



Gavin Newsom  
Mayor

Mitchell H. Katz, MD  
Director of Health

## DPH 2009 – 10 State Legislative Plan

In accordance with the vision and mission statements of the Department of Public Health (DPH), this Legislative Plan is intended to serve as a guide to the City's policy positions on legislative, regulatory and budget issues which impact DPH and the health of San Franciscans. To implement its Legislative Plan, DPH works in collaboration with the Mayor's office, the Board of Supervisors, other City departments, the City's State lobbyist, community partners in both the public and private sectors, and in coalition with issue-based and industry-based advocacy groups.<sup>1</sup>

### 1. Behavioral Health

- a. Support legislation that would provide additional funding for delivery of mental health services to indigent and low-income individuals based on local needs.
- b. Monitor legislation and adopt positions as appropriate to ensure that implementation of Proposition 63, the Mental Health Services Act (MHSA), is consistent with the intent of the Act and ensures that allocation methodologies do not disadvantage San Francisco, and restore AB 2034, the Integrated Services for Homeless Adults with Serious Mental Illness Program funding that was eliminated in the FY07-08 budget.
- c. Support full retroactive and prospective reimbursement of costs incurred by county mental health departments for providing eligible mental health treatment services to Special Education Program (SEP) pupils (AB 3632).
- d. Support legislation to clarify language in SB 1895 and previous legislation to simplify the SB 90 mandate claims process for the AB 3632 program.
- e. Protect Realignment funding, including vehicle license fee resources.
- f. Support legislation that includes the expansion of health plans and health policies to include diagnosis and treatment of mental illness (AB 1887).
- g. Support efforts to increase the recruitment and training of the public mental health workforce.
- h. Support policies that make the mental health and alcohol and drug treatment systems better able to provide treatment to individuals with co-occurring disorders.
- i. Oppose legislation that would adversely impact delivery of mental health services and restrict availability of funding for these services.
- j. Support legislation that allows for the exchange of substance abuse and mental health records and data between clinicians for purposes of patient treatment.
- k. Support legislation that simplifies and facilitates record keeping and integrated funding for integrated mental health and substance abuse treatment programs.
- l. Support legislation to include alcohol and drug brief screening as a Medi-Cal benefit (AB 2124).
- m. Support legislation to include alcohol and drug residential treatment for minors as a Medi-Cal benefit (SB 119).

---

<sup>1</sup> Items in blue indicate revisions or additions as compared to DPH's 2007-08 State Legislative Plan.

- n. [Support increases in the alcohol excise tax.](#)
- o. Monitor legislation and adopt positions as appropriate that support San Francisco's Treatment on Demand efforts.
- p. Monitor legislation and adopt positions as appropriate that support local drug courts.
- q. [Support legislation requiring "charity care" from private narcotic treatment programs.](#)

## 2. **Emergency Medical Services**

- a. Support legislation that would provide funding for State and local health departments to address public health threats from the use of chemical, biological and radioactive agents.
- b. Support legislation that clarifies the regulation of inter-facility emergency medical transportation and ensures coordination with local emergency medical services agencies.
- c. Monitor legislation and adopt positions as appropriate that support local oversight over diversion policies and policy coordination with local emergency medical services agencies.
- d. Support legislation that enhances the provision of emergency medical services and ensures coordination with local emergency medical services agencies.
- e. Support legislation that will enhance the provision of emergency and/or trauma services and increase funding for the various components of emergency and trauma care and systems, including operations, equipment, infrastructure, ancillary services, public health interventions, and physician reimbursements.
- f. Support legislation that would ensure that hospitals are able to respond appropriately in the event of emergency or disaster, including supporting the development of disaster hospitals, hospital membership in the national disaster medical system, clarification of allowable changes in the standard of care provided during a public health emergency, and conversion of current non-acute beds into disaster beds in time of emergency.
- g. Support legislation that develops a regional focus for the Statewide Trauma Plan.

