MINUTES

HEALTH COMMISSION MEETING

Tuesday, July 15, 2008
At
4:00 p.m.
101 GROVE STREET, ROOM 300 or ROOM 302
San Francisco, CA 94102

1) CALL TO ORDER

Commissioner Illig called the meeting to order at 4:15 p.m.

Present:
Commissioner James M. Illig, President
Commissioner Sonia E. Melara, MSW, Vice President
Commissioner Edward A. Chow, M.D.
Commissioner David J. Sanchez, Jr., Ph.D.
Commissioner Steven Tierney, Ed.D.
Commissioner Catherine M. Waters, R.N., Ph.D.

Absent: Commissioner Margine A. Sako, (excused)

2) APPROVAL OF THE MINUTES OF THE HEALTH COMMISSION MEETING OF
JUNE 17, 2008

Action Taken: The Commission (Chow, Illig, Melara, Sanchez, Tierney, Waters) approved the minutes of the June 17, 2008 Health Commission meeting.

3) GENERAL PUBLIC COMMENT

Francisco DaCosta, Environmental Justice Advocacy, asked the Commission to investigate a violation on Parcel A that occurred in May but was not made known to the public on time.
Marie Harrison, Green Action for Health and Environmental Justice, spoke about the dust violation on Parcel A. It happened on May 30 and they are just finding out about it now.

Willie Ratcliffe, Bayview Newspaper, spoke against development at Parcel A.

Jaron Browne, POWER, is concerned about the incident on May 30th. The company must be held accountable. This was an outrageous incident.

Adela Flores-Bolanos said no one has been helping the community with the air quality issues created by Parcel A.

Octavio Solorzano said the dust from the Lennar development made him sick for two years. The Health Commission needs to help.

Chrissy Leuma, POWER, said the community must be alerted right away when the asbestos levels have been exceeded. The Health Commission should be advocates for the community, especially for the youth community.

Commissioners’ Comments

- Commissioner Illig asked Dr. Katz to update the Commission on the incident on Parcel A. Dr. Katz does not know the full information and will find out the specifics and inform the Health Commission. He added that the responsibility of the Health Department is to make sure the project is safe and if the dust level is exceeded then there is a work stoppage to allow enough time for the air to clear.
- Commissioner Tierney said the exceedence level seems quite high. Is this something that could have happened in one day or should someone have noticed earlier? Dr. Katz said it could have happened in one day.
- Commissioner Waters asked who is responsible for notifying the community if there is an incident. Dr. Katz said there is a designated procedure about how this gets notified, and he will include this procedure in his updated to the Commission.
- Commissioner Sanchez said the previous Health Commission president committed to meeting with representatives from the community. This is a unique opportunity to revisit the concerns and have a fairly comprehensive public follow up in the future.
- Commissioner Illig asked Dr. Katz to bring an update back to the Commission on August 5.

Public Comment (continued)

Archbishop Franzo King spoke against the violation at Parcel A and he is appalled that the Health Department is trying to minimize the health impact of asbestos.

Minister Christopher Muhammad said DPH did not put a community monitor in place until eight months after Lennar started digging. The Health Department cut a private deal with Lennar.

Daniel Landry said the community needs a hearing immediately.
Dr. Ahimsa Porter Sumchai said there is no safe level of asbestos and we need to include exposure to toxic dust and particulates. The hearing needs to focus on particulates.

Commissioner Tierney asked that Dr. Bhatia can address specifically how the test results can vary for the same sample, and for Dr. Bhatia to arrange a tour of the site.

4) CITYWIDE HEALTH PLANNING EFFECTIVENESS COMMITTEE REPORT

Secretary’s Note – In the future all committee presentations will be distributed to all commissioners.

5) DIRECTOR’S REPORT

Mitchell H. Katz, M.D., presented the Director’s Report.

