

**James Loyce, Jr., M.S.**  
President

**Dan Bernal**  
Vice President

**Edward A. Chow, M.D.**  
Commissioner

**Cecilia Chung**  
Commissioner

**Laurie Green, M.D.**  
Commissioner

**Tessie M. Guillermo**  
Commissioner

**HEALTH COMMISSION  
CITY AND COUNTY OF SAN  
FRANCISCO**

**London N. Breed Mayor  
Department of Public Health**



**Grant Colfax M.D.**  
Director of Health

**Mark Morewitz, M.S.W.**  
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**MINUTES**

**HEALTH COMMISSION MEETING**

**Tuesday September 3, 2019 4:00 p.m.**

**101 Grove Street, Room 300**

**San Francisco, CA 94102**

**1) CALL TO ORDER**

Present: Commissioner James Loyce, Jr., M.S., President  
Commissioner Dan Bernal, Vice President  
Commissioner Cecilia Chung  
Commissioner Edward A. Chow M.D.  
Commissioner Laurie Green, MD  
Commissioner Tessie Guillermo

The meeting was called to order at 4:07pm.

**2) APPROVAL OF THE MINUTES OF THE HEALTH COMMISSION MEETING of AUGUST 20, 2019**

**Commissioner Comments:**

Commissioner Green noted that the word "sweep" was misspelled on page 4, in Commissioner Bernal's comment in the third paragraph. Mr. Morewitz stated that he would correct the error.

**Action Taken:** The Health Commission unanimously approved the August 20, 2019 minutes with the correction noted.

**3) DIRECTORS REPORT**

Grant Colfax, Director of Health, gave the report. The full report can be viewed at:  
<http://www.sfdph.org/dph/comupg/aboutdph/insideDept/dirRpts/default.asp>

**Mayor London Breed announces Health Department's withdrawal from Title X grant program**

On August 19<sup>th</sup>, Mayor London N. Breed and Director of Health Dr. Grant Colfax announced that the San Francisco Department of Public Health is withdrawing from the federal Title X Family Planning grant program. The action is in protest of the Federal Administration's changes to the rules that govern Title X funding, which would prevent providers from providing complete and unbiased

reproductive health information, and a full range of services, to their patients. The Health Department's San Francisco Health Network receives Title X funding, and its facilities provide pregnancy counseling and other reproductive health services, which would be censored or prevented under the Federal Administration's proposed new rules for Title X funding.

The new Title X rules represent the Federal Administration's attempt to interfere with the provider-patient relationship by determining how pregnancy, contraception, sexually transmitted diseases, and reproductive health are discussed, and limiting what information and services would be available to women and girls. Other San Francisco providers, including Planned Parenthood and Women's Community Clinic, a program of healthRIGHT 360, are also withdrawing from the Title X program.

### **San Francisco and Santa Clara County seek preliminary injunction to block 'public charge' rule**

On August 28<sup>th</sup>, San Francisco City Attorney Dennis Herrera and Santa Clara County Counsel James R. Williams filed a joint motion for a preliminary injunction prohibiting the U.S. Department of Homeland Security (DHS) from implementing or enforcing its new "public charge" rule. The new rule is slated to take effect Oct. 15, 2019. If allowed to do so, it would radically broaden the criteria that allow DHS to deny someone admission to the country or legal permanent residence, commonly known as a green card. The rule effectively institutes a wealth test for immigration and penalizes poorer immigrants by making the receipt of even small amounts of public benefits, like food stamps or Medicaid, grounds to disqualify someone from admission or securing a green card. This rule change by the Trump administration specifically targets legal immigrants; undocumented immigrants already don't qualify for these federal benefits.

The San Francisco Department of Public Health is deeply concerned that this policy will negatively impact the ability of immigrant families to access needed health care services. The health department is firmly committed to keeping San Francisco a place where health care is available to all, regardless of immigration status. While we know that only a small number of immigrants that receive public benefits will be impacted, we fear San Franciscans are removing themselves and their children from critical health and nutrition services that they are legally entitled to receive due to misconception about who the rule applies to.

### **How Mindful Leaders Can Heal Trauma**

Jenée Johnson was recently featured on the front page of [Mindful](#) magazine and is receiving national recognition for her leadership and the groundbreaking work she initiated as Program Innovation Leader at the San Francisco Department of Public Health (DPH). In addition, on August 11<sup>th</sup>, Jenée was featured as one of the top 50 Mindfulness Women Leaders in the country in Mindful Women Meditate Together, a national two hour online group meditation and talk. She shared her work to an audience of over 3,000 women.

