

ASSEMBLY BILL

No. 393

Introduced by Assembly Members Connolly and Addis

February 3, 2025

An act to add Section 19134.2 to the Government Code, relating to state employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 393, as introduced, Connolly. Personal services contracts: state employees: physician positions.

Existing law, the State Civil Service Act, regulates employment with the state and vests in the Department of Human Resources all powers, duties, and authority necessary to operate the state civil service system. Existing law establishes standards for the use of personal services contracts by state agencies. Existing law permits personal services contracting to achieve cost savings when specified conditions are met, including that the contract does not cause the displacement of civil service employees.

Existing law establishes the Department of Corrections and Rehabilitation in state government, with jurisdiction over persons committed to the state prison. Existing law also establishes the State Department of State Hospitals within the California Health and Human Services Agency, with jurisdiction over specified facilities for the treatment of persons with mental health disorders.

This bill would require the Department of Corrections and Rehabilitation and the State Department of State Hospitals, before entering into a personal services contract to have a contractor fill a budgeted State Bargaining Unit 16 (BU-16) physician position, to take specified actions. Among others, these actions would include preparing

an analysis comparing the hourly cost of a contractor to a civil service BU-16 physician. The bill would require these departments to submit an annual report detailing information about contractors and civil service physicians to BU-16 and specified legislative committees.

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 19134.2 is added to the Government
2 Code, to read:

3 19134.2. Before entering into a personal services contract to
4 have a contractor fill a budgeted State Bargaining Unit 16 (BU-16)
5 physician position, including a psychiatrist, the Department of
6 Corrections and Rehabilitation and the State Department of State
7 Hospitals, as applicable, shall do all of the following:

8 (a) Prepare an analysis comparing the hourly cost of a contractor
9 to a civil service BU-16 physician, including a civil service
10 psychiatrist.

11 (b) For purposes of the analysis in subdivision (a), the applicable
12 department shall utilize the physician registry, set forth in the
13 collective bargaining agreement between the State of California
14 and BU-16, when arriving at the cost of civil service physicians,
15 including psychiatrists.

16 (c) If the cost of a contractor exceeds that of a physician on the
17 registry, then the applicable department shall hire from the registry
18 before utilizing a contractor.

19 (d) (1) No later than January 15 of each year, the Department
20 of Corrections and Rehabilitation and the State Department of
21 State Hospitals shall provide a report to BU-16, the Senate
22 Committee on Budget and Fiscal Review, and the Assembly
23 Committee on Budget a report, as set forth in paragraph (2).

24 (2) The report shall contain details regarding the number of
25 required analyses completed in the prior fiscal year, the number
26 and cost of contractors employed, and the number of civil service
27 physicians and psychiatrists employed in extra shifts from the
28 registry and the cost thereof.

1 (3) The report submitted to the legislative committees pursuant
2 to paragraph (1) shall be submitted in compliance with Section
3 9795.

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