

# State of California



## Fair Political Practices Commission

P.O. BOX 807 • SACRAMENTO, 95804 ••• 1100 K STREET BUILDING, SACRAMENTO, 95814

Technical Assistance/Administration ••• Executive/Legal ••• Enforcement ••• Conflict of Interest  
(916) 322-5660 322-5901 322-6441 322-6444

December 16, 1977

Phillip Cohen  
Attorney-at-Law  
266 Mobil Avenue, Suite 109  
Camarillo, California 93010

Dear Mr. Cohen:

Thank you for your letter of November 15, 1977, asking the Commission's advice with respect to the question of whether the Ventura-Santa Barbara Health Systems Agency is an "agency" within the meaning of Government Code Section 82003, and hence required to develop and promulgate a Conflict of Interest Code pursuant to Government Code Section 87300, et. seq.

We have recently received a similar request for advice from the Health Systems Agency in Los Angeles County and have numbered it Opinion Request No. 77-043. A copy of that request is enclosed. The staff has determined to combine your request for advice with that opinion request and attempt to resolve this question in a manner which will have a uniform effect on all such agencies in the State. Before determining the answer to your question, we believe it necessary to obtain additional information concerning the authority and functions of Health Service Agencies. This is necessitated in part by the fact that the staff of the Commission has, on several previous occasions, informed Health Systems Agencies that they were not subject to the requirements of Section 87300. However, the questions your letter and that of Ms. Grant raise may require us to reevaluate that previously issued advice. I am enclosing copies of that correspondence. I would invite your comments or the conclusion and reasoning therein.

Sincerely,

*Kenneth W. Goshorn*

Kenneth W. Goshorn  
Research Specialist III  
Conflicts of Interest Division

KWG:mfa  
Enclosures

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November 15, 1977

Fair Political Practices Commission  
State of California  
P.O. Box 807  
1100 "K" Street Building  
Sacramento, California 95814

Copy to  
you  
Saban

Attn: Mr. Ken Goshorn

Re: Conflict of Interest  
Gov. Code Secs. 87300 et. seq.

Dear Mr. Goshorn:

In accordance with our discussion earlier today, please be advised that this office is legal counsel to the Ventura-Santa Barbara Health Systems Agency. Our review of relevant legislation pursuant to Conflicts of Interest, has resulted in the posing of the following question.

Is the Ventura-Santa Barbara Health Systems Agency an "Agency" (Gov. Code Section 82003) for which a Conflict of Interest Code (Gov. Code Sections 87300 et. seq.) must be promulgated and submitted to the code reviewing body (Fair Political Practices Commission) in accordance with Government Code, Sections 82011 and 87303).

On the one hand, it appears that the State of California requires a Conflict of Interest Code drafted pursuant to the requirements of the Fair Political Practices Commission. On the other hand, my discussion with you left me with the impression that the Commission has not yet implemented a procedure relative to entities such as the Ventura-Santa Barbara Health Systems Agency, which is a non-profit corporation.

Although I am in the process of drafting a conflict of interest code for the Agency, and will of course submit it to the Commission for appropriate action, I would very much appreciate the response of the Commission to the question posed herein.

Very truly yours,



Philip Cohen  
Attorney at Law

PC:bka