

**SENATE JUDICIARY COMMITTEE**  
**Senator Thomas Umberg, Chair**  
**2023-2024 Regular Session**

SB 462 (Wahab)  
Version: March 23, 2023  
Hearing Date: April 11, 2023  
Fiscal: No  
Urgency: No  
AM

**SUBJECT**

General assistance

**DIGEST**

This bill would provide that existing provisions of law regarding the sharing of confidential information and records that pertain to general assistance programs does not prohibit the sharing of confidential information for purposes directly connected with the administration of relief from the funds of any California county or with the administration of public social services, as defined.

**EXECUTIVE SUMMARY**

Existing law provides for numerous government-funded programs to address poverty. Some of these programs are federally funded and others, generally referred to as general assistance (GA) programs, are county funded. In order for California to maintain federal funding it must implement a single statewide case management system – California Statewide Automated Welfare System (CalSAWS) – by the end of 2023. Existing law regarding how confidential information can be shared for federally-funded programs allows for confidential information to be disclosed for purposes directly connected with the administration of that program, but the statute for GA programs is more restrictive. In order to prevent any issues with the implementation of CalSAWS, this bill seeks to align the confidentiality provisions for GA programs with that of the statutes governing federally-funded programs. The bill is sponsored by the County of Santa Clara. There is no known opposition. The bill passed out of the Senate Human Services Committee on a vote of 5 to 0.

**PROPOSED CHANGES TO THE LAW**

Existing law:

- 1) Requires every county and every city and county to relieve and support all incompetent, poor, indigent persons, and those incapacitated by age, disease, or accident, lawfully resident therein, when such persons are not supported and

relieved by their relatives or friends, by their own means, or by state hospitals or other state or private institutions. (Welf. & Inst. Code § 17000.)

- 2) Provides the following goals for the CalSAWS program:
  - a) prompt and accurate verification of eligibility;
  - b) accurate computation and timely disbursement of benefits for such public assistance programs;
  - c) equitable, timely, and consistent treatment of recipients within each program;
  - d) reduction of administrative complexity;
  - e) strict enforcement of management and fiscal controls; and
  - f) collection of management information. (Welf. & Inst. Code § 10816.)
- 3) Provides that all applications and records concerning any individual made or kept by a public officer or agency in connection with the administration of, or relating to, any form of public social services for which grants-in-aid are received by this state from the United States government are to be confidential and prohibited from being open to examination for any purpose not directly connected with the administration of that program, or any investigation, prosecution, or criminal or civil proceeding conducted in connection with the administration of that program. (Welf. & Inst. Code § 10850(a).)
- 4) Requires that all types of information concerning a person made or kept by any public officer or agency in connection with the administration of provisions governing health care services and for which a grant-in-aid is received by this state from the United States government is confidential and is not open to examination other than for purposes directly connected with the administration of the Medi-Cal program. (Welf. & Inst. Code § 14100.2(a).)
- 5) Provides that records related to relief from the funds of the county (GA programs) must be confidential and not be open to examination or inspection, except by the grand jury of the county or by a board or an officer of the state or the county charged with the supervision or direction of that relief or with the control or expenditure of funds applicable to that relief. Authorizes disclosure of such information in connection with law enforcement investigations, as specified. (Welf. & Inst. Code § 17006.)

This bill provides that the existing provisions of law described above regarding the sharing of confidential information and records that pertain to GA programs does not prohibit the sharing of confidential information for purposes directly connected with the administration of relief from the funds of any California county or with the administration of public social services, as defined.

## COMMENTS

1. Stated need for the bill

The author writes:

SB 462 (Wahab) seeks to enable proper implementation of the California Statewide Automated Welfare System (CalSAWS) by aligning privacy restrictions governing applicable social services.

CalSAWS is the single statewide case management system for assisting in the administration of public benefits – including services for which grants-in-aid are received by the state, such as CalFresh, CalWORKs, and Medi-Cal, and for county-funded General Assistance (GA) programs – that California must implement by the end of 2023 to maintain federal funding. Counties are required to retire their current public benefit systems and exclusively use CalSAWS for eligibility determinations, benefits computations and delivery, and case and information management. This process entails the migration of confidential information protected under two principal frameworks – one governing the federally-funded programs and the other governing GA programs – from counties into the statewide system.

