

**ASSEMBLY BILL**

**No. 2108**

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**Introduced by Assembly Member Waldron**

February 17, 2016

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An act to amend Section 38050 of the Health and Safety Code, relating to human services.

LEGISLATIVE COUNSEL'S DIGEST

AB 2108, as introduced, Waldron. Human services: dispute resolution.

Existing law finds, among other things, that in contractual relationships between the California Health and Human Services Agency and other specified entities, problems arise under cooperative agreements that end in disputes. Existing law establishes a formal administrative appeal process available to private, nonprofit human service organizations seeking resolution of any dispute arising out of a direct service contract with the California Health and Human Services Agency or a component department of the agency, except as provided.

This bill would make technical, nonsubstantive changes to those provisions.

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

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

- 1 SECTION 1. Section 38050 of the Health and Safety Code is
- 2 amended to read:
- 3 38050. The Legislature hereby finds that in a contractual
- 4 relationship between the ~~Health and Welfare~~ *California Health*

1 *and Human Services Agency, its component departments, and*  
2 *private, nonprofit human service organizations:*

3 (a) Problems arise under cooperative agreements that end in  
4 disputes.

5 (b) The intent between the disputing parties is to resolve their  
6 controversy through an informal dispute process. The parties should  
7 set a goal of no more than 60 days from receipt of a complaint to  
8 a resolution.

9 (c) If the parties reach an impasse, then there should be a logical  
10 intermediate appeal authority as the next level in the appeal  
11 process.

12 (d) In California, there exists no process between informal  
13 dispute resolution and judicial review that is available ~~to and to,~~  
14 *and that* can properly address controversies between the ~~Health~~  
15 ~~and Welfare~~ *California Health and Human Services Agency* and  
16 human service organizations.