

AMENDED IN SENATE JANUARY 7, 1998

AMENDED IN SENATE APRIL 8, 1997

SENATE BILL

No. 694

**Introduced by ~~Senators Polanco and Rainey~~ Senator
Polanco**

February 25, 1997

~~An act to amend Sections 2902, 2904, 2943, 2960, and 4040 of, and to add Sections 2914.2, 2914.3, 2949, 2949.1, 2949.2, 2949.3, 2949.4, and 2949.5 to, the Business and Professions Code, relating to psychology, and making an appropriation therefor. An act to add Part 7 (commencing with Section 122400) to Division 105 of the Health and Safety Code, relating to hepatitis.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 694, as amended, Polanco. ~~Psychology~~ *Hepatitis C*.

Existing law contains various provisions relating to communicable disease prevention and control programs, including those conducted by the State Department of Health Services.

This bill would make various legislative findings with respect to hepatitis C and would declare the intent of the Legislature to study the adequacy of the health care delivery system as it pertains to hepatitis C.

This bill would require the State Department of Health Services to use any strategies, protocols, and guidelines adopted by the National Institutes of Health and California legislative advisory committees on hepatitis C for educating

physicians and health professionals and training community service providers, as specified.

~~(1) Existing law provides for the licensure and regulation of the practice of psychologists, by the Board of Psychology, and the practice of pharmacy. Existing law prohibits the practice of psychology from including prescribing drugs, and the pharmacy law prohibits any person other than a physician, dentist, podiatrist, or veterinarian from prescribing or writing a prescription.~~

~~This bill would revise these provisions to authorize a certified psychologist, as defined, to prescribe or write a prescription. The bill would also require the board to administer a certification process to grant licensed psychologists the authority to write prescriptions, and to develop procedures for certification with the advice of the Certified Psychologist Advisory Committee, that the bill would also establish. The bill would authorize the board to charge fees for the issuance of, and renewal of, a certificate, and would provide for the deposit of these fees in the Psychology Fund, a continuously appropriated fund, thereby making an appropriation.~~

~~The bill would set forth certification eligibility criteria, and would also require each applicant for an initial certificate for prescriptive authority to agree in a written statement under penalty of perjury to spend no less than 80% of his or her total time as a certified psychologist for 3 calendar years providing services to underserved populations, as defined. By creating a new crime, the bill would impose a state-mandated local program. The bill would require the board, in consultation with the committee, to establish requirements for renewal of a certificate, and continuing education requirements. The bill would require the board to provide certain information to the Board of Pharmacy, including an annual list of psychologists certified to prescribe drugs.~~

~~The bill would require the board to encourage licensed psychologists to take continuing education courses in psychopharmacology and the biological basis of behavior. The bill would require the board to encourage institutions offering doctorate degree programs in psychology to include education and training in psychopharmacology and related~~



~~topics. The bill would require the board to develop education and training guidelines for psychologists whose practice includes patients who may require psychopharmacological treatment. The bill would authorize the board to issue a certificate of completion to recognize knowledge of pharmacology and biological basis of behavior. The bill would authorize the board to examine candidates in various areas of professional activity.~~

~~(2) Existing law authorizes the board to refuse to issue any registration or license, or issue a registration or license with terms and conditions, or suspend or revoke the registration or license of any registrant or licensee if the applicant, registrant, or licensee has been guilty of unprofessional conduct, as described.~~

~~This bill would include as unprofessional conduct a violation of a provision of law relating to prescribing or dispensing drugs by a certified psychologist.~~

~~(3) 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: yes no. Fiscal committee: yes. State-mandated local program: yes no.~~

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

1 ~~SECTION 1. The Legislature finds and declares all of~~
2 ~~SECTION 1. Part 7 (commencing with Section~~
3 ~~122400) is added to Division 105 of the Health and Safety~~
4 ~~Code, to read:~~

5
6 *PART 7. HEPATITIS C*

7
8 *CHAPTER 1. GENERAL PROVISIONS*

9
10 ~~122400. This chapter shall be known, and may be~~
11 ~~cited, as the Hepatitis C Education, Screening, and~~
12 ~~Treatment Act.~~



1 122405. *The Legislature hereby finds and declares all*
2 *of the following:*

3 (a) *Hepatitis C is classified as a silent killer, where no*
4 *recognizable signs or symptoms occur until severe liver*
5 *damage has occurred.*

6 (b) *Hepatitis C has been characterized by the World*
7 *Health Organization as a disease of primary concern to*
8 *humanity.*

9 (c) *Studies indicate that 1.8 percent of the population,*
10 *nearly 4 million Americans, carry the virus HCV that*
11 *causes hepatitis C. In California, as many as 500,000*
12 *individuals may be carriers and could develop the*
13 *debilitating and potentially deadly liver disease*
14 *associated with hepatitis C in their lifetime. An expert*
15 *panel, convened in March by the National Institutes of*
16 *Health (NIH), estimated that 30,000 acute new infections*
17 *occur each year in the United States, and only 25 to 30*
18 *percent of those are diagnosed. Current data sources*
19 *indicate that 8,000 to 10,000 Americans die from hepatitis*
20 *C each year.*

21 (d) *Studies also indicate that 39.4 percent of male*
22 *inmates and 54.5 percent of female inmates in California*
23 *correctional facilities have hepatitis C, 26 times higher*
24 *than the general population. Upon their release from*
25 *prison, these inmates present a significant health risk to*
26 *the general population of California.*

27 (e) *It is the intent of the Legislature to study the*
28 *adequacy of the health care delivery system as it pertains*
29 *to hepatitis C.*

30 122410. (a) *The State Department of Health Services*
31 *shall use any strategies, protocols, and guidelines adopted*
32 *by the National Institutes of Health and California*
33 *legislative advisory committees on hepatitis C for*
34 *educating physicians and health professionals and*
35 *training community service providers on the most recent*
36 *scientific and medical information on hepatitis C*
37 *detection, diagnosis, treatment, and therapeutic*
38 *decisionmaking.*

39 (b) *The guidelines required by subdivision (a) shall*
40 *include, but not be limited to, all of the following:*



1 (1) *Tracing and reporting of both acute and chronic*
2 *cases of hepatitis C by public health officials.*

3 (2) *A cost-efficient plan to screen the prison*
4 *population and the medically indigent population in*
5 *California.*

6 (3) *Protocols within the Department of Corrections to*
7 *enable that department to provide appropriate*
8 *treatment to prisoners with hepatitis C.*

9 (d) *Protocols for the education of correctional peace*
10 *officers and other correctional workers who work with*
11 *prisoners with hepatitis C.*

12 (5) *Protocols for public safety and health care workers*
13 *who come in contact with hepatitis C patients.*

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**All matter omitted in this version of the
bill appears in the bill as amended in the
Senate, April 8, 1997 (JR 11)**

