

Assembly Bill No. 1225

Passed the Assembly January 27, 2010

Chief Clerk of the Assembly

Passed the Senate August 26, 2010

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2010, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 8607.5 to the Government Code, relating to emergency services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1225, De La Torre. Emergency and disaster response exercises: infectious diseases.

(1) The California Emergency Services Act sets forth the duties of state and local agencies in emergency and disaster preparedness and response generally.

This bill would additionally require, pursuant to the act, that the State Department of Public Health and local public health departments, when conducting emergency or disaster preparedness exercises relating to the outbreak of an infectious disease, establish a process to identify any deficiencies in the preparedness plans and procedures and track implementation of corrective measures, according to specified criteria. The bill would require the department to make an after-action report available either by posting it on the department's Internet Web site, providing it upon request, or both. By imposing a new duty on local agencies, this bill would impose a state-mandated local program.

(2) 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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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

SECTION 1. It is the intent of the Legislature in enacting this act to ensure that state and local agencies are as prepared as possible to respond to an outbreak of infectious disease, including an influenza pandemic, in the state.

SEC. 2. Section 8607.5 is added to the Government Code, to read:

8607.5. (a) The State Department of Public Health and local public health departments, when conducting emergency or disaster preparedness exercises relating to the outbreak of an infectious disease, shall establish a process to identify any deficiencies in preparedness plans and procedures and track the implementation of corrective measures to ensure that desired improvements are made to those preparedness plans. The process shall provide for at least both of the following:

(1) Preparation of an after-action report for each exercise conducted, to be submitted to the department within 90 days of the exercise, or within a time period required by the terms and conditions of any federal financial assistance the department or local public health department has received to prepare for an act of bioterrorism or other public health emergency. After-action reports shall include, but not be limited to, a review of identified deficiencies, a review of response actions taken, suggested modifications to plans and procedures, including, but not limited to, the standardized emergency management system required by Section 8607, and identified training needs.

(2) Establishing written procedures to assist in the review and consideration, and, if applicable, implementation of recommendations included in after-action reports. Implementation of the recommendations shall be at the option of the entity in question.

(b) The department shall make an after-action report available for inspection by the public by either posting the after-action report on the department's Internet Web site or providing a copy, upon request, or both.

SEC. 3. It is the intent of the Legislature that the requirements of Section 8607.5 of the Government Code, as added by Section 2 of this act, are to supplement and shall not be interpreted to supplant, or to prevail over, the terms and conditions of any federal financial assistance the State Department of Public Health or local public health department has received to prepare for an act of bioterrorism or other public health emergency.

SEC. 4. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made

pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

Approved _____, 2010

Governor