performance of a hysterectomy, to obtain verbal and written informed consent that includes giving certain information to the patient, including a description of any known available and appropriate alternatives to the hysterectomy itself.

This bill would require every individual or group health care service plan, on or after January 1, 2000, to provide an enrollee with information regarding alternatives to a hysterectomy when the enrollee is diagnosed with a condition or disease in which a hysterectomy is a possible treatment for the condition or disease.

Since a willful violation of the provisions applicable to health care service plans is a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

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

1 SECTION 1. Section 1367.665 is added to the Health
2 and Safety Code, to read:

3 1367.665. On or after January 1, 2000, every individual
4 or group health care service plan shall provide an
5 enrollee with information regarding alternatives to a
6 hysterectomy when the enrollee is diagnosed with a
7 condition or disease in which a hysterectomy is a possible
8 treatment for the condition or disease.

9 SEC. 2. No reimbursement is required by this act
10 pursuant to Section 6 of Article XIII B of the California
11 Constitution because the only costs that may be incurred
12 by a local agency or school district will be incurred
13 because this act creates a new crime or infraction,
14 eliminates a crime or infraction, or changes the penalty
15 for a crime or infraction, within the meaning of Section
16 17556 of the Government Code, or changes the definition
17 of a crime within the meaning of Section 6 of Article
18 XIII B of the California Constitution.

O