## 3. **Environmental Health**

- a. Support legislation that promotes safe and healthy living and working environments, including:
  - i. [Protecting children from environmental hazards, including lead and air quality hazards, in homes and neighborhoods;](#)
  - ii. [Promoting economic development, self-sufficiency standards for the California minimum wage, and family support policies;](#)
  - iii. [Improving the livability of the built environment including through the creation or improvement of parks, schools, and food resources;](#)
  - iv. [Ensuring adequate public transit services for access to schools, jobs, and other transportation needs;](#)
  - v. [Protecting residents from traffic hazards, through traffic calming programs, complete streets initiatives, and safe routes to schools programs;](#)
  - vi. [Protecting occupational health for workers vulnerable to occupational hazards and labor rights violations](#) such as for garment workers, sex workers and day laborers;

- vii. Securing the right to paid sick days for all California workers;
  - viii. Reducing air pollution and greenhouse gas emissions;
  - ix. Developing a state noise control program;
  - x. Regulating restaurants and other establishments that sell food;
  - xi. Protecting drinking and recreational water; and
  - xii. Monitoring businesses involved in hazardous materials and/or hazardous waste.
- b. Oppose legislation that would preempt health protective local San Francisco [environmental regulations](#) or impose insufficiently-funded new requirements.
  - c. Support legislation that strengthens California's regulation [and public disclosure](#) of chemicals in consumer products.

#### 4. HIV/AIDS

- a. Support legislation that expands HIV testing options, [lowers HIV testing costs](#), and includes expanded links for treatment based on medical necessity.
- b. Monitor and adopt positions as appropriate on legislation that supports informed consent for HIV testing for individuals able to consent.
- c. Oppose legislation that would impose mandatory testing for HIV.
- d. Monitor and adopt positions as appropriate on legislation affecting [Ryan White Part B](#) (ADAP), including any changes to the funding formula or formulary.
- e. Monitor and adopt positions as appropriate to oppose efforts to redefine consent for previously HIV tested individuals who were tested under prior confidentiality rules.
- f. Oppose legislation that could have an adverse effect on HIV prevention and treatment programs.
- g. [Support and adopt positions that target efforts toward populations most at risk of HIV infection and populations that demonstrate poorest treatment/health outcomes.](#)

#### 5. Hospitals

- a. Support legislation to provide funding or financing for costs associated with compliance with hospital seismic safety standards (SB 1953).
- b. Pursue legislation or other authority to facilitate regional planning for compliance with SB 1953 seismic safety requirements.
- c. Monitor legislation relating to charity care and adopt positions that are consistent with the City's charity care ordinance.
- d. Monitor legislation related to ratios for non-nursing professional staff.
- e. Support legislation that expedites OSHPD reviews and approvals for facility development.
- f. [Support legislation that requires the standardized reporting of hospital community needs assessments and hospital community benefit plans \(AB 2942\).](#)
- g. [Support legislation requiring that health facilities seeking local or Joint Powers Authority funding demonstrate significant community service \(SB 1221\).](#)
- h. [Oppose efforts to shift Safety Net Care Pool \(SNCP\) funds away from participating hospitals to other programs.](#)

**6. Health Insurance Expansion / Uninsured**

- a. Support legislation that expands health care coverage to uninsured California residents in accordance with San Francisco's goal of providing universal health care [access](#).
- b. Support legislation that expands access to purchasing pools for small employers.
- c. [Support comprehensive health care coverage for all children, including undocumented children, living in families under 300 percent of the federal poverty level \(SB 32\).](#)
- d. [Oppose or monitor legislation that excludes undocumented persons, newly qualified immigrants, or individuals with PRUCOL status from coverage or access expansion efforts.](#)
- e. [Support legislation that supplements gaps in the Medicare system as affects the growing population of seniors.](#)

