

Edward A. Chow, M.D.
President

David B. Singer
Vice President

Cecilia Chung
Commissioner

Judith Karshmer, Ph.D., PMHCNS-BC.
Commissioner

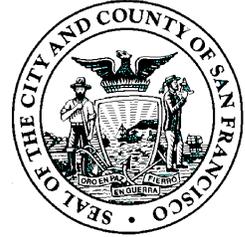
David Pating, M.D
Commissioner

David J. Sanchez, Jr., Ph.D.
Commissioner

Belle Taylor-McGhee
Commissioner

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

Edwin M. Lee, Mayor
Department of Public Health



Barbara A. Garcia, M.P.A.
Director of Health

Mark Morewitz, M.S.W.
Executive Secretary

TEL (415) 554-2666

FAX (415) 554-2665

Web Site: <http://www.sfdph.org>

MINUTES

HEALTH COMMISSION MEETING

Tuesday, February 2, 2016, 4:00 p.m.
101 Grove Street, Room 300 or Room 302
San Francisco, CA 94102

1) CALL TO ORDER

Present: Commissioner Edward A. Chow M.D., President
Commissioner Cecilia Chung
Commissioner David Pating, M.D.
Commissioner David J. Sanchez Jr., Ph.D.
Commissioner Belle Taylor-McGhee

Absent: Commissioner Judith Karshmer, Ph.D, PMHCNS-BC
Commissioner David B. Singer, Vice President

The meeting was called to order at 4:12pm.

2) APPROVAL OF THE MINUTES OF THE HEALTH COMMISSION MEETING OF JANUARY 19, 2016

Mr. Morewitz noted that the company "Cerner" was misspelled on page 8 and stated he would correct this error in the final minutes.

Action Taken: The Health Commission unanimously approved the January 19, 2016 minutes with the correction noted above.

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

Zika Update

In May 2015, the Pan American Health Organization (PAHO) issued an alert regarding the first confirmed Zika virus infection in Brazil. The outbreak in Brazil led to reports of Guillain-Barre (paralysis) syndrome and pregnant women giving birth to babies with birth defects and poor pregnancy outcomes. Zika is a virus that is spread through mosquito bites. Infection generally causes mild symptoms of fever, joint pain, rash, and red eyes. Recently, an increase in the number of babies born with the birth defect microcephaly was noted in Brazil. Microcephaly means a small skull circumference. Research is ongoing to understand this connection.

Currently Zika virus is circulating in Latin America and the Caribbean, as well as Puerto Rico. The two largest affected countries are Mexico and Brazil. Zika virus is not circulating in San Francisco, California, or the United States at this time, and the risk of a local epidemic is extremely low. Out of an abundance of caution, CDC has advised pregnant women not to travel to Zika-affected countries, and is also recommending testing returning travelers for Zika virus in certain limited circumstances.

SFDPH released a Health Advisory for local medical providers regarding Zika virus on 1/22/16. The SFDPH Communicable Disease Control Unit has been fielding inquiries from medical providers regarding Zika virus.

If an individual is concerned about Zika virus, he or she should talk to his/her medical provider. There is no vaccine or treatment for Zika virus infection. When traveling to a Zika-affected area, the only way to prevent infection is to take precautions against mosquito bites. The mosquito species that spreads Zika virus, called Aedes, is mostly found in tropical countries. It is the same mosquito that spreads other viruses such as dengue fever. Aedes mosquitos have been detected in California, mostly in Southern California, but also in very limited areas in San Mateo and Alameda counties. No spread of any disease has been linked to these mosquitos. Updated information is available at <http://www.cdc.gov/zika/>.

Zuckerberg San Francisco General Hospital Names New CEO

Following an extensive nationwide search Susan P. Ehrlich, MD has been appointed as the new chief executive officer of Priscilla Chan and Mark Zuckerberg San Francisco General Hospital and Trauma Center, leading a staff of 5,400 and managing a budget of \$1.1 billion.

Susan Ehrlich comes to Zuckerberg San Francisco General from the San Mateo Medical Center, where she most recently served as its Chief Executive Officer, from 2009 to present, overseeing a staff of close to 1,500 and budget of \$270 million. Previously, over her 14 years of service at the center, she was chief medical officer, vice president and medical director.

Dr. Ehrlich has a deep background in both medicine and public health, with numerous posts in health policy and finance, including serving as Budget and Planning Director for the San Francisco Department of Public Health. She also continues to be a practicing physician. Her education includes an undergraduate degree in public policy from the Sanford School of Public Policy at Duke University, a graduate degree in public policy from the Richard and Rhoda Goldman School of Public Policy at the University of California, Berkeley, and an MD degree from the Medical School at the University of California, San Francisco.

