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HEALTH AND SAFETY CODE - HSC

DIVISION 112. PUBLIC HEALTH [131000 - 131410] (*Division 112 added by Stats. 2006, Ch. 241, Sec. 34.*)

PART 1. GENERAL PROVISIONS [131000 - 131410] (*Part 1 added by Stats. 2006, Ch. 241, Sec. 34.*)

CHAPTER 2. General Powers of the Department [131050 - 131250] (*Chapter 2 added by Stats. 2006, Ch. 241, Sec. 34.*)

ARTICLE 4. Latino and Indigenous Disparities Reduction Act. [131250- 131250.] (*Article 4 added by Stats. 2024, Ch. 873, Sec. 1.*)

131250. (a) On or after January 1, 2028, the State Department of Public Health, whenever collecting demographic data as to the ancestry or ethnic origin of California residents for a report that includes rates for major diseases, leading causes of death per demographic, subcategories for leading causes of death in California overall, pregnancy, housing, and mental health rates shall comply with all of the following:

(1) The department shall use separate collection categories in the provided forms that offer respondents the option of selecting one or more ethnic or racial designations and tabulations for Hispanic or Latino groups using standardized federal race and ethnicity categories from the federal Office of Management and Budget's most recent revision to "Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity."

(2) To the extent the standardized federal race and ethnicity categories from the federal Office of Management and Budget's most recent revision to "Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity" does not include the group or nation, the department shall use separate collection categories in the provided forms that offer respondents the option of selecting one or more ethnic or racial designations and tabulations for both of the following:

(A) Each major Latino group, including, but not limited to, Mexican, Guatemalan, Salvadoran, Honduran, Nicaraguan, Puerto Rican, Dominican, Cuban, Colombian, and Peruvian, followed by a blank space to fill in additional groups.

(B) Each major Mesoamerican Indigenous nation, including, but not limited to, Maya, Aztec, Mixteco, Zapoteco, and Triqui, followed by a blank space to fill in additional nations.

(3) When collecting the preferred language of program participants, the department shall include Mixteco, Triqui, Zapoteco, K'iche, Mam, and Kanjobal, followed by a blank space to fill in additional languages.

(4) The department shall include the data collected pursuant to paragraphs (1) and (2), and when available, paragraph (3), in every demographic report on ancestry, ethnic origins, or language of Californians by the department published or released on or after July 1, 2029, including the other groups, nations, or languages that are filled in by the respondents.

(5) (A) The department shall make the data collected pursuant to paragraphs (1), (2), and (3) available to the public in accordance with state and federal law, including by posting the data on the internet website of the department, except for personal identifying information, which shall be deemed confidential and shall not be disclosed.

(B) The department shall not make public demographic data that would permit identification of individuals. The department may, to prevent identification of individuals, aggregate data categories at a state, county, city, census tract, or ZIP Code level to facilitate comparisons and identify disparities.

(C) The department shall not make public demographic data that would result in statistical unreliability.

(6) On or before July 1, 2029, and annually thereafter, the department shall report to the Legislature, in compliance with Section 9795 of the Government Code, both of the following:

(A) The data collected pursuant to paragraphs (1), (2), and (3).

(B) The methods used to collect that data.

(7) Within 18 months after a decennial United States Census is released to the public, the department shall update its data collection to reflect the additional Latino groups, major Mesoamerican Indigenous nations, and major Mesoamerican Indigenous language groups as they are reported by the United States Census Bureau.

(b) The department may continue to collect and report demographic data in the form that the data was submitted if the data was collected under either of the following circumstances:

(1) Pursuant to federal programs or surveys, whereby the guidelines for demographic data collection categories are defined by the federal program or survey and the data could not be aggregated to comply with those requirements.

(2) When demographic data is collected by other entities, including either of the following:

(A) State offices, departments, and agencies that are not subject to this section.

(B) Third-party entities when administering surveys that are not solely funded by the department.

(Added by Stats. 2024, Ch. 873, Sec. 1. (SB 1016) Effective January 1, 2025.)