

**APPENDIX C**  
**2002 State Legislative Plan**



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In accordance with the vision and mission statements of the Department of Public Health, this Legislative Plan is intended to serve as a guide to the City's policy positions on legislative, regulatory and budget issues which impact the Department and the health of San Franciscans. To implement its Legislative Plan, the Department works in collaboration with the Mayor's office, 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.

#### **1. Children and Youth**

- a. Support legislation that would expand school health services and Family PACT to include preventive health care services.
- b. Support legislation that would expand and/or improve access to health services for children and youth.
- c. Support creation of a pilot program to provide specific health and social care services for adolescents enrolled in managed care.
- d. Support a regional facility for youth referred through the juvenile justice system with serious emotional disturbances.

#### **2. Emergency Medical Services Agency**

- 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 by terrorists.
- b. Monitor legislation and adopt positions as appropriate that clarify the regulation of inter-facility emergency medical transportation and ensure 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. Monitor legislation and adopt positions as appropriate that will enhance the provision of emergency medical services and ensure coordination with local emergency medical services agencies.

#### **3. Emergency Services/Trauma**

- a. Support legislation that would provide funding for public hospitals providing emergency and/or trauma care.
- b. Monitor legislation and adopt positions as appropriate 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.
- c. Support legislation that provides for public access to defibrillation devices, such as in public buildings.

- d. Support legislation that would ensure that hospitals are able to appropriately respond in the event of emergency or disaster, including supporting the development of disaster hospitals, hospital membership in the national disaster medical system, and conversion of current non-acute beds into disaster beds in time of emergency.

**4. HIV/AIDS**

- a. Support expansion of Medi-Cal eligibility to include HIV infected individuals.
- b. Pursue legislation that would authorize pharmacy-based syringe sales without a prescription.
- c. Support legislation that promotes voluntary HIV testing with informed consent, effective HIV prevention, and access to health care and treatment for persons living with HIV.
- d. Oppose legislation that would create a system of HIV reporting by name.
- e. Oppose legislation that would impose mandatory testing for HIV.
- f. Oppose legislation that could have an adverse effect on HIV prevention and treatment programs.

**5. Health Care Facilities**

- 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.

**6. Health Insurance Expansion**

- a. Support legislation that expands health care coverage to uninsured California residents, pursuant to San Francisco's goal of providing universal health coverage.
- b. Support legislation that expands purchasing pools for small employers.

**7. Healthy Families Program and Medi-Cal for Children**

- a. Support legislation that would increase access to health insurance coverage under the Governor's proposal to provide Healthy Families coverage for parents of children enrolled in the Healthy Families or Medi-Cal for Children programs, including legislation that would:
  - i. cover parents up to 250% of the federal poverty level, to match the income guidelines for children enrolled in the program;
  - ii. 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;
  - iii. reduce the monthly premium and co-payment maximums for parents and establish a premium scale that is based on income level and household size;

- iv. provider 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;
  - v. provide for targeted outreach at the local level;
  - vi. extend coverage to all legal immigrant parents; and
  - vii. 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; families with income levels between 250% and 300% 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 for children programs.

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

- a. Support legislation to ensure continued eligibility of undocumented residents for:
  - iii. community mental health services;
  - iv. long-term care;
  - v. California Children's Services; and
  - vi. other health care and supportive services.
- b. Support and/or sponsor elimination of the cap on State funds that can be used to provide skilled nursing care to undocumented residents.
- c. Support clarification and broadening of the State's definition of emergency services to restore funding for follow-up care provided to undocumented immigrants in conjunction with emergency services.
- d. Support multi-cultural health legislation.
- e. Oppose legislation that would attempt to limit or deny health care services for undocumented residents.

## **9. 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.

- 10. Incarcerated**
  - a. Support legislation that would expand access to health care for the incarcerated and increase funding for forensic health.
  - b. Monitor legislation and adopt positions as appropriate that remove barriers and increase access to care, housing and services for parolees.
- 11. Lead Poisoning Prevention and Intervention**
  - a. Oppose unless amended legislation that would preempt local San Francisco lead abatement laws or impose insufficiently-funded new requirements.
- 12. Long-Term Care**
  - a. Monitor legislation and adopt positions as appropriate that are consistent with the City and County's Long-Term Care Integration Pilot Project.
  - b. Monitor and adopt positions as appropriate on legislation that would impact the provision and/or reimbursement of services in skilled nursing facilities.
  - c. 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.
  - d. Support legislation that would move responsibility for payment of long term care placement for Murphy Conservatees back to the State
- 13. Managed Care Reform**
  - a. Monitor legislation regarding reform of managed care and quality of care.
  - b. Monitor legislation and/or regulation and adopt positions as appropriate relating to the establishment of the State Department of Managed Care.
  - c. Monitor legislation and adopt positions as appropriate on legislation that would impact the Department as a provider of care within the larger managed care setting.
- 14. Marijuana for Medicinal Purposes**
  - a. Support legislation to authorize and support local efforts to implement Proposition 215 for distribution of marijuana for medicinal purposes.
- 15. Medi-Cal Funding and Program Change**
  - a. Sponsor legislation to expand the number of county-organized health systems and the number of Medi-Cal beneficiaries who can be enrolled in County Organized Health Systems in California.
  - b. Support legislation that would increase Medi-Cal rates.
  - c. Pursue legislation or budget action to revise the distinct part nursing facility rate-setting methodology.
  - d. Support legislation to ensure fiscal stability for the Disproportionate Share Hospital (DSH) program.