We are very proud to welcome Susan to Zuckerberg San Francisco General. Dr. Ehrlich joins us at a moment of unprecedented activity and excitement, as the entire environment of health care is changing, as the needs of our community continue to grow, and as we prepare to move into our new state-of-the-art acute care and trauma center in spring of this year. We know our hospital will be in great hands. Ehrlich will assume her role at Zuckerberg San Francisco General in late April of this year.

Zuckerberg SF General Maternity Care among the State's Best

Along with all hospitals, both public and private, offering maternity services in the state of California, the SF Health Network's Priscilla Chan and Mark Zuckerberg San Francisco General Hospital and Trauma Center was just surveyed and reviewed by CalQualityCare.org, a healthcare consumer website operated by the California Healthcare Foundation. Zuckerberg San Francisco General was rated among the top hospitals in the state. Based on the most important factors, including Cesarean (C-section) birth rate, episiotomy rate, vaginal birth after C-section (VBAC) rate and breastfeeding rate, Zuckerberg San Francisco General was rated superior in C-section rate, episiotomy rate and VBAC rate (ZSFG was rated best in the entire state of California for VBAC rate) and above state average in other measures, making it among the top performing institutions in all of California. Among Bay Area hospitals, Zuckerberg San Francisco General had the lowest C-section and episiotomy rates and the highest VBAC rate. "We're proud to be one of the safest places in the state to have a baby," said Dr. Alice

Chen, Chief Medical Officer of the San Francisco Health Network. “Our doctors and midwives are committed to avoiding unnecessary surgeries and are among the highest skilled anywhere at vaginal delivery after a C-section.” Full results of the study are available at: www.CalQualityCare.org.

Laguna Honda celebrates African-American Heritage Month and Lunar New Year

Laguna Honda is recognizing two important cultural celebrations during the month of February.

Lunar New Year officially begins February 8th. There will be many activities for residents including a Chinese New Year show with the SFPD Lion Dancers. The lion dancers will parade through resident neighborhoods to help ring in the New Year. A special Lunar New Year luncheon for residents will also be made available and staff and visitors will also have this special luncheon available for purchase in the cafe. The entire Laguna Honda community is encouraged to dress in their best red outfits for the event.

Laguna Honda will also host events to observe African-American Heritage month. A Celebration show in Gerald Simon is open to all Laguna Honda community on February 23rd. This will feature a discussion on individuals, past and present, who have made significant impacts to our country. Educational displays that spotlight the biographies of selected entertainers, political activists, and innovators will also be made available throughout Laguna Honda campus.

On February 26th a conference featuring Dr. Joy Degruy and Dr. Kenneth Hardy will held at Laguna Honda, which will be open to the community for a \$25 entrance fee. Degruy and Hardy are two visionary leaders in the field examining the impact of the residual effects of historical trauma on African-Americans and others and how that resonates today. Dr. Degruy, a highly acclaimed author, will be presenting her work on Post-Traumatic Slave Syndrome (PTSS) and Epigenetics. Dr. Hardy, a widely respected author of the book *Teens that Hurt*, has been conducting the trainings on Racial Humility in the Department of Public Health.

BAAHI Think Tank Meeting

The Black/African American Health Initiative was launched in March of 2014. On Friday, Jan 22nd, BAAHI representatives from all over the Department of Public Health hosted a Think Tank meeting to review work to date and plan the work ahead. Their three working groups; Collective Impact, Workforce Development and Cultural/Racial Humility have accomplished many goals including better controlling hypertension, and increasing breast cancer screening in African American SF Health Network patients, and increasing the recruitment and retention of African American staff and conducting racial humility training throughout the Department of Public Health. They are also actively working on decreasing disparity in harm from alcohol use in African American males, and increasing chlamydia screening and reducing chlamydia rates in African American females.

Healthy Hearts SF

In 2015 the San Francisco Public Health Department launched “Healthy Hearts SF,” a federally funded initiative to promote free fitness opportunities for low-income San Francisco residents, particularly those of African American and Latino heritage. Healthy Hearts SF aims to take advantage of public parks and free fitness classes to broaden access to fitness opportunities for the entire community.

Community Resource Navigators work with clinicians at participating SF Health Network clinics (Silver Ave, Southeast, OMI, Tom Waddell and General Medicine Clinic at ZSFG) to offer free physical activity “prescriptions” to patients who may be at risk for heart disease. “This is a pilot project funded for three years,” says Jacqueline McCright, Deputy Director of Community Health Equity and Promotion at the SFDPH. “If it’s proved to be successful, then the city would like it to be replicated throughout San Francisco.” By dialing 211 or going to the Healthy Hearts SF Facebook page, residents can access a calendar of free classes and activities in their own neighborhood.