Board of Supervisors Update: June 23 through July 18, 2008
On Monday, June 23, the Land Use and Economic Development Committee held a hearing on the status of the Eastern Neighborhoods Plan. At Tuesday’s full Board meeting, the Board approved motions appointing Randy Wittorp to the San Francisco Health Authority and Diana Jensen to the Food Security Task Force, and adopted resolutions authorizing the Department to accept and expend a grant from the Public Health Foundation Enterprises for HIV prevention and supporting SB 1420 (Nutritional Labeling on Menus and Menu Boards). At Budget and Finance on Thursday, the committee heard the Proposition J resolution on contracting for security services for SFGH, LHH, and various clinics, and the Department’s Annual Appropriation Ordinance and Annual Salary Ordinance.

In observance of Independence Day, there was no Board of Supervisors meeting the week of June 30.

At Government Audit and Oversight on July 7, the committee heard a resolution authorizing a contract modification with InfoMc for the eCura application used by Community Behavioral Health Services, and a resolution and ordinance related to the placement of the SFGH general obligation bond on the November 4 ballot. At Monday’s Land Use and Economic Development Committee, there was a hearing on an ordinance regarding dust control during construction site preparation and a hearing on the status of the Eastern Neighborhoods Plan. At Tuesday’s full Board meeting, the Board approved an amendment to contracts for professional services for health and behavioral health services, and accept and expend resolutions for the Ryan White HIV/AIDS Treatment Modernization Act grant and a Public Health Foundation Enterprises grant to support HIV research. The Department’s Proposition J hearing on contracting for security services for SFGH, LHH, and various clinics was continued to July 15, and an accept and expend resolution for a grant from the California Department of Agriculture to support environmental health pest exclusion activities was referred to committee. At Budget and Finance on July 9, the committee heard an ordinance appropriating $16,864,000 to support cost overruns at SFGH and LHH in FY2007-08. At a special meeting of the Rules committee on Thursday, there was a hearing on the placement of the Treatment on Demand Act on the November ballot.

At the Land Use and Economic Development Committee on July 14, there was a hearing on the status of the Eastern Neighborhoods Plan. At Tuesday’s full Board meeting, the Board will hear the Proposition J resolution on contracting for security services for SFGH, LHH, and various clinics; an ordinance to appropriate $16,864,000 to support cost overruns at SFGH and LHH in FY2007-08; increases for various environmental health and EMS Agency services fees and patient rates; a
resolution authorizing a contract modification with InfoMc for the eCura application used by Community Behavioral Health Services; a resolution and ordinance related to the placement of the SFGH general obligation bond on the November 4 ballot; an ordinance regarding dust control during construction site preparation; and an accept and expend resolution for a grant from the Public Health Foundation Enterprises to support a drug research study. At Rules on Thursday, the committee will hear an ordinance amending sections of the Health Code related to menu labeling at chain restaurants and an ordinance regarding placement of a $1.5 million appropriation for Mental Health Trauma Recovery Services on the November ballot. Finally, at City Operations and Neighborhood Services on July 17, the committee will hear ordinances regarding a prohibition of smoking in certain enclosed and unenclosed areas and sports stadiums and a prohibition of pharmacies from selling tobacco products, and resolutions authorizing the acceptance and expenditure of recurring FY2008-09 State grants and a grant from the California Department of Agriculture to support environmental health pest exclusion act.

Healthy San Francisco
Earlier this month, Healthy San Francisco (HSF) celebrated a milestone – its one-year anniversary. The program was piloted at two health centers in the Chinatown community on July 2, 2007. A year later, HSF has enrolled over 25,000 participants which represents 34% of the estimated 73,000 uninsured San Francisco adult residents.

On July 10, 2008, Mayor Newsom held a press conference announcing the following expansion of the HSF provider network:

- increasing the number of hospitals participating in HSF from 1 to 5,
- adding an independent, private physician’s group and associated hospital, and
- adding a new primary care medical home.

The expansions will be in place by September 2008. The City and County continues to have conversations with other health systems on how they can support and/or participate in Healthy San Francisco. We hope to announce future provider network expansions before the end of this fiscal year. The Mayor was joined by Lloyd Dean, President and CEO/West of Catholic Healthcare West, Tim Paulson of the San Francisco Labor Council and Commissioners Illig, Chow and Melara. A representative from each of the health care delivery systems was present and provided their perspective on the importance of participating in this public/private partnership to expand access to care.

