

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: March 29, 2011
POSITION: Neutral

BILL NUMBER: SB 38
AUTHOR: A. Padilla
RELATED BILLS: SB 1237 (Padilla)
Chapter 521,
Statutes of 2010

BILL SUMMARY: Radiation Control: Health Facilities and Clinics

This bill, an urgency statute, would extend the effective date that a facility would need to report prescribed incidents of over-exposure to radiation from January 1, 2011 to July 1, 2012. This bill would also narrow the scope of information the facility is required to report.

FISCAL SUMMARY

According to the Department of Public Health (DPH), this bill would have no fiscal impact as it is limited to extending the implementation date of Health and Safety Code section 115113, and eliminating certain mandatory elements of the reporting requirements.

The University of California and the Departments of Developmental Services, State Hospitals, and Corrections and Rehabilitation would not incur additional costs as a result of this bill since it will not affect their reporting workload.

COMMENTS

The Department of Finance is neutral in regards to this bill as it would not result in any additional state costs.

Current law requires, effective January 1, 2011, facilities to report to the DPH, the affected patient, and the patient's treating physician certain information about an event in which the administration of radiation results in prescribed occurrences. These events include: (1) repeating a computed tomography (CT) scan, unless ordered by a physician or radiologist, (2) a CT X-ray of the wrong body part, (3) exposure that results in permanent functional damage, (4) over-exposure to an embryo or fetus, unless approved by a physician, (5) exposure to the incorrect individual or treatment site, and (6) exposure that differs from the prescribed dose by 20 percent, unless authorized by the physician.

Current law also requires that any report must include information regarding each substantiated adverse event, as defined in Health and Safety Code section 1279.1.

This bill would extend the implementation date of Health and Safety Code section 115113 to July 1, 2012, effective immediately. This bill would also eliminate the aforementioned mandatory reporting requirements, thereby narrowing the scope of information the facility is required to report.

Related Legislation: SB 1237 (Padilla) Chapter 521, Statutes of 2010, added the requirement that health facilities and clinics using imaging procedures involving CT X-ray systems for human use to report to the DPH, the patient, and the patient's physician an event in which the administration of radiation results in over-exposure. The section of SB 1237 that included these reporting requirements did not include an

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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS Form DF-43 (Rev 03/95 Buff)

BILL ANALYSIS/ENROLLED BILL REPORT--(CONTINUED)**Form DF-43****AUTHOR****AMENDMENT DATE****BILL NUMBER**

A. Padilla

March 29, 2011

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operative date, and therefore became effective January 1, 2011. This bill proposes to make the technical corrections that were meant to be included in SB 1237 and extend the implementation date to July 1, 2012.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							Fund Code
	LA	(Dollars in Thousands)							
	CO	PROP							
	RV	98	FC	2010-2011	FC	2011-2012	FC	2012-2013	
4265/PublicHealth	SO	No		-----	No/Minor Fiscal Impact	-----			0075
4300/Develop Svcs	SO	No		-----	No/Minor Fiscal Impact	-----			0001
4460/State Hosptl	SO	No		-----	No/Minor Fiscal Impact	-----			0001
5240/Corrections	SO	No		-----	No/Minor Fiscal Impact	-----			0001
6440/UC	SO	No		-----	No/Minor Fiscal Impact	-----			0994
<u>Fund Code</u>	<u>Title</u>								
0001	General Fund								
0075	Radiation Control Fund								
0994	Other Unclassified Funds								