Jenée leads the integration of mindfulness and emotional intelligence programs for the workforce in the agency's Trauma Informed Systems Initiative. The mindfulness program helps staff build the inner resilience and compassion needed to navigate the challenging terrain of addressing racial equity and becoming a trauma informed healing organization. Jenée also co-teaches the Search Inside Yourself Leadership Institute for TIS, conducts monthly mindfulness meet-ups, and has garnered funds to train at least a dozen more DPH mindfulness teachers.

### **SF churches donate everyday essentials to Bayview neighborhood**

On August 8<sup>th</sup>, San Francisco African American Faith-based Coalition (SFAAFBC) was joined by Supervisor Shamann Walton to provide support and dignity to the clients of Mother Brown's Dining Room in the Bayview Hunters Point neighborhood. In an effort to respond to the community's need for everyday essentials, SFAAFC conducted a toiletry drive seeking donations of toothpaste, soap & towels that many of the Mothers Brown's clients need on a regular basis.

Mother Brown's provides two to three hot meals daily to feed individuals, children and families experiencing homelessness in the Bayview District. Food security is a high priority of the SFAAFBC, and over 17 faith congregations are working in collaboration to close the hunger gap within their congregations and community wide. This is just one of the efforts people of faith can do to reduce the huge disparities that Black/African American people face daily.

The SFAAFBC is a health and wellness collaborative of 17+ local churches in San Francisco and is supported by the health department's Community Health Equity & Promotion Branch. Along with the Branch's mission, the Coalition is committed to advocating for the needs of the underserved African-American community in the Bayview / District 10 community and city-wide.

### **Neighborhood Emergency Response Team (NERT) receives second medical countermeasure dispensing training from emergency response experts**

On Saturday, August 3<sup>rd</sup>, the Emergency Preparedness & Response (PHEPR) branch of the San Francisco Department of Public Health, held a medical countermeasure dispensing training for approximately 40 volunteers from the NERT and the San Francisco Medical Reserve Corps, in collaboration with California Department of Public Health and the San Francisco Fire Department Division of Training.

Through a collection of presentations and group activities, the day-long training stimulated ideas and triggered robust discussion surrounding the operation of point-of-dispensing (POD) sites. POD sites would be activated to mass dispense antibiotics to the community in response to a large-scale public health emergency. POD training is the foundational piece of education for DPH to successfully deliver medical countermeasures to the 1.2 million people in San Francisco who may require medicine or medical supplies during a public health emergency. This is the second POD training for NERT members and discussions with NERT continue to make this training an annual offering.

### **DPH in the News (Aug 14 – Aug 28 2019)**

SF Examiner, Aug 29 2019, Ronen, Haney to call for hearing on closure of permanent beds for mentally ill

<https://www.sfexaminer.com/news/ronen-haney-to-call-for-hearing-on-closure-of-permanent-beds-for-mentally-ill/>

HepMag, Aug 29 2019, SF makes progress in treating Hep C among homeless people

<https://www.hepmag.com/article/san-francisco-makes-progress-treating-hep-c-among-homeless-people>

SF Chronicle, Aug 28 2019, SF General relaxes policy that tries to keep psychiatric ER patients awake to shorten visits

<https://www.sfchronicle.com/politics/article/SF-General-relaxes-policy-that-tries-to-keep-14383111.php>

Mission Local, Aug 26 2019, Hundreds of massage therapists cited in crackdown, as practitioners fear for future in SF

<https://missionlocal.org/2019/08/hundreds-of-massage-therapists-reportedly-cited-in-crackdown-as-practitioners-fear-for-future-in-san-francisco/>

Mission Local, Aug 26 2019, Fiasco: Behind the mayor and Department of Public Health's alarming decision to repurpose permanent housing into temporary shelter

<https://blog.sfgate.com/inthemission/2019/08/26/fiasco-behind-the-mayor-and-department-of-public-healths-alarming-decision-to-repurpose-permanent-housing-into-temporary-shelter/>

Mindful, Aug 22 2019, How mindful leaders can heal trauma

<https://www.mindful.org/how-mindful-leaders-can-heal-trauma/>

SF Weekly, Aug 22 2019, SF sees new success in treating homeless people with Hep C

<http://www.sfweekly.com/news/s-f-sees-new-success-in-treating-homeless-people-with-hep-c/>

Becker's, Aug 21 2019, SF hospital moves permanent beds to house temporary psych patients