Trans-Fat Free Restaurant Program
The Environmental Health Section held a public hearing on Wednesday, June 25 to introduce the Trans-Fat Free Restaurant Program and present the Program’s new rules and regulations. The event was well attended by the media and received good follow up coverage. The presentation covered important definitions, the application process and explained the varying responsibilities and roles of participating restaurants and the Department of Public Health. The proposed rules and regulations will be available for review on the Health Department’s Website, http://www.sfdph.org/dph/comupg/oprograms/EHS/default.asp, after July 25, 2008.

California Restaurant Association Lawsuit
On July 3, 2008, the California Restaurant Association ("CRA") filed suit in federal district court challenging the City's menu labeling ordinance for fast food/chain restaurants. Representing major fast food/chain restaurants including McDonald's, Burger King and TGI Friday's, the CRA seeks to block enforcement of the City's law based on the following legal claims: (1) federal preemption under the Nutritional Labeling and Education Act, (2) state law preemption under the California Retail Food Code, and (3) violation of their right under the First Amendment and the California Constitution to be

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free from "compelled speech." The New York State Restaurant Association has brought a similar lawsuit challenging New York City's menu labeling law. In April, a federal district court in New York rejected the restaurants' federal preemption and First Amendment claims and upheld New York City's law. That case is currently on appeal and a decision is expected soon. We anticipate that the court will hear the CRA's preliminary injunction motion on September 4, 2008. Under an agreement reached between the City Attorney's Office and counsel for the CRA, the Department of Public Health has agreed to postpone enforcement of the City's law until October 14th, in order to allow the court sufficient time to rule on the preliminary injunction motion and to give the covered restaurants additional time to comply with the ordinance.

National HIV Testing Day
National HIV Testing Day was celebrated this year on June 27, 2008, calling attention to current HIV testing efforts. Coordinated HIV testing occurs via the HIV Prevention Section, which supports 18 agencies in conducting approximately 17,000 tests per year. The testing network diagnoses approximately 300 new cases of HIV each year. On National HIV testing day, Mission Neighborhood Health Center and Larkin Street Youth Services increased their outreach and HIV testing service. Other community-based testing sites also offered testing that day as part of their normal testing program. The HIV Prevention Section participated at a Kaiser Permanente HIV testing celebration by providing information about HIV testing and community services in Kaiser's San Francisco's Medical Building lobby at the 2238 Geary Street.

Homeless Prenatal Program honors the 6C- Birth Center Staff
The Homeless Prenatal Program (HPP) recently honored the 6C-Birth Center nurses at a gala evening of hors d'oeuvres, music and celebration for their commitment to serve and care for homeless pregnant women and their families. Since 1989, HPP has worked to end homelessness and break the cycle of poverty in families. HPP services were once was limited to homeless women living shelters. Today, the program offers support and comprehensive services to the entire family. More than 2,600 homeless families in San Francisco have been cared for by 55 staff members, about 50% of whom are formerly homeless mothers themselves. All of the HPP patients deliver their babies at San Francisco General Hospital- Birth Center. In 2007, the Birth Center nurses raised more than $6,000 for HPP through their participation at the San Francisco Marathon. Martha Ryan is founder and executive director of the program.

Health Care for the Homeless Conference
Staff from Tom Waddell Health Center recently addressed the National Health Care for the Homeless (HCH) Conference in Phoenix. Barbara Wismer, MD, Medical Director for Primary and Urgent Care, presented workshops on diabetes and the new HCH Practice Based Research Network. Barry Zevin, MD, Addiction Medicine Specialist, talked about the neurobiology of addiction and disability policy advocacy, and Janet Moomaw gave a talk on preventing violence through use of behavioral agreements. Barbara Wismer was elected chair of the HCH Clinicians’ Network Steering Committee for the upcoming year.

