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SB-855 Childhood Drowning Data Collection Pilot Program. (2021-2022)

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Senate Bill No. 855

CHAPTER 817

An act to add and repeal Chapter 4 (commencing with Section 131350) of Part 1 of Division 112 of the Health and Safety Code, relating to recreational safety.

[Approved by Governor September 29, 2022. Filed with Secretary of State September 29, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

SB 855, Newman. Childhood Drowning Data Collection Pilot Program.

Existing law establishes the State Department of Public Health in the California Health and Human Services Agency. Existing law requires the department to collect data on various topics, including data on violent deaths as reported by various sources, as specified.

This bill would require the department to establish, on or before January 1, 2024, and administer the Childhood Drowning Data Collection Pilot Program, which would collect detailed data on childhood fatal and nonfatal drownings in California, as specified. The bill would require the department, on or before July 1, 2024, to seek to collaborate with at least 5 but no more than 10 county child death review teams or other local agencies, as specified. The bill would require the department to submit various reports to the appropriate legislative policy committees, as specified. The bill would require the department, based on those reports, to develop a California Water Safety Action Plan for Children and a standardized form for counties to use in reporting drownings statistics. The bill would repeal these provisions on January 1, 2029.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. (a) The Legislature makes the following findings and declarations:

(1) Drowning is the leading cause of unintentional injury-related death among children one to four, inclusive, years of age in the United States and California, and the second leading cause of unintentional injury-related death among California children five to nine, inclusive, years of age.

(2) The rates of these fatal pool drownings among children one to four, inclusive, years of age have increased as follows: 1.5/100,000 (2018); 1.6/100,000 (2019); and 1.8/100,000 (2020).

(3) Between 2018 and 2020, 139 children one to four, inclusive, years of age died from drowning. Seventy percent of those were known to have occurred in swimming pools.

(4) Recent data shows that in 2020, 389 children one to four, inclusive, years of age were seen in the emergency room, 118 were admitted to the hospital, and 47 died from drowning.

(5) Between 2018 and 2020, among children 0 to 17, inclusive, years of age, 224 died, 757 were hospitalized, and 1,367 were seen in the emergency department.

(6) Many children who survive have lifelong disabilities ranging from minor to severe. The 2020 Client Development Evaluation Report (CDER) from the State Department of Developmental Service reports a caseload of 768 individuals who require services as a result of a nonfatal drowning, a significant long-term cost to the state.

(7) California does not have a uniform reporting system to further develop best practices, community interventions, and public policy. Inconsistent and incomplete data hamper monitoring of trends, ascertainment of risk factors, and the design and evaluation of prevention strategies.

(8) The establishment of systematic reporting of information on the circumstances of drowning is a strong recommendation of the American Academy of Pediatrics.

(b) It is the intent of the Legislature to establish a statewide drowning surveillance system with consistent, systematic reporting and analysis that will help identify specific risk factors, including specific groups, communities, and sites, that can inform recommendations for more effective local and state drowning prevention interventions and policies.

SEC. 2. Chapter 4 (commencing with Section 131350) is added to Part 1 of Division 112 of the Health and Safety Code, to read:

CHAPTER 4. Childhood Drowning Data Collection Pilot Program

131350. For purposes of this chapter, the following terms have the following meanings:

(a) "Department" means the State Department of Public Health.

(b) "Data collection pilot program" means the Childhood Drowning Data Collection Pilot Program established pursuant to this chapter.

131351. (a) The Childhood Drowning Data Collection Pilot Program shall be administered by the department.

(b) The purpose of the data collection pilot program shall be to collect detailed data on childhood fatal and nonfatal drownings in California with a particular focus to be directed at childhood pool drownings among children one to four, inclusive, years of age. The data collection pilot program shall use existing department electronic data collection systems and determine how to highlight data on circumstances of drowning cases.

131352. The data collection pilot program shall be implemented according to the following requirements:

(a) (1) The department shall establish the pilot program on or before January 1, 2024. On or before July 1, 2024, the department shall seek to collaborate with at least 5 but no more than 10 county child death review teams authorized pursuant to Section 11174.32 of the Penal Code, other local agencies that collect data on fatal and nonfatal drowning, or both.

(2) In soliciting participants pursuant to paragraph (1), the department shall primarily solicit counties with historically high fatal and nonfatal drowning rates among children one to four, inclusive, years of age.

(b) The data collection pilot program shall track child fatal drownings and collect detailed information on the circumstances surrounding these fatal drownings. The data collection pilot program shall also explore ways to track and collect similar data on nonfatal drowning using electronic forms and shall track that information, if feasible.

131353. (a) (1) On or before January 1, 2026, the department shall submit a report to the appropriate legislative policy committees on the progress of the data collection program and findings of the data collection pilot program.

(2) In compiling the reports required pursuant to this section, the department shall solicit and consider stakeholder input.

(3) The report required pursuant to this subdivision shall include recommendations related to improving pool safety on a state and local level.

(b) (1) By January 1, 2027, the department shall, after consultation with an advisory group with expertise in childhood drowning prevention, submit a report on the findings of the data collection pilot program to the appropriate legislative policy committees. The department shall also post the report on its internet website.

(2) The report submitted pursuant to paragraph (1) shall include recommendations on the structure and operation of an ongoing system for collecting child drowning data and effective evidence-based state and local drowning prevention policies and best

practices.

(c) The reports submitted pursuant to this section shall be submitted in compliance with Section 9795 of the Government Code.

131354. Based on the reports submitted pursuant to this chapter, the department shall develop both of the following:

(a) (1) A California Water Safety Action Plan for Children. The plan shall be a comprehensive, realistic, and executable plan patterned after the United States National Water Safety Action Plan, which aims to create water-safe communities and states.

(2) The department shall post the plan developed pursuant to this subdivision on its internet website on or before January 1, 2027.

(b) A standardized electronic form for counties to use in reporting drowning statistics developed in consultation with the state advisory group and the National Center for Fatality Review and Prevention.

131355. This chapter shall remain in effect only until January 1, 2029, and as of that date is repealed.