<https://www.beckershospitalreview.com/patient-flow/san-francisco-hospital-moves-permanent-beds-to-house-temporary-psych-patients.html>

SF Chronicle, Aug 21 2019, Critics blast city's plan to shuffle mental health beds at SF General Hospital

<https://www.sfchronicle.com/politics/article/Critics-blast-city-s-plan-to-shuffle-mental-14368306.php?psid=eTWi7>

SF Examiner, Aug 20 2019, City shutting down long-term mental health beds to expand hospital Navigation Center

<https://www.sfexaminer.com/news/city-shutting-down-long-term-mental-health-beds-to-expand-hospital-navigation-center/>

Mindful, Aug 20 2019, Encouraging meaningful conversations about race and trauma

<https://www.mindful.org/encouraging-meaningful-conversations-about-race-and-trauma/>

Xinhua, Aug 20 2019, SF quits Title X program to protest Trump's rule change

[http://www.xinhuanet.com/english/2019-08/20/c\\_138323499.htm](http://www.xinhuanet.com/english/2019-08/20/c_138323499.htm)

#### Commissioner Comments:

Commissioner Chow asked for clarification regarding the placement of individuals, previously placed in Adult Residential Facilities (ARF) who are now being moved to the Residential Care Facilities for the Elderly (RCFE). Dr. Colfax stated that some of the ARF patients have reached the appropriate age to be placed in the RCFE; the remaining ARF residents will remain on the 2<sup>nd</sup> floor. Roland Pickens, Director of the San Francisco Health Network, stated that 14 residents will remain in the ARF.

Commissioner Chow asked why some ARF beds are not occupied. Mr. Pickens stated that while the unit has been on a California Department of Public Health corrective action plan, the SFDPH wanted to ensure that it was operating the unit in the safest manner.

Commissioner Chow asked for more information regarding the reason to temporarily convert some of the ARF beds to Hummingbird beds. Mr. Pickens stated that the ARF had vacancies and it was possible to move some ARF staff to RCFE to accommodate the additional residents who had previously been housed at the ARF, but have reached an appropriate age to move them to the RCFE.

Commissioner Guillermo asked for more information regarding the decision to convert the ARF beds to Hummingbird beds for just one year. Mr. Pickens stated that this is a temporary plan to address the needs of homeless individuals with behavioral health needs; the SFDPH will assess the needs for these beds and may convert the beds back.

Commissioner Guillermo asked how the decisions regarding the use of the beds will be made. Mr. Pickens stated that the SFDPH will be working with its CCSF partners to determine how to proceed.

Commissioner Chow asked for an update on the vaping lung illness cases. Dr. Tomas Aragon, SFDPH Health Officer, stated that approximately 200 cases have been reported across the United States; San Francisco has no suspected cases at this time. He noted that the SFDPH is closely monitoring the situation.

#### **4) GENERAL PUBLIC COMMENT**

Leigh Kimberg MD, UCSF primary care provider, stated that she is here on behalf of Brandon Lee, a San Francisco resident who survived an assassination attempt in the Philippines while he was doing environmental justice work. She asked for 1) help coordinating his transfer to ZSFG, 2) funds for his medical evacuation, 3) support for Louise Lee, Brandon's mother and a 40 year employee of the SFDPH, and 4) for the Health Commission to issue a statement of support for the family.

Julie Lee and Lita Lee, aunts of Brandon, thanked Dr. Kimberg for her statement and assistance. She spoke about her sister Louise, who has been a devoted SFDPH staff member for 40 years. She asked for assistance with transporting Mr. Lee to ZSFG, where he can receive appropriate medical and psychological care.

Raquel Redondicz, family friend, stated that she just returned from the Philippines. She reported that Mr. Lee is improving, despite serious medical issues resulting from the assassination attempt. She added that his medical team is hopeful that he is strong enough to be medically evacuated. She hopes that the SFDPH can assist with helping provide Mr. Lee's care, including assigning a social worker to assist with his Medi-Cal application.

Kim Pierce, massage therapist, stated that she used to work out ActiveSpace in the Mission but was sent a cease and desist letter. She added that many massage therapists cannot afford the costs of the new permitting process. There are situations in which she could work without a permit but she is not comfortable doing so. She understands the legislation was meant to prevent sex trafficking, and she supports that effort, but her clients are pregnant women end-of-life clients.

Johnathan Jordan, massage therapist, stated that he supports efforts to curb sex trafficking but noted the new permitting process is convoluted and ineffective. He followed all the procedures in the letter from the SFPDH but the instructions were unclear and had errors for example the application asked for information that was not actually required.