This year, Healthy Hearts SF will add faith based organizations to their list of community partners to increase physical activity within their congregations and throughout their community. Healthy Hearts SF takes a multi-generational approach to meet the needs of all residents regardless of their age. “The Centers for Disease Control and the San Francisco Department of Public Health believe that each person should be able to reach their full health potential and we are here to help guide that process.” said Brittney Doyle, Healthy Hearts SF Project Manager.

ShapeUP San Francisco 2015 Year in Review

ShapeUP SF was able to accomplish a lot during 2015 including the launch of their Open Truth Soda campaign, which raised awareness about the health impacts of sugary drink consumption. The campaign was able to record over 29 million media impressions, in their transit, billboard, and website campaigns. They tabled at events including making an appearance at every Sunday Streets event, and trained community health workers and partners about sugary drinks. They helped SFHIP (The SF Health Improvement Partnership) make progress on efforts to reduce sugary drink consumption across the city. One of their programs, the Bayview HEAL Zone worked with Healthy Retail SF and the Tenderloin Healthy Corner Store Coalition to redesign and reopen 4 stores in SF with fresh produce and healthy options. They obtained Kaiser Permanente grants to promote and healthy eating and active living, including a Cooking Matters series, increasing the use of the Sunnydale Food Pantry, and many physical activity programs for youth to seniors. One of their partners, the Safe Routes to School Program, was awarded a \$2.8 million grant to continue their work through August of 2019. In partnership with the City’s Health Service System, they launched their 8th walking challenge, with 100 team members virtually walking the coastline of California. For more on their year in review go to: <http://shapeupscoalition.org/wp-content/uploads/2016/01/2015-YIR.pdf>

SF Health Network Director Roland Pickens to receive Warriors Award

The Golden State Warriors are celebrating Black History Month in a special way this year by recognizing Bay Area African-American leaders whose work has made an impact in creating the next generation of Black leaders. Ronald Pickens has been chosen as one of these leaders. The Warriors teamed up with BAYCAT, a nonprofit social enterprise, to create the premise and video for their Black History Month celebration. Look out for Mr. Pickens’ profile to be published here some time during Black History Month: <http://www.nba.com/warriors/blackhistory>

New President of the Southeast Community Facility Commission

LaVaughn King, Director of DPH’s Reducing Stigma in the Southeast (or “RSSE”), has been appointed Vice Chairperson of the Southeast Community Facility Commission. The Southeast Community Facility serves as a shared non-profit, educational and entrepreneurial space for organizations providing services for resident of San Francisco’s southeast neighborhoods. LaVaughn grew up in the Bayview and has been an advocate and provider of mental health services for many years. She also serves on the SF Mental Health Board, and is affiliated with the Rafaki Wellness Coalition, SF Business and Professional Women and the Center for Wellness. We congratulate LaVaughn on her appointment.

Behavioral Health Director, Jo Robinson Retires

We will be celebrating Jo Robinson’s retirement and honoring her hard work, dedication and friendship on March 14, 2016 from 1-2:30-pm at 1380 Howard, 5th Floor. For more info contact Vita Ogans at 415-255-3401 or vita.ogans@sfph.org or Nina daSilva at 415-255-3413 or nina.dasilva@sfdph.org.

Dr. Espanola Jackson - The Mother of the Bayview

We join the city in mourning the recent death of Dr. Espanola Jackson. A lifelong social justice, environmental, economic and community activist, Espanola became involved with the welfare rights movement early on and organized welfare rights groups at public housing sites in SF. In 1968 she was elected president of the California State Welfare Rights Movement. She worked for federal funding for what is now our Southeast Health Center. She was a presence at City Hall and fought tirelessly for the Bayview Community. She will be missed. A public

service will be held for Dr. Jackson from 5:30-7:30 p.m. Feb. 4 at the Grace Tabernacle Community Church at 1121 Oakdale Ave., San Francisco.

El Niño Shelter Update

The Department of Public Health has been helping Human Services Agency staff to provide temporary shelter services to 1,000 homeless San Franciscans through March 31, 2016. So far, the shelters have been activated three times, January 9th, Jan 15-17 and Jan 21-22. Over 200 DPH staff have signed up to help in the El Nino Shelters to date. We would like to commend the following individuals who have helped so far: Nick Hancock, Eileen Loughran, David Palma, and Amelia Patrick. Also a special thank you to Barry Zevin and his roving team for helping get individuals to the shelters, and to Naveena Bobba's Public Health Emergency Preparedness and Response group for all their help.