Public Health Lab Hosting UC Berkeley Grad Students
The Department is fortunate to have a number of summer interns working within our programs. The Department’s Public Health Lab at 101 Grove St., under the direction of Sally Liska, is hosting two UC Berkeley SPH graduate students this summer. Colleen Wichser, in the MPH program, is working under the direction of Dr. Mark Pandori on assessing molecular methods for MRSA, *Methicillin Resistant Staph aureus* detection, in comparison to culture. Kristina Hsieh, a DrPH student, is collecting data on the various Lab Information Management computer systems used by public health labs in California and also compiling costs for various laboratory tests.

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Newcomers Health Program Awarded Grant Funding
The Newcomers Health Program of Community Health Promotion and Prevention has been awarded various grants for 2008-09. In collaboration with Family Health Center’s Refugee Medical Clinic and UCSF Department of Family and Community Medicine, Newcomers received a grant from the UCSF Community Partnerships Program to do an assessment and outreach project related to health services for victims of trafficking.

Syphilis Up-dates
Rates of early syphilis are continuing to increase. As of the end of June 2008, 218 early syphilis cases were reported compared to 185 for the same period last year, an increase of 18%. Additionally, a total of 131 cases of primary and secondary syphilis were reported compared to 106 for the same period last year, an increase of 24%. This is very unfortunate since we were recently notified by the CDC that syphilis elimination funds will be reduced in 2009 by $50,000. Combined with the $450,000 cut received in January 2008, syphilis elimination funding has been reduced by nearly 50% in the past two years. The STD Section included an Editorial Note in our latest Monthly STD Report about poppers. Research studies consistently find that popper use is linked with new STDs and HIV. Often, they are used along with other drugs, such as cocaine or methamphetamine during sex. We are recommending that providers educate their patients about poppers – how to use them safely and the risks of popper use. Since many patients don’t consider poppers to be a drug, sexual, health and substance use assessments should include direct questions about popper use.

In collaboration with the CDC, Denver and Long Beach, the San Francisco STD Prevention and Control Section conducted a Research Project that developed Safe in the City, an STD prevention video for use in STD Clinic waiting rooms. The findings of the Safe in the City waiting room video intervention trial showed an almost 10% reduction in new STDs among STD clinic patients who were exposed to the video.

LHH Receives Hobart Jackson Cultural Diversity Award
Laguna Honda Hospital and Rehabilitation Center has been selected to receive the prestigious national Hobart Jackson Cultural Diversity Award from the American Association of Homes and Services for the Aging (AAHSA) for its significant commitment to cultural diversity and inclusion. The award will be presented by the AAHSA at a special ceremony this fall. Congratulations to Jill Lecount, director of Laguna's Department of Education and Training, and her staff for this step forward on Laguna Honda's continued emergence from institution to community.

Community Health Network, San Francisco General Hospital & Trauma Center, July 2008 Credentials Report

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Public Comment

Francisco DaCosta said it is ironic that Dr. Bhatia was presenting a dust control ordinance at a Board of Supervisors committee when the dust mitigation has failed on Parcel A.

Christopher Muhammad said the Health Director should have debriefed the four new commissioners about the serious impact of dust generated by development on Parcel A.
6) **CFO REPORT: FY 2008-2009 BUDGET STATUS**

Gregg Sass, Chief Financial Officer, presented an update on the Fiscal Year 2008-2009 Budget.

**Commissioners’ Comments**

- Commissioner Tierney asked how the Department developed the restoration priorities that were submitted to the Board. Mr. Sass described the process, which primarily focused on restoration of Community Programs. Commissioner Tierney is concerned that the Health Commission put the public through seven hearings about the budget and yet the Commission was not consulted about this list. He asked that this list be provided to the Commission and will be discussed at the next Finance Committee, when budget principles are discussed.

- Commissioner Chow is concerned that the Department’s priority list did not mention the Health Commission’s restoration priorities. Commissioner Chow said the process continues to inadequately fund infrastructure and therefore the Department will start the year in a negative position. These are areas that we want to be able to address through the Finance Committee.

- Commissioner Illig requested detail about the placeholder reductions to administration, in terms of number of positions that will be reduced and which will be eliminated.

