



Senate Bill No. 1483


Passed the Senate August 31, 1976


Secretary of the Senate

Passed the Assembly August 27, 1976


Chief Clerk of the Assembly

This bill was received by the Governor this 9th
day of September, 1976, at 2 o'clock P M.


Private Secretary of the Governor

CHAPTER _____

An act to amend the heading of Article 3.6 (commencing with Section 340) of Chapter 2 of Division 1 of, and to amend Sections 340, 341, 342, 343, 345, 346, 347, and 348 of, and to add Sections 341.5, and 347.5 to, the Health and Safety Code, and to amend Section 1 of Chapter 1507 of the Statutes of 1974, relating to health services, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 1483, Holden. Health services: genetically handicapping conditions.

Under existing law, the Director of Health is required to establish and administer a program for the medical care of persons with hemophilia who are financially qualified to receive treatment. The director is required to seek the advice of a five-member Advisory Committee on Hemophilia with respect to regulations pertaining to hemophilia services.

This bill would change the provisions that now apply to hemophilia to make persons with genetically handicapping conditions, including cystic fibrosis, hemophilia, sickle cell disease, and any other genetically handicapping conditions, as defined, added by the director, eligible for program services.

The bill would delete the present financial qualifications for hemophilia services and would require the State Department of Health to establish uniform standards of eligibility for services for persons with genetically handicapping conditions.

The five-member Advisory Committee on Hemophilia would be changed to a nine-member Advisory Committee on Genetically Handicapped Person's Program.

The state department would be required to maintain sufficient, appropriate staff to carry out the program services.

The list of available program services would be increased, and the director, with the approval of the advisory committee, would be required to establish priorities

for use of funds and provision of services. The state department would be required to establish repayment schedules for services not later than January 30, 1977, upon the approval by the Department of Finance.

The bill would appropriate \$228,400 to the State Department of Health for the purpose of carrying out program services under the bill.

Appropriation: yes.

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

SECTION 1. The heading of Article 3.6 (commencing with Section 340) of Chapter 2 of Division 1 of the Health and Safety Code is amended to read:

Article 3.6. Genetically Handicapped Person's Program

SEC. 2. Section 340 of the Health and Safety Code is amended to read:

340. This article shall be known and may be cited as the Holden-Moscone-Garamendi Genetically Handicapped Person's Program.

SEC. 3. Section 341 of the Health and Safety Code is amended to read:

341. The Director of Health shall establish and administer a program for the medical care of persons with genetically handicapping conditions, including cystic fibrosis, hemophilia, and sickle cell disease, through physicians and centers that are qualified pursuant to the regulations of the department to provide such medical services. The director, with the guidance of the Advisory Committee on Genetically Handicapped Person's Program may, by regulation, expand the list of genetically handicapping conditions covered under this article. The director shall adopt such rules and regulations as are necessary for the implementation of the provisions of this article. The director, with the approval of the advisory committee, shall establish priorities for the use of funds and provision of services under this article.

SEC. 3.5. Section 341.5 is added to the Health and

Safety Code, to read:

341.5. As used in this article, “genetically handicapping condition” shall mean a disease which is accepted as being genetic in origin by the American Society of Human Genetics.

SEC. 4. Section 342 of the Health and Safety Code is amended to read:

342. The program established under this article shall include any or all of the following:

- (a) Initial intake and diagnostic evaluation;
- (b) The cost of blood transfusion and use of blood derivatives, or both;
- (c) Rehabilitation services, including reconstructive surgery;
- (d) Expert diagnosis;
- (e) Medical treatment;
- (f) Surgical treatment;
- (g) Hospital care;
- (h) Physical therapy;
- (i) Occupational therapy;
- (j) Special treatment;
- (k) Materials;
- (l) Appliances and their upkeep, maintenance, and care;
- (m) Maintenance, transportation, or care incidental to any other form of services; and
- (n) Appropriate staff to carry out the provisions of this article.