The privacy framework governing the federally-funded programs is readily adaptable to CalSAWS because it allows for confidential information to be disclosed for purposes “directly connected with the administration of that program.” (Welf. & Inst. Code § 10850; see § 14100.2(a).) This appropriately allows for information to be shared with other counties for purposes of streamlining eligibility determinations and identifying duplicative applications, as well with community-based organizations that connect eligible applicants with benefits.

By contrast, the privacy statute governing GA programs is more restrictive, making information accessible only for “examination or inspection, ... by the grand jury of the county or by a board or an officer of the state or the county charged with the supervision or direction of that relief or with the control or expenditure of funds applicable to that relief” (Welf. & Inst. Code, § 17006(a)), or in connection with investigations of criminal acts (Welf. & Inst. Code, §§ 17006(b); 17006.5). This misalignment in privacy frameworks creates compliance issues related to the implementation of CalSAWS, which is predicated on information being accessible to other proper users of the system for purposes directly connected with the administration of applicable programs.

SB 462 would align these privacy frameworks by amending the GA privacy statute to add language based on the existing statutory language governing its federal counterparts, thereby enabling legal and technical compliance in the implementation of CalSAWS.

2. Background

According to the Senate Human Services Committee:

CalSAWS is the single statewide case management system for assisting in the administration of public benefits—including services for which grants-in-aid are received by the state. These include CalFresh, CalWORKs, and Medi-Cal, and for county-funded GA programs. California must implement CalSAWS by the end of 2023 to maintain federal funding. Counties are required to retire their current public benefit systems and exclusively use CalSAWS for eligibility determinations, benefits computations and delivery, and case and information management. This process entails the migration of confidential information protected under two principal frameworks—one governing federally-funded programs and the other governing GA programs—from counties into the statewide system.<sup>1</sup>

The existing law governing federally-funded programs allows for confidential information to be disclosed for purposes “directly connected with the administration of that program.” (Welf. & Inst. C. §§ 10850 & 14100.2(a).) However, the statutes governing county-funded GA programs makes information accessible only for “examination or inspection ... by the grand jury of the county or by a board or an officer of the state or the county charged with the supervision or direction of that relief or with the control or expenditure of funds applicable to that relief”, or in connection with investigations of criminal acts. (Welf. & Inst. C. §§ 17006.) According to the author and sponsor, this creates issues related to the implementation of CalSAWS, which is predicated on information being accessible to other proper users of the system for purposes directly connected with the administration of applicable programs. This bill seeks to align the statutes governing GA programs to be the same as the ones governing federally-funded programs by authorizing confidential information under the GA programs to be shared in the same manner as the federally-funded programs, which will enable legal and technical compliance in the implementation of CalSAWS.

### 3. Statements in support

The County of Santa Clara, sponsor of the bill, writes in support stating that this bill aligns the privacy frameworks for federally-funded public social services and GA programs thereby enabling legal and technical compliance in the implementation of CalSAWS.

## **SUPPORT**

County of Santa Clara (sponsor)

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<sup>1</sup> Sen. Hum. Servs. Com. analysis of Sen. Bill 462 (2023-24 Reg. Sess.), as introduced Feb. 13, 2023 p. 3.

**OPPOSITION**

None known

**RELATED LEGISLATION**

Pending Legislation: AB 870 (Arambula, 2023) would require the California Department of Social Services (CDSS) to convene a workgroup that, among other things, examines data related to program participation and outcomes data provided by CalSAWS and CDSS. AB 870 is currently pending in the Assembly Human Services Committee.

Prior Legislation: AB 1811 (Assembly Budget Committee, Ch. 35, Stats. 2018) declared the intent of the Legislature that representatives from specified departments, offices, and other entities and the counties to meet with advocates, clients, and other stakeholders no less than quarterly to engage with stakeholders regarding CalSAWS implementation, as provided.

**PRIOR VOTES:**

Senate Human Services Committee (Ayes 5, Noes 0)

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