**7. Healthy Families**

- a. Support legislation that would implement the approved Healthy Families parent expansion, including legislation that would:
  - i. Establish a seamless system of coverage between Medi-Cal and Healthy Families to ensure that all members of a family have equal access to the same provider networks and benefits;
  - ii. Reduce the monthly premium and co-payment maximums for parents and establish a premium scale that is based on income level and household size;
  - iii. Provide discounts for parents who choose the community provider plan that are proportional to the discounts they receive for enrolling their children in the community provider plan;
  - iv. Provide for targeted outreach at the local level;
  - v. Extend coverage to all legal immigrant parents; and
  - vi. Ensure that a broad definition of parent includes non-biological parents who are primary caregivers.
- b. Support expansion of eligibility to include parents of eligible children in families with income levels between 250 percent and 300 percent of the federal poverty level.
- c. Support continued expansion of eligibility to include:
  - i. Legal permanent residents who arrived after the passage of federal welfare reform (8/22/96) beyond the 1999-2000 fiscal year; and
  - ii. Undocumented residents (State-only funds).
- d. Support legislation to simplify and improve consistency and coordination of the Healthy Families and Medi-Cal programs
- e. Support legislation that would simplify enrollment in the Healthy Families and Medi-Cal programs (e.g., express lane eligibility).
- f. Support legislation that would maximize federal financial participation from the State Children's Health Insurance Program (SCHIP).
- g. Oppose legislation that would reduce eligibility or benefits.

**8. Homeless**

- a. Support legislation that would enhance DPH's ability to provide coordinated and integrated services to provide appropriate and quality care for the homeless [and at-risk](#) populations.

- b. Support increased funding for the Supportive Housing Initiative Act (SHIA) and oppose reductions in SHIA funding.
- c. Support legislation to increase federal financial participation for the development and/or provision of supported housing for special needs populations.
- d. [Support legislation to increase funding for housing and services for homeless veterans.](#)

## **9. Immigrant Access to Health Care**

- a. Support legislation to ensure continued eligibility of undocumented residents for:
  - i. Community mental health services;
  - ii. Long-term care;
  - iii. California Children's Services; and
  - iv. Other health care and supportive services.
- b. Support elimination of the cap on State funds that can be used to provide skilled nursing care to undocumented residents.
- c. Oppose legislation that would attempt to limit or deny health care services for undocumented residents, [newly qualified immigrants, or individuals with PRUCOL status.](#)

## **10. Immunizations**

- a. Support legislation that would advance the creation of a regional and/or statewide immunization registry.
- b. Support legislation that would increase access to and provide funding for adult immunizations.
- c. Monitor legislation relating to immunization and adopt positions as appropriate to ensure that the public health benefits to San Franciscans are maximized.
- d. Pursue new State funding to support the infrastructure for core immunization programs.

## **11. Incarcerated**

- a. Support legislation that would expand access to health care for the incarcerated and increase funding for forensic health.
- b. Support legislation that removes barriers and increases access to care, housing and services for parolees.
- c. Support legislation that assures that incarcerated individuals are eligible for Medi-Cal immediately upon discharge.

## **12. Long-Term Care**

- a. Monitor and adopt positions as appropriate on legislation that would impact the provision and/or reimbursement of services, [including legislation related to ratios for nursing and other professional staff](#), in skilled nursing facilities.
- b. Support legislation that would expand access to community-based services that would enable persons to receive appropriate levels of care in the community as an alternative to inpatient care. This includes pilot programs to develop Residential Care facilities as an alternative to psychiatric hospital and long-term care.
- c. Support legislation that would move responsibility for payment of long-term care placement for Murphy Conservatees back to the State.
- d. [Support legislation to ban smoking in skilled nursing facilities.](#)

### 13. Medi-Cal

- a. Monitor and adopt positions as appropriate on legislation affecting the Medi-Cal program that would impact:
  - i. Eligibility for individuals including those who are currently eligible;
  - ii. Program simplification for beneficiaries and providers;
  - iii. Quality of and access to healthcare services;
  - iv. The health care safety net;
  - v. The financing for the health care safety net ensuring that it is, at a minimum, funded at current levels and is sufficiently flexible to address the needs of Medi-Cal eligibles into the future;
- b. Oppose legislation that would create disincentives to enrollment, [re-enrollment](#), and service utilization, such as co-payments, premiums, [and increased status reporting](#) for low-income beneficiaries.
- c. Support legislation that efficiently and cost-effectively addresses the health care needs of populations in the least restrictive settings and avoid costly inpatient services.
- d. Support legislation that would remove barriers and increase access of disabled individuals in returning to work [or in increasing their self-sufficiency](#).
- e. Monitor legislation and adopt positions as appropriate to ensure that State-implemented managed care achieves its goal of improving access for the Medi-Cal population and does not adversely affect beneficiaries or revenues.
- f. Support legislation that would maximize federal financial participation from Medicaid.
- g. Support legislation that expands access to dental care, [mental health services](#), and [substance abuse treatment](#) under Medi-Cal.
- h. Support legislation that increases Medi-Cal rates for home care.
- i. [Expand Medi-Cal to frequent Emergency Department users who are uninsured or otherwise ineligible for Medi-Cal \(AB 671\)](#).