- e. Support legislation that would remove barriers and increase access of disabled individuals in returning to work.
- f. Support legislation that would increase Medi-Cal reimbursement rates for persons with organic brain disorders;
- g. Support legislation to provide presumptive eligibility and one-year continuous coverage for adults.
- h. Support legislation to increase Medi-Cal reimbursement rates.
- i. Support legislation to implement risk-adjusted capitation rates for Medi-Cal managed care programs.
- j. Support legislation that would expand Medi-Cal eligibility and/or simplify the application process.
- k. Support legislation and/or regulation that place eligibility for Medi-Cal and payment of Medi-Cal services within the same State agency (either Health Services or Social Services).
- l. Support legislation that ensures the preservation of Local Initiatives.
- m. 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 revenues.
- n. Support legislation that assures that incarcerated individuals are eligible for Medi-Cal immediately upon discharge.
- o. Support legislation that calls for a negotiated Administrative Day rate for Acute Psychiatry rather than a State rate set by the skilled nursing rate.

**16. Mental Health**

- a. Support legislation to amend existing law regarding protection of quality assurance mental health documents from discovery, to clarify that non-Medi-Cal records are also protected.
- b. Support legislation that would provide additional funding for delivery of mental health services to indigent and low-income individuals based on local needs.
- c. Support legislation that would establish a respite care pilot project in San Francisco.
- d. Support legislation that would establish a pilot project for school-based mental health services in San Francisco.
- e. Oppose legislation that would adversely impact delivery of mental health services and restrict availability of funding for this purpose.
- f. Support maintenance and expansion of AB34, AB 2034 and AB 334 programs for the homeless mentally ill.
- g. Support legislation that further defines the relationship between the State Regional Centers and Community Mental Health Services to assure that the Regional Centers are responsible for the costs of Administrative Days in the hospital due to difficulty in placing the dually diagnosed developmentally delayed and seriously mentally ill patient.

**17. Multicultural Health**

- a. Support legislation that would reduce disparities in health care access and services.
- b. Support legislation that would increase resources to target health care services to underserved populations.

**18. Pharmacies**

- a. Support legislation that would allow public hospitals and clinics to contract with private pharmacies to provide preferentially-priced medications to individuals receiving care from those facilities.

**19. Prevention**

- a. Support legislation that addresses prevention in the following areas:
  - i. environmental, including air, soil and water quality, toxics and transportation;
  - i. tobacco control;
  - ii. childhood development and education;
  - iii. behavioral risk factor reduction, including smoking cessation, exercise, and nutrition;
  - iv. violence and injury prevention, such as controls for firearms and pedestrian safety;
  - v. occupational health, including occupational health advocacy and prevention programs for garment workers, sex workers and day laborers; and
  - vi. socio-economic/social equality issues, such as food access, livable neighborhoods, and family support policies

**20. Proposition 10**

- 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 (tobacco tax) revenues resulting from Proposition 10 implementation.
- c. Oppose legislation that would repeal Proposition 10 or that would reduce the funding for health promotion.

**21. Public Health Infrastructure**

- a. Support legislation that would increase funding and program support for core public health activities and, in the event of increased funding, create a more equitable allocation formula.
- 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.

**22. Realignment**

- a. Monitor and adopt positions as appropriate on legislation that will modify the current realignment funding system and ensure adequate, consistent and flexible funding for indigent health and mental health services.
- b. Monitor and adopt positions as appropriate to ensure that any county responsibility for enhanced health data collection is adequately funded.
- c. Support legislation to maintain the General Fund backfill for Vehicle License Fee reductions.

