

AMENDED IN SENATE APRIL 2, 2025

SENATE BILL

No. 297

Introduced by Senator Hurtado

February 10, 2025

An act to amend Section 122475 of, to add Sections 1316.8 and 1367.57 to, to add the heading of Chapter 1 (commencing with Section 122475) to Part 7.7 of Division 105 of, and to add Chapter 2 (commencing with Section 122480) to Part 7.7 of Division 105 of, the Health and Safety Code, to add Section 10123.25 to the Insurance Code, and to add Section 14132.13 to the Welfare and Institutions Code, relating to public health.

LEGISLATIVE COUNSEL'S DIGEST

SB 297, as amended, Hurtado. Valley Fever Screening and Prevention Act of 2025.

(1) Existing law establishes the State Department of Public Health to, among other things, implement and administer various programs relating to public health. Existing law, the Valley Fever Education, Early Diagnosis, and Treatment Act, states the intent of the Legislature to raise awareness of the symptoms, tests, and treatments for valley fever among the general public, primary health care providers, and health care providers who care for persons at higher risk for getting valley fever.

This bill, the Valley Fever Screening and Prevention Act of 2025, would require the department to annually analyze and identify regions with high rates of valley fever using public health surveillance data. The bill would require the department to publish its first list of high-incidence regions for valley fever on or before March 1, 2027. The bill would require the department to provide ~~county~~ *local* health

departments in high-incidence regions with detailed infection data and standardized screening protocols for valley fever. The bill would require the department, on or before January 1, 2030, and every 2 years thereafter, to evaluate the effectiveness of the valley fever screening and prevention program and report its findings to the Legislature.

This bill would require ~~county~~ *local* health departments in high-incidence regions to ~~coordinate with local health officers to~~ ensure compliance with screening protocols for valley fever. The bill would require ~~counties~~ *local health departments* to conduct outreach to health care providers and the general public to raise awareness of valley fever risks, symptoms, and prevention strategies. The bill would require ~~counties~~ *local health departments* to annually report ~~compliance the~~ *number of confirmed cases of valley fever and demographic and geographic* data to the department, as specified. By imposing duties on ~~counties~~, *local health departments*, this bill would impose a state-mandated local program.

(2) Existing law provides for the licensure and regulation of health facilities and clinics by the State Department of Public Health. A violation of these provisions is a crime.

This bill, commencing January 1, 2028, would require an adult patient receiving primary care services in a facility, clinic, unlicensed clinic, center, office, or other setting, and in a high-incidence region for valley fever, to be offered a valley fever screening test, as specified. The bill would prohibit a health care provider who fails to comply with these provisions from being subject to any disciplinary action related to their licensure or certification, or to any civil or criminal liability for that failure.

By expanding the scope of a crime applicable to the health care settings described above, this bill would impose a state-mandated local program.

(3) Existing law establishes the Medi-Cal program, which is administered by the State Department of Health Care Services and under which qualified low-income individuals receive health care services. Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care, and makes a willful violation of the act a crime. Existing law provides for the regulation of health insurers by the Department of Insurance.

This bill would require a health care service plan contract or health insurance policy, except as specified, that is issued, amended, delivered,

or renewed on or after June 1, 2027, to cover, without cost sharing, valley fever screening tests in high-incidence regions for valley fever, as identified by the State Department of Public Health. Because a violation of this requirement relative to health care service plans would be a crime, the bill would impose a state-mandated local program.

The bill would add the aforementioned screening tests as a Medi-Cal covered benefit, subject to any necessary federal approvals and federal financial participation, as specified.

(4) 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 with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

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

1 SECTION 1. This act is known, and may be cited, as the Valley
2 Fever Screening and Prevention Act of 2025.

3 SEC. 2. The Legislature finds and declares all of the following:

4 (a) Valley fever is a significant public health concern in
5 California, disproportionately impacting residents of arid regions.

6 (b) Early detection and intervention are essential to reduce the
7 medical and economic burdens associated with severe cases of
8 valley fever.

9 (c) Valley fever screening and prevention is necessary to protect
10 the health and well-being of Californians residing in high-risk
11 areas.

12 SEC. 3. Section 1316.8 is added to the Health and Safety Code,
13 to read:

14 1316.8. (a) Commencing January 1, 2028, an adult patient
15 who receives primary care services in a facility, clinic, unlicensed
16 clinic, center, office, or other setting where primary care services
17 are provided, and in a high-incidence region for valley fever, as
18 identified by the State Department of Public Health pursuant to

1 Section 122480, shall be offered a valley fever screening test, to
2 the extent these services are covered under the patient's health
3 insurance, based on the latest screening indications recommended
4 by the latest national clinical practice guidelines, unless the health
5 care provider reasonably believes that one of the following
6 conditions applies:

7 (1) The patient is being treated for a life-threatening emergency.

8 (2) (A) The patient has previously been offered or has been the
9 subject of a valley fever screening test.

10 (B) This paragraph does not apply if the health care provider
11 determines that the screening test should be offered again.

12 (3) The patient lacks capacity to consent to a valley fever
13 screening test.

14 (4) The patient is being treated in the emergency department of
15 a general acute care hospital, as defined in subdivision (a) of
16 Section 1250.

17 (b) (1) If a patient accepts the offer of a valley fever screening
18 test and the test result is positive, a health care provider shall offer
19 the patient followup health care or refer the patient to a health care
20 provider who can provide followup health care.

21 (2) Followup health care shall include diagnostic testing and
22 care based on the latest national clinical practice guidelines
23 recommended for valley fever management.

24 (c) The offering of a valley fever screening test under this
25 section shall be culturally and linguistically appropriate.