Sarah Gion, massage practitioner, is concerned about the cost and confusing process of the new requirements. He added that small businesses do not make a lot of money and focus on aiding clients with improving their health and wellbeing. The new overhead costs seem unfair; she does not understand why she was not notified earlier of the new costs. She does not understand why legitimate massage practitioners must suffer because of the sex parlors in the City.

David Clark, certified massage therapist, stated that he was blindsided by the letter stating new costs and requirements to remain in business. He added that the cost is several thousand dollars. He also feels it is unfair to lump legitimate massage practitioners with sex trafficking and massage parlors. He

asked the Commissioners to consider not being able to report to work tomorrow because of new costs and requirements.

Christine Doo, board certified massage therapist and small business owner, stated that the average massage therapist earns just \$40,000 per year; the addition of several thousand dollars for the new requirements is not fair. She already signed a one-year lease in a building that is now not zoned to have massage provided.

**5) FINANCE AND PLANNING COMMITTEE**

Commissioner Chung, Chair, stated that the Committee reviewed one contract and recommended that the full Health Commission approve it.

**6) CONSENT CALENDAR**

Action Taken: The following was unanimously approved:

- REQUEST FOR APPROVAL OF A NEW CONTRACT WITH NORTH EAST MEDICAL SERVICES(NEMS) TO SUPPORT THE DENTAL TRANSFORMATION INITIATIVE (DTI) LOCAL DENTAL PILOT PROGRAM (LDPP), FOR THE PERIOD OF 1/1/19 – 12/31/20 (2 YEARS). THE STATE, THROUGH ITS MEDI-CAL WAIVER PROJECT HAS ALLOCATED INNOVATION PILOT FUNDING TO DPH TO HELP ENSURE THE TARGET POPULATION IS ACCESSING DENTAL SERVICES. NEMS WILL PARTICIPATE IN THE LOCAL USER PILOT PROGRAM BY IMPLEMENTING PROCESS IMPROVEMENTS TO INCREASE THE LEVEL OF THEIR PRIMARY CARE PATIENTS AGES 0-5 WHO ALSO ACCESS CO-LOCATED DENTAL SERVICES ONSITE AT SPECIFIED NEMS ' PRIMARY CARE CLINICS. REIMBURSEMENT IS BASED ON ACHIEVING AN INCREASE IN DENTAL SERVICES PARTICIPATION. THE TOTAL PROPOSED CONTRACT AMOUNT IS \$486,058 WHICH INCLUDES A 12% CONTINGENCY.

**7) LAGUNA HONDA HOSPITAL REFORM PLAN**

Roland Pickens, MHA, FACHE, Director, San Francisco Health Network, presented the item.

Commissioner Comments:

Commissioner Guillermo thanked Mr. Pickens and the LHH staff for their commitment to patients. She noted that is important to put these changes into place to ensure high quality of care for the residents and the provision of support for the many staff members who have devoted their career to serving the LHH residents.

Commissioner Chung thanked Mr. Pickens and the LHH Executive team for the plan. She asked how the DPH Trauma Informed training could be used for the staff and LHH residents now. Mr. Pickens stated that LHH was the first DPH site to train in the Trauma Informed Systems and it will continue to utilize the paradigm's principles as the plan is rolled out.

Commissioner Bernal asked for information regarding the timeline for remaining items on the Corrective Action Plan. Mr. Pickens stated that the items are divided into immediate, short-term, and long-term. LHH will be hiring a consultant to assess LHH and will contribute to the plan for culture change.

Commissioner Chow suggested that the consultant be hired as a short-term goal since there is an immediate need for culture change at LHH. He requested that a timeline be developed for the LHH plan to address all the CDPH findings; he used the LHH and ZSFG rebuild projects as examples in

which timelines and metrics were routinely presented to the Health Commission; this enables the Commission to monitor the progress and track the initiatives. He added that almost all of the LHH staff members have done such important work to help so many residents. It was only a few employees that did so much hard. He suggested that cultural humility may be an appropriate paradigm to utilized in this process.

Commissioner Chung asked if there are activities designated to promote healing for the LHH patients. Mr. Pickens stated that all care teams have dedicated times with patients and their decision-makers. He added that the Employee Assistant Program is available for staff to help them through this difficult period.

Commissioner Loyce stated that the recent incidents are not reflective of the high quality of care provided at LHH for over 150 years. The administrative and care teams have been traumatized, along with the residents who were directly impacted. He added that the Health Commission hopes all staff and residents are offered effective support.