**23. State Budget**

- a. Monitor and adopt positions as appropriate on State Budget issues that affect the Department's work to address the health care and prevention needs of San Franciscans, including support of the following:
  - ii. Increased public health funding for core infrastructure activities, such as communicable disease control and disease surveillance;
  - iii. Increased funding for distinct part nursing facilities;
  - iv. Increased funding for Proposition 36;
  - v. Continuation of funding for AB 34/AB 2034 programs for homeless mentally ill;
    - i. Transfer of financial responsibility for Murphy Conservatorships from counties to the State;
    - ii. Enhanced Medi-Cal reimbursement rate for persons with organic brain disorders;
  - vi. Funding and/or financing for costs associated with compliance with hospital seismic safety standards;
    - iii. Funding for emergency room and/or trauma services;
    - iv. Funding for residential community-based services as an alternative to institutional care;
  - vii. Increased funding for children and youth services and programs;
  - viii. Funding for State and local health departments to address public health threats from the use of chemical, biological and radioactive agents by terrorists;
  - ix. Allocation of sufficient State funding for the AIDS Drug Assistance Program, to ensure addition of new drugs to the formulary and no waiting lists for recipients;
  - x. Elimination of the cap on skilled nursing care for undocumented residents;
  - xi. Restoration of funding for follow-up care provided to undocumented immigrants in conjunction with emergency services;
  - xii. Adequate funding for the Childhood Lead Poisoning Prevention Program;
  - xiii. Increased base rates for Medi-Cal inpatient reimbursement;
  - xiv. Increased outpatient reimbursement rates, to ensure, at a minimum, that actual Medi-Cal outpatient costs are reasonably reimbursed;
  - xv. Reduction of the State administrative fee for the Disproportionate Share Hospital (DSH) program;
  - xvi. Maintenance of existing reimbursement rates for skilled nursing facilities;
  - xvii. Increased funding for prevention programs;

- xxviii. Development of alternative revenue sources to recover declines in Proposition 99 subsidies targeted to public health services and care for low-income children and other uninsured persons;
- xix. Ensure that Proposition 99 funds continue to be directed to local health systems for indigent medical care;
- xx. Preservation of base- and growth-realignment funds for local governments in support of essential health care services, and protection of the General Fund backfill for the Vehicle License Fee reductions;
- xxi. Increased funds to ensure the needs of San Francisco residents for inpatient and outpatient mental health care are met;
- xxii. Increased substance abuse funding and allocations based on need to assist San Francisco's Treatment on Demand efforts;
- xxiii. Allocation of sufficient funding for mental health and substance abuse services for CalWORKs recipients;
- xxiv. Increased funding for early detection and treatment of breast cancer services for low-income women;
- xxv. Continued funding to ensure eligibility and access for all California residents – regardless of immigration status – for health care programs and services;
- xxvi. Increased funding for the California Statewide Supportive Housing Initiative; and
- xxvii. Funding for the Mentally Ill Offender Crime Reduction grant.

**24. Substance Abuse**

- a. Support legislation relating to Proposition 36 that will increase funding and establish an allocation formula based upon need.
- b. Support legislation that would increase access to sterile syringes by legalizing the sale of syringes without a prescription and/or decriminalizing syringe possession.
- c. Support legislation that would create a dual diagnosis treatment program for adults and for youth.
- d. Monitor legislation and adopt positions as appropriate in accordance with San Francisco's Treatment on Demand efforts.
- e. Monitor legislation and adopt positions as appropriate that support local drug courts.

**25. Tobacco Settlement**

- a. Ensure that State tobacco settlement revenues are used to strengthen California's public health care safety net and public health programs, and are not used to justify cuts in realignment or other funding resources.

**26. Uninsured**

- a. Pursue a State program to fund indigent health care at the local level.

**27. Vital Records**

- a. Monitor legislation and adopt positions as appropriate related to persons seeking to obtain copies of birth records from local jurisdictions.

**28. Women's Health**

- a. Support legislation that removes barriers and increases access to health care for women.

**29. Other Health Issues**

- a. Support legislation that would create a program to recruit, train and retain individuals for employment in the health care field.
- b. Support legislation that increases opportunities for health promotion and services.
- c. Support legislation to ensure new programs and mandates include sufficient funding.
- d. Monitor legislation and adopt positions as appropriate that support health promotion and services. For example, relevant legislation may be related to:
  - vii. environmental health;
  - viii. food safety;
  - ix. injury prevention;
  - x. occupational safety;
  - xi. epidemiology and disease control;
  - xii. STD prevention and control;
  - xiii. substance abuse prevention and services;
  - xiv. tobacco use prevention and services;
  - xv. TB control;
  - xvi. children and youth;
  - xvii. access to health care and prescription drugs;
  - xviii. long-term care;
  - xix. supportive services;
  - xx. emergency medical services;
  - xxi. health care for the homeless; and
  - xxii. domestic violence.