SEC. 5. Section 343 of the Health and Safety Code is amended to read:

343. The Director of Health shall appoint a nine-member Advisory Committee on Genetically Handicapped Person's Program composed of professional and consumer representatives who shall serve without compensation and at the discretion of the director. The director shall seek the advice of the advisory committee with respect to rules and regulations to be adopted pursuant to this article.

SEC. 6. Section 345 of the Health and Safety Code is amended to read:

345. Reimbursement under this article shall not be

made for any services which are available to the recipient under any other private, state, or federal programs or under other contractual or legal entitlements. However, no provision in this article shall be construed as limiting in any way state participation in any federal governmental program for medical care of persons with genetically handicapping conditions.

SEC. 7. Section 346 of the Health and Safety Code is amended to read:

346. The State Department of Health shall receive and expend all funds made available to it by the federal government, the state, its political subdivisions or from other sources for the purposes of this article. Payment for genetically handicapped person's program shall be made by the State Department of Health.

SEC. 7.5. Section 347 of the Health and Safety Code is amended to read:

347. The state department shall establish, with the guidance of the advisory committee, uniform standards of financial eligibility for the treatment services under the program established under this article, including a uniform formula for the repayment services rendered by the program established under this article. All counties shall use the uniform standards for financial eligibility and uniform formula for repayment established by the state department. All repayments shall be used in support of the program for services established under this article.

The state department shall establish repayment schedules for services not later than January 30, 1977, upon the approval of such schedules by the Department of Finance.

SEC. 8. Section 347.5 is added to the Health and Safety Code, to read:

347.5. The state department shall maintain sufficient, appropriate staff to carry out the provisions of this article.

SEC. 9. Section 348 of the Health and Safety Code is amended to read:

348. The health care benefits and services specified in this article, to the extent that such benefits and services are neither provided under any other federal or state law nor provided nor available under other contractual or

legal entitlements of the person, shall be provided to any patient who is a resident of this state and is made eligible by the provisions of this article. After such patient has utilized such contractual or legal entitlements, the payment liability under Section 347 shall then be applied to the remaining cost of genetically handicapped person's services.

SEC. 10. Section 1 of Chapter 1507 of the Statutes of 1974 is amended to read:

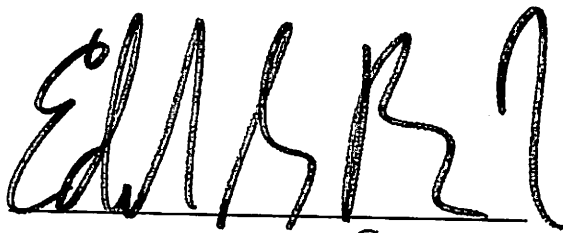
Section 1. The Legislature finds that there are at least 2,200 identified victims of the diseases of cystic fibrosis (100), hemophilia (1,600), and sickle cell disease (500) in this state, and that cystic fibrosis, hemophilia, and sickle cell disease are generally excluded from any private medical insurance coverage except in an employment situation under group coverage which is usually ended upon termination of employment, and that there is a need for a statewide program for the medical care of persons with cystic fibrosis, hemophilia, sickle cell disease, and other genetically handicapping conditions who are unable to pay for their necessary medical services, wholly or in part.

SEC. 11. The sum of two hundred twenty-eight thousand four hundred dollars (\$228,400) is hereby appropriated from the General Fund to the State Department of Health for expenditure for the purpose of carrying out the Holden-Moscone-Garamendi Genetically Handicapped Person's Program (Article 3.6 (commencing with Section 340) of Chapter 2 of Part 1 of Division 1 of the Health and Safety Code) in accordance with the following schedule:

Schedule

For diagnosis and treatment	\$180,390
For administrative costs	34,260
For financial eligibility	13,750

Approved _____, 1976

A handwritten signature in black ink, appearing to read "Ed Bradley". The signature is written in a cursive, somewhat stylized font with a horizontal line underneath the letters.

Governor