**8) OTHER BUSINESS:**

Commissioner Guillermo requested that the Health Commission consider what it can do to support the efforts of Brandon Lee’s family to bring him to ZSFG for treatment. She also asked the SFDPH to consider administrative relief it could offer to massage practitioners if the Board of Supervisors is considering legislation to offer some relief to practitioners.

Commissioner Loyce asked Mr. Morewitz to draft a statement of support regarding Brandon Lee and a resolution to honor Dr. Alice Chen, who is retiring from the SFDPH, to join the Governor’s administration. He also requested that the SFDPH update the Commission on relevant information regarding enforcement of new massage regulations.

**9) JOINT CONFERENCE COMMITTEE REPORTS**

Commissioner Chow gave a brief report on the August 27, 2019 ZSFG JCC Meeting. He stated that the Committee discussed the following standard reports: Regulatory Affairs Report, CEO Report, and Human Resources Report. The Committee also heard an update on the extensive and successful EPIC Go-Live implementation at ZSFG. During the Medical Staff Report, the Committee approved the following: New ZSFG Psychiatry Chief, Standard procedures for: genetic counselors, PACU RN, Ambulatory Pharmacist, and RN Medicine Refill, OB/GYN and Pediatric Privilege Lists. He noted that in closed session, the Committee discussed the Credentials Report and the report of the PIPS Minutes.

**10) CLOSED SESSION:**

CLOSED SESSION—Litigation, Quality and Public Employee Performance Evaluation

A.) Public Comment on all matters pertaining to the closed session.

B.) Vote on whether to hold a closed session regarding pending litigation pursuant to San Francisco Administrative Code Section 67.10(d).)

C.) CONFERENCE WITH CITY ATTORNEY

Convene in Closed Session - Existing Litigation - Motion that the Health Commission convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing lawsuits in which a proposed settlement is being consider by the Commission, pursuant to San Francisco Administrative Code Section 67.10(d) and California Government Code Sections 54956.9 and 54956.9(e)(3) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits listed below.

(After a closed session, if one occurs, the Health Commission shall adopt a motion either to disclose or not to disclose.)

1. Settlement of Litigation: City to pay \$175,000.00.

Lorena Pedraza vs. City and County of San Francisco, DOES ONE through FIFTY, inclusive, Defendants. (San Francisco Superior Court, Case No. CGC-18-569880)

2. Settlement of Litigation: Defendants to pay \$850,978.00.

City and County of San Francisco, a Charter City and County; and the PEOPLE OF THE STATE OF CALIFORNIA, by and through Dennis J. Herrera, City Attorney for the City and County of San Francisco vs. Fidelis Cybersecurity, Inc.; Maarek Zalatimo (aka Mark Zalatimo); Heather Zalatimo; Jeff Jorgenson; and DOES ONE through TEN, Defendants. (San Francisco Superior Court, Case No. CGC-18-571572)

3. Settlement of Litigation: City to pay \$100,000.00 fine and citation to be reduced from an "AA" to an "A" Citation.

City and County of San Francisco vs. California Department of Public Health, Defendant. (San Francisco Superior Court, Case No. CGC-17-558162)

D.) Closed Session pursuant to Cal. Evidence Code Sections 1156, 1156.1, 1157, 1157.5 and 1157.6; Health and Safety Code Section 1461; and California Constitution, Article I, Section 1

Discussion of Laguna Honda Hospital Regulatory Affairs Report (Adrian Smith, Director of Regulatory Affairs, ZSFG, and Troy Williams, Acting Director of Quality Management)

E.) Closed Session pursuant to California Government Code Section 54957(b)(1) and San Francisco Administrative Code Section 67.10(b)

Public Employee Performance Evaluation: Director of Health:

RECONVENE IN OPEN SESSION

A.) Possible report on actions taken in closed session pursuant to California Government Code §54957.1(a)(2) and San Francisco Administrative Code Section 67.12(b)(2))

B.) Vote to elect whether to disclose any or all discussions held in closed session pursuant to San Francisco Administrative Code Section 67.12(a.)

Action taken: The Health Commission voted not to disclose the discussion held in closed session.

**11) ADJOURNMENT**

The meeting was adjourned in honor of Dr. Alice Chen, San Francisco Health Network Deputy Director and Chief Medical Officer, who is retiring from the SFPDH to join Governor Newsom's administration, at 7:36pm.