MEMORANDUM OF SUPPORT - AB 1621 (Halderman)

TO: The Honorable Mary Hayashi, Chair, and the Honorable Members of the Assembly Committee on Business, Professions, and Consumer Protection
FROM: Northern California Chapter of the American College of Surgeons (ACS)
DATE: March 20, 2012

The Northern California Chapter of the American College of Surgeons, representing over 7,200 members in California, would like to inform you of our support for AB 1621, which will be heard in the Assembly Committee on Business, Professions, and Consumer Protection on Tuesday, March 27, 2012.

AB 1621 addresses a flaw relating to prostate exams as embodied in the Grant H. Kenyon Prostate Cancer Detection Act. Under the act, a surgeon or other physician who performs a prostate exam on a patient with certain risk factors must present him with information about prostate cancer. However, there is no exemption for situations where providing this information is either impossible or impractical, and AB 1621 provides a common-sense emergency exemption to the Act.

For example, an unconscious trauma patient may be transported to an emergency room with severe injuries requiring the placement of a urinary catheter. The physician will conduct an exam to determine the extent of injuries including a rectal exam to determine the status of the prostate gland. By the time the patient has stabilized or regains consciousness, he may have been transported to a different unit or to a different facility entirely. In this situation it may be impossible or impractical for the emergency room doctor to track that patient down and provide information on prostate cancer – yet failing to do so places the doctor in violation of the law, and vulnerable to litigation.

AB 1621 exempts surgeons and other physicians dedicated to the delivery of trauma care from this requirement. The bill corrects a flaw in current law, and allows surgeons to care for patients more effectively. We welcome your support for AB 1621.

About The American College of Surgeons

The American College of Surgeons is a scientific and educational organization of surgeons that was founded in 1913 to raise the standards of surgical practice and to improve the care of the surgical patient. The College is dedicated to the ethical and competent practice of surgery. Its achievements have significantly influenced the course of scientific surgery in America and have established it as an important advocate for all surgical patients. The College has more than 78,000 members and is the largest organization of surgeons in the world. For more information, visit www.facs.org.