

AMENDED IN ASSEMBLY MAY 26, 2005  
AMENDED IN ASSEMBLY MARCH 9, 2005  
CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

**ASSEMBLY BILL**

**No. 47**

**Introduced by Assembly Member Cohn**

December 6, 2004

An act to add Section 19135 to the Government Code, relating to public contracts.

LEGISLATIVE COUNSEL'S DIGEST

AB 47, as amended, Cohn. Public contracts: Department of Corrections: medical care services.

Existing law authorizes state agencies to enter into personal services contracts if certain conditions are met.

This bill would *authorize state agencies to enter into specified contracts for medical services without seeking competitive bids and would otherwise generally* prohibit, except under specified circumstances, the Department of General Services from authorizing the Department of Corrections to enter into contracts for medical care services without seeking competitive bids for those contracts.

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

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

- 1 SECTION 1. Section 19135 is added to the Government
- 2 Code, to read:
- 3 19135. (a) Notwithstanding any other provision of law and
- 4 except as provided in ~~subdivision (b)~~ *subdivisions (b) and (c)*, the

1 Department of General Services shall not authorize the  
2 Department of Corrections to enter into a contract for medical  
3 care services without seeking competitive bids for that contract  
4 pursuant to Article 4 (commencing with Section 10335) of  
5 Chapter 2 or Part 2 of Division 2 of the Public Contract Code.

6 (b) If the Department of Corrections demonstrates that  
7 compliance with competitive bidding procedures is not possible,  
8 the Department of General Services shall authorize the  
9 Department of Corrections to enter into a contract for medical  
10 care services if, at a minimum, the Department of Corrections  
11 conducts a market survey and prepares a price analysis that  
12 demonstrates, to the satisfaction of the Department of General  
13 Services, that a proposed contract for medical care services is in  
14 the best interest of the state.

15 (c) *Notwithstanding subdivisions (a) and (b), the following*  
16 *contracts may be awarded without competitive bidding:*

17 (1) *Contracts for ambulance services, including, but not*  
18 *limited to, 911 services, when the Department of General*  
19 *Services determines that no competition exists because the*  
20 *contractor is designated by a local jurisdiction as the sole*  
21 *provider of services within a specific geographic area.*

22 (2) *Contracts for emergency hospital services provided in*  
23 *response to emergency room transport under circumstances*  
24 *necessitating the immediate preservation of life or limb if the*  
25 *Department of General Services determines that both of the*  
26 *following conditions exist:*

27 (A) *No competition exists because the emergency facility is*  
28 *designated by a local emergency medical services agency as the*  
29 *sole provider of services within a specific geographic area.*

30 (B) *Medical staffing decisions are made solely by the*  
31 *emergency facility.*