‘Donda West Act’ Becomes Law in California

BY DAMIAN McNAMARA

PHOENIX — California Governor Arnold Schwarzenegger signed a bill into law that raises public awareness about the risks of cosmetic surgery and targets the aggressive marketing of services that make the risks “seem almost nonexistent,” California State Assemblywoman Wilmer Amina Carter said.

Known also as the “Donda West Act,” the law is named after Kanye West’s mother, who died of complications following liposuction and mammaplasty. The law requires a physical examination 30 days before a patient undergoes a cosmetic surgery procedure.

“People may think they are well enough for cosmetic surgery, but [they] are not always,” said Ms. Carter, who introduced the legislation, known officially as AB 1116. She spoke at the joint annual meeting of American Society for Dermatologic Surgery (ASDS) and the American Society of Cosmetic Dermatology & Aesthetic Surgery.

Earlier this year the governor vetoed a second patient safety bill also sponsored by Ms. Carter. That legislation would have increased enforcement of patient safety laws specifically addressing medi-spa-based cosmetic procedures and laser hair removal retail chains.

“The bill made it through with only one ‘no’ vote before Governor Schwarzenegger vetoed it,” said Dr. Robert A. Weiss, a private practice dermatologist in Hunt Valley, Md.

“We’re having budgetary issues in California, as are most states. The Governor is very adamant about getting things done, and is holding some bills hostage to get things he wants done,” Ms. Carter, who introduced the bill to the assembly, said. “It is not the fault of the bill—it’s relevant.”

Known as AB 252, the bill aimed to increase penalties and enforcement related to existing California law that prohibits corporate medi-spas and hair removal chains from hiring medical directors who provide supervision in name only. If it had become law, the Medical Board of California would be authorized to remove the medical license of any physician who allowed his or her license to be used for a nonphysician to establish a medi-spa, commonly known as a “rent-a-doc” scheme. The ASDS and CalDerm co-sponsored the bill.

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“There is a growing trend for elective cosmetic surgery but the public is not always aware of the risks,” Ms. Carter said. She cited the case of a patient treated at a medi-spa located on an upper floor of a mall. Something went wrong, and there was no doctor on site. Ambulance workers could not get the patient down through the mall and the patient had to be lowered through a window. “It’s those kinds of things we have to protect patients from.”

“When I became an elected official, I decided one of my goals was to author legislation to protect our citizens from harm,” Ms. Carter said. She vowed to continue working on patient safety issues. ■

2010 Travel Health Book Is Now Online

The 2010 edition of the Centers for Disease Control and Prevention’s “Yellow Book” on health information for international travelers is now available on-line (www.cdc.gov/travel) and in hard copy. Published by Elsevier, the book, which always has a yellow cover, includes information on topics ranging from jet lag, cruise ship travel, and international adoptions to respiratory conditions, drug-vaccine interactions, and persistent travelers’ diarrhea. Some topics such as medical tourism are appearing for the first time. More information can be obtained from www.us.elsevierhealth.com. ■