

AMENDED IN ASSEMBLY SEPTEMBER 6, 2001

AMENDED IN SENATE MAY 8, 2001

**SENATE BILL**

**No. 689**

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**Introduced by Senator ~~Ortiz~~ Perata**

**(~~Coauthor: Senator Burton~~)**

**(Coauthors: Senators Brulte and Burton)**

*(Coauthors: Assembly Members Alquist, Hertzberg, and Koretz)*

February 23, 2001

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An act to add and repeal Chapter 8 (commencing with Section 104323) of Part 1 of Division 103 of the Health and Safety Code, relating to prostate cancer, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 689, as amended, ~~Ortiz~~ Perata. Public health: prostate cancer research.

Existing law requires that the State Department of Health Services is responsible for the administration and oversight of various health care programs, including programs that provide for cancer research.

This bill would make various legislative findings regarding prostate cancer and research developments involving cancer. This bill would also create the Prostate Cancer Research Project Act of 2001, which would require the State Department of Health Services to establish a prostate cancer research project to provide, among other things, comprehensive classification of prostate tumors and specialized drug treatment for prostate cancer.

~~This bill~~

*These provisions* would be repealed on January 1, 2007.

This bill would appropriate ~~\$3,000,000~~ \$1,000,000 from the General Fund to the department for the 2001–02 fiscal year for purposes of this bill.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: <sup>2</sup>/<sub>3</sub>. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

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

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) Prostate cancer is the most frequently diagnosed cancer  
4 among California men. Prostate cancer affects one man in six and,  
5 in the year 2000, killed more than 4,500 Californians. The  
6 National Cancer Institute estimates that prostate cancer annually  
7 costs California \$1.8 billion in medical care, lost wages, and  
8 productivity.

9 (b) Conventional prostate therapy consists primarily of surgery  
10 and radiation which, although often successful in eradicating  
11 cancerous cells, results in significant, lifelong side effects. No  
12 drug currently approved by the federal Food and Drug  
13 Administration has demonstrated substantial efficacy in  
14 controlling the disease.

15 (c) Very recent advancements in technology and human  
16 genome research have dramatically accelerated the development  
17 and applications of new therapies that have immense promise for  
18 the treatment of prostate cancer. California researchers have just  
19 developed the capacity to replicate the genetic structure of cancer  
20 tumors, and with this new capacity, specific genes may be targeted  
21 for treatment and new drug therapies may be designed to treat  
22 particular tumor types. This recent comprehension of the  
23 characteristics and genetic makeup of prostate tumors will make  
24 possible the implementation of effective new drug therapies for the  
25 treatment of prostate cancer.

26 SEC. 2. Chapter 8 (commencing with Section 104323) is  
27 added to Part 1 of Division 103 of the Health and Safety Code, to  
28 read:

29



1 Chapter 8. THE PROSTATE CANCER RESEARCH PROJECT ACT OF  
2 2001  
3

4 104323. (a) This chapter shall be known, and may be cited,  
5 as the Prostate Cancer Research Project Act of 2001.

6 (b) The State Department of Health Services shall establish and  
7 administer a prostate cancer research project to provide  
8 comprehensive tumor classification and specialized drug  
9 treatments for prostate cancers. ~~The project~~

10 (c) *The project required by subdivision (b)* shall, over a period  
11 of five years, do all of the following:

12 (1) Develop a comprehensive classification system of prostate  
13 tumor types by genetic structure.

14 (2) Facilitate the sharing of information among prostate cancer  
15 researchers and institutions.

16 (3) Designate the most promising and beneficial therapies and  
17 drug regimens for each tumor classification.

18 (4) Facilitate the development of effective therapeutics for all  
19 classifications of prostate tumors.

20 (5) Design protocols and clinical trials to evaluate the  
21 effectiveness of designated therapies.

22 (6) Ensure that all clinical trials be subject to, and in  
23 compliance with, federal Food and Drug Administration safety  
24 and efficacy standards.

25 ~~(e)~~

26 (d) The department shall, by January 1, 2007, report to the  
27 Legislature the results of this research. The report shall include,  
28 but not be limited to:

29 (1) The number of genetic structures classified by the project  
30 and any associated drug therapies developed for each structure.

31 (2) The medical benefits, if any, of the revised drug treatments  
32 measured in terms of efficacy and reduced secondary effects in  
33 comparison to conventional therapy.

34 (3) Any financial benefits to the state or private payers from the  
35 new technology.

36 (4) An estimate of the potential for lives saved or enhanced by  
37 the new therapies.

38 (5) Recommendations for additional research related to this  
39 project.



1 (6) The extent of availability of the information and findings of  
2 this project for other cancer research.

3 104323.5. This chapter shall remain in effect only until  
4 January 1, 2007, and as of that date is repealed, unless a later  
5 enacted statute, that is enacted before January 1, 2007, deletes or  
6 extends that date.

7 SEC. 3. (a) The sum of ~~three million dollars (\$3,000,000)~~  
8 *one million dollars (\$1,000,000)* is hereby appropriated from the  
9 General Fund to the State Department of Health Services for the  
10 2001–02 fiscal year for the purposes of Chapter 8 (commencing  
11 with Section 104323) of Part 1 of Division 103 of the Health and  
12 Safety Code.

13 (b) It is the intent of the Legislature that future appropriations  
14 shall be made through the annual budget process and be subject to  
15 all administrative reviews and oversight. It is the intent of the  
16 Legislature that future budget appropriations shall be contingent  
17 upon private or other public support for this program to the  
18 contracting organization, if any, in an amount equal to not less than  
19 two times the budget appropriation in any given year.

20 SEC. 4. This act is an urgency statute necessary for the  
21 immediate preservation of the public peace, health, or safety  
22 within the meaning of Article IV of the Constitution and shall go  
23 into immediate effect. The facts constituting the necessity are:

24 It is in the public interest that the science and therapies resulting  
25 from the research provided pursuant to this act be available as soon  
26 as possible to affected patients in order to alleviate the pain,  
27 suffering, and deaths of these patients at the earliest possible time.