### 14. Multicultural Health

- a. Support legislation that would reduce disparities in health care access, services, [treatment, and outcomes](#).
- b. Support legislation that would increase resources to target health care services to underserved populations.
- c. Support legislation that would make interpreter services a reimbursable service.

### 15. Prevention and Health Promotion

- a. Support legislation that addresses prevention and health promotion in the following areas:
  - i. Tobacco control;
  - ii. Behavioral risk factor reduction, including smoking cessation, exercise, and nutrition;
  - iii. Violence and injury prevention, such as controls for firearms and pedestrian safety; and
  - iv. Supporting alternatives to violence for young people in their schools and their community settings.

- 16. Proposition 10 (First 5 San Francisco – Children and Families Commission)**
- a. Monitor and adopt positions as appropriate on legislation to amend or clarify Proposition 10 to ensure that funds may be utilized for health promotion and access to health care programs for children.
  - b. Develop alternative revenue sources to backfill reductions in Proposition 99 revenues resulting from Proposition 10 implementation.
- 17. Public Health**
- a. Support legislation that would increase funding and program support for core public health activities, including:
    - i. Epidemiology and disease control;
    - ii. Tuberculosis prevention and control;
    - iii. Public health laboratory services; and
    - iv. STD prevention and control.
  - b. Support legislation that would provide funding for public hospitals and health systems to support infrastructure enhancements, such as information systems, state of the art medical technology, and quality management data systems.
  - c. Support legislation that provides public hospitals and health systems with funding or program support to prevent or reduce healthcare-associated infections. Monitor and adopt positions as appropriate on legislation pertaining to healthcare-associated infections when the legislation does not provide funding or resources.
- 18. Realignment**
- a. Monitor and adopt positions as appropriate on legislation that would modify the current Realignment funding system to ensure adequate, consistent and flexible funding for indigent health, public health, and mental health services.
  - b. Oppose any legislation that would reduce Realignment funding for San Francisco.
  - c. Monitor and adopt positions as appropriate to ensure that any county responsibility for enhanced health data collection is adequately funded.
  - d. Monitor and adopt positions as appropriate regarding changes to the Vehicle License Fee that impact revenues to counties.
- 19. State Budget**
- a. Support budget initiatives that maintain or improve the Department's ability to address the health care and prevention needs of San Franciscans.
  - b. Support legislation to ensure new programs and mandates include sufficient funding and oppose unreimbursed state mandates.
  - c. Oppose budget initiatives that reduce funding to the Department's health care and prevention services.
- 20. Tobacco Control**
- a. Support legislation that would eliminate exemptions from the statewide smoke-free workplace laws.
  - b. Strengthen the California Insurance Code to require that tobacco cessation benefits be consistent with the Centers for Disease Control guidelines.
  - c. Support legislation to include tobacco cessation as a Medi-Cal benefit (AB 2662).

## 21. Other Health-Related Issues

- a. Monitor legislation and adopt positions as appropriate that support DPH's mission to protect and promote the health of all San Franciscans, including:
  - i. Ensuring access to affordable prescription drugs;
  - ii. Increasing the health care work force through programs that recruit, train and retain individuals for employment in the health care field;
  - iii. Maximizing federal financial participation.
  - iv. Supporting DPH's vital records-related services.
- b. Support legislation or administrative rule change that allows for reimbursement of digital mammography in the State's Cancer Detection Program: Every Woman Counts (CDP: EWC) Program. Currently, the CDP: EWC Program only reimburses for analog mammography, and will not reimburse for digital mammography at the analog rate.