7) **RESOLUTION SUPPORTING THE PROPOSED BAN ON TOBACCO SALES IN PHARMACIES**

Mitchell H. Katz, M.D., Health Director, presented an ordinance that bans tobacco sales in pharmacies. Tobacco use is the leading preventable cause of death in the United States and San Francisco. The ordinance bans sales in pharmacies for three reasons: the health focus of pharmacies, the vulnerability of persons entering pharmacies, and the inherent conflict of interest that comes with selling both tobacco and prescriptions filled to counter the effects of tobacco. Eliminating the sale of tobacco at pharmacies is an opportunity to decrease the social acceptability of smoking and a strategy that will decrease smoking, especially among those not yet addicted. The following organizations support banning sales of tobacco in pharmacies:

- American Pharmaceutical Association
- California Pharmacists Association
- California Medical Association
- San Francisco Medical Society
- American Lung Association of California
- American Heart Association, Greater Bay Area Division
- Breathe California
- American Cancer Society, San Francisco Unit

**Public Comment**

- Bob Gordon, San Francisco Tobacco Free Coalition, spoke in support of the legislation.
- Brian Katcher, Pharm. D., Department of Public Health, spoke in support of the legislation.
- Minister Christopher Muhammad said no one can argue the importance of banning tobacco, but this legislation is symbolism over substance because the Health Department gets money from Lennar and this is a conflict of interest.
Commissioners’ Comments

- Commissioner Chow noted that the San Francisco Medical Society voted to support the proposed ban.

**Action Taken:** The Commission (Chow, Illig, Melara, Sanchez, Tierney, Waters) approved Resolution 14-08, “Endorsing the Proposed Ordinance to Prohibit Pharmacies from Selling Tobacco Products,” (Attachment A).

8) **RESOLUTION SUPPORTING THE SAN FRANCISCO GENERAL HOSPITAL AND TRAUMA CENTER GENERAL OBLIGATION BOND**

Gene Marie O’Connell, SFGHTC Executive Administrator, presented the resolution supporting the rebuild of San Francisco General Hospital and Trauma Center and placing the bond on the November 2008 ballot.

Public Comment

- Dr. Ahimsa Porter Sumchai is concerned that the media and staff must be honest about the seismic requirements for the existing hospital. There are other options that should be fully explored including a seismic retrofit.

Commissioners’ Comments

- Commissioner Chow said that the Commission did consider the option of requesting an extension but determined that since the hospital would ultimately need to be rebuilt it was most prudent to move forward as expeditiously as possible, as every time there is a delay the cost rises. Further the issue of seismic retrofit has been fully analyzed and determined that this does not meet our needs and his not cost effective. The Mayor’s Blue Ribbon Committee fully explored the issue of co-location with UCSF at Mission Bay.

- Commissioner Illig said that individual commissioners can advocate on behalf of the bond.

**Action Taken:** The Commission (Chow, Illig, Melara, Sanchez, Tierney, Waters) approved Resolution 15-08, “Supporting Rebuilding San Francisco General Hospital and Trauma Center and Placing a Bond Measure on the November 2008 ballot,” (Attachment B).

9) **PROPOSED UPDATE TO THE HEALTH COMMISSION’S EMPLOYEE RECOGNITION PROGRAM**

The Commission leadership asked staff to update and reinvigorate the Health Commission’s Employee Recognition program. The proposed restructure includes presenting awards three times a year rather than monthly, and establishing an annual Employee of the Year Program.

Commissioners’ Comments/Next Steps

- Commissioner Melara wants the Commission to consider including other partners in the Employee of the Year program.
• The Commission supports updating the program and presenting awards three times a year, and further developing the Employee of the Year program. Staff will reinstitute the program beginning in September, and return to the Health Commission with more details on the Employee of the Year program.

10) OTHER BUSINESS

Commissioner Melara attended the opening of the Women’s Option Center at San Francisco General Hospital. She was very impressed with it and it speaks to the quality of the institution. She thanked the San Francisco General Hospital Foundation.

11) COMMISSIONER REPORTS/ANNOUNCEMENTS/JOINT CONFERENCE COMMITTEE REPORTS

None.

12) ADJOURNMENT

The meeting was adjourned 6:35 p.m.

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Michele M. Seaton
Health Commission Executive Secretary

Attachments: (2)