26 (d) This section shall not affect the scope of practice of any
27 health care provider or diminish any authority or legal or
28 professional obligation of any health care provider to offer a valley
29 fever screening test, or to provide services or care for the patient
30 of a valley fever screening test.

31 (e) A health care provider that fails to comply with the
32 requirements of this section shall not be subject to any disciplinary
33 actions related to their licensure or certification, or to any civil or
34 criminal liability, because of the health care provider's failure to
35 comply with the requirements of this section.

36 (f) For purposes of this section, the following definitions apply:

37 (1) "Followup health care" includes providing medical
38 management for valley fever according to the latest national clinical
39 practice guidelines.

1 (2) “Valley fever screening test” includes any laboratory test
2 or tests that detect the presence of *Coccidioides* infection and
3 provides confirmation of whether the patient has been infected.

4 SEC. 4. Section 1367.57 is added to the Health and Safety
5 Code, to read:

6 1367.57. (a) A health care service plan contract, except for a
7 specialized health care service plan contract, that is issued,
8 amended, delivered, or renewed on or after June 1, 2027, shall
9 cover valley fever screening tests in high-incidence regions for
10 valley fever, as identified by the State Department of Public Health
11 pursuant to Section 122480.

12 (b) A health care service plan contract shall not impose a
13 deductible, coinsurance, copayment, or any other cost-sharing
14 requirement on the coverage provided pursuant to this section.

15 SEC. 5. The heading of Chapter 1 (commencing with Section
16 122475) is added to Part 7.7 of Division 105 of the Health and
17 Safety Code, to read:

18

19 CHAPTER 1. GENERAL PROVISIONS

20

21 SEC. 6. Section 122475 of the Health and Safety Code is
22 amended to read:

23 122475. This chapter shall be known, and may be cited, as the
24 Valley Fever Education, Early Diagnosis, and Treatment Act.

25 SEC. 7. Chapter 2 (commencing with Section 122480) is added
26 to Part 7.7 of Division 105 of the Health and Safety Code, to read:

27

28 CHAPTER 2. SCREENING AND PREVENTION

29

30 122480. (a) (1) The State Department of Public Health shall
31 annually analyze and identify regions with high rates of valley
32 fever using public health surveillance data.

33 (2) The department shall publish its first list of high-incidence
34 regions for valley fever on or before March 1, 2027.

35 (b) The department shall provide—~~county~~ *local* health
36 departments in high-incidence regions with detailed infection data
37 and standardized screening protocols for valley fever.

38 (c) The department shall develop and distribute evidence-based
39 training materials on valley fever detection, diagnosis, and
40 treatment for health care providers.

1 122481. (a) ~~County~~*Local* health departments in high-incidence
2 regions, as identified pursuant to Section 122480, shall ~~coordinate~~
3 ~~with local health officers to ensure compliance with screening~~
4 protocols for valley fever.

5 (b) ~~Counties~~*Local health departments* shall conduct outreach
6 to health care providers and the general public to raise awareness
7 of valley fever risks, symptoms, and prevention strategies.

8 (c) ~~County~~*Local* health departments shall annually report
9 ~~compliance data to the State Department of Public Health,~~
10 ~~including Health the number of screenings conducted and~~
11 ~~confirmed cases of valley fever.~~ *fever and relevant demographic*
12 *and geographic data to support statewide tracking and response*
13 *efforts.*

14 122482. (a) Notwithstanding Section 10231.5 of the
15 Government Code, on or before January 1, 2030, and every two
16 years thereafter, the department shall evaluate the effectiveness of
17 the valley fever screening and prevention program and report its
18 findings to the Legislature.

19 (b) A report to be submitted pursuant to subdivision (a) shall
20 be submitted in compliance with Section 9795 of the Government
21 Code.

22 SEC. 8. Section 10123.25 is added to the Insurance Code, to
23 read:

24 10123.25. (a) A health insurance policy, except for a
25 specialized health insurance policy, that is issued, amended,
26 delivered, or renewed on or after June 1, 2027, shall cover valley
27 fever screening tests in high-incidence regions for valley fever, as
28 identified by the State Department of Public Health pursuant to
29 Section 122480 of the Health and Safety Code.

30 (b) A health insurance policy shall not impose a deductible,
31 coinsurance, copayment, or any other cost-sharing requirement on
32 the coverage provided pursuant to this section.

33 SEC. 9. Section 14132.13 is added to the Welfare and
34 Institutions Code, to read:

35 14132.13. (a) Commencing on June 1, 2027, valley fever
36 screening tests in high-incidence regions for valley fever, as
37 identified by the State Department of Public Health pursuant to
38 Section 122480 of the Health and Safety Code, shall be a covered
39 benefit under the Medi-Cal program.

1 (b) This section shall be implemented only to the extent that
2 any necessary federal approvals are obtained and federal financial
3 participation is available and not otherwise jeopardized.

4 SEC. 10. No reimbursement is required by this act pursuant to
5 Section 6 of Article XIII B of the California Constitution for certain
6 costs that may be incurred by a local agency or school district
7 because, in that regard, this act creates a new crime or infraction,
8 eliminates a crime or infraction, or changes the penalty for a crime
9 or infraction, within the meaning of Section 17556 of the
10 Government Code, or changes the definition of a crime within the
11 meaning of Section 6 of Article XIII B of the California
12 Constitution.

13 However, if the Commission on State Mandates determines that
14 this act contains other costs mandated by the state, reimbursement
15 to local agencies and school districts for those costs shall be made
16 pursuant to Part 7 (commencing with Section 17500) of Division
17 4 of Title 2 of the Government Code.