Hearts After Dark is Here

San Francisco General Hospital Foundation's Hearts after Dark Event is Thursday, February 18 at 8pm. This beautiful and fun evening party and fundraiser will have entertainment by Mark McGrath of the musical group Sugar Ray. The First 100 Hearts after Dark Tickets purchased with the Zuckerberg San Francisco General Friends and Family discount code (ZSFGFF16) will receive \$15 off General Admission or VIP Tickets. Visit <http://sfghf.org/events/hearts-after-dark/> HEROES & HEARTS Luncheon Tickets are also on sale. Visit SFGHF.org/HeroesHeartsTickets to learn more.

Director Garcia asked Dr. Tomas Aragon, DPH Health Officer and Director of Population Health Division, to give a Zika virus update.

Commissioner Comments/Follow-Up:

Commissioner Sanchez thanked Dr. Aragon for the update. He suggested that the SFDPH look into its protocols regarding its dealings with Latin America. He noted that in the past Venezuela's public health community came to San Francisco for training. Its public health system has broken down and he added that the country needs assistance with the Zika epidemic.

Commissioner Chow stated that the Center for Disease Control (CDC) is working on a Zika virus vaccine but noted that this process may take years. He asked Dr. Aragon if there is any preventative actions that can be taken at this time. Dr. Aragon stated that the virus has only recently reached epidemic proportions and the vaccine will take time to develop.

Commissioner Pating thanked Dr. Aragon for the information and also for the Health Advisory faxes that are sent from the SFDPH to physicians. He asked if the SFDPH is exploring other modes of communication to ensure the San Francisco communities receive all important health information. Dr. Aragon stated that the SFDPH has hired a new vendor to provide assistance to communicate this type of information but noted it will continue the fax option.

Commissioner Pating asked if patient materials are being developed. Dr. Aragon stated that the SFDPH usually utilizes California state patient handouts to distribute patient-level health information.

Director Garcia thanked the SFDPH Communications staff for their impactful efforts.

4) GENERAL PUBLIC COMMENT

There was no general public comment.

5) FINANCE AND PLANNING COMMITTEE

Commissioner Chung, Chair, stated that the Committee reviewed the items on the Consent Calendar and recommended that the full Health Commission approve all of them.

6) CONSENT CALENDAR

Action Taken: The following were unanimously approved by the Health Commission:

- FEBRUARY 2016 CONTRACTS REPORT
- REQUEST FOR APPROVAL OF A NEW CONTRACT WITH JTC MEDICAL PHYSICS, IN THE AMOUNT OF \$729,820, TO SECURE QUALIFIED MEDICAL PHYSICIST SERVICES FOR THE DEPARTMENT OF PUBLIC HEALTH FOR THE TERM OF FEBRUARY 1, 2016 TO JANUARY 31, 2021 (5 YEARS).
- ST. JAMES INFIRMARY REQUEST TO RELOCATE SERVICES (PROP. I)

Commissioner Chow announced that the next item would be taken out of order to enable Andres Power, Legislative Aide to Supervisor Weiner, to speak on behalf of the resolution. He noted that Supervisor Weiner is one of the sponsors of the related City legislation.

7) RESOLUTION APPROVING SUPPORT FOR THE CITY AND COUNTY OF SAN FRANCISCO TO AMEND THE HEALTH CODE TO PROHIBIT RETAILERS FROM SELLING TOBACCO PRODUCTS, INCLUDING SMOKELESS TOBACCO AND ELECTRONIC CIGARETTES, TO PERSONS AGED 18, 19, OR 20

Derek Smith, Director Tobacco Free Project, and Janine Young, Senior Health Inspector, gave the presentation.

Andres Power, Legislative Aide to Supervisor Weiner, thanked Supervisors Mar, Cohen, and Farrell on their cosponsorship of the related legislation. He also thanked the San Francisco Medical Society for its strong support of the measure. He noted that tobacco remains the cause of 500,000 deaths per year. UCSF has estimated that the cost of smoking-related health care in San Francisco is \$4 million per year. One third of youth will consume tobacco products. Teens who smoke in high school are more likely to drop out and have higher rates of teen pregnancy. He noted that the Institute of Medicine estimates that if the legal age of purchasing tobacco products is raised to 21, there will likely be a 25% drop in the rate of smoking teens. He also stated that the ordinance makes it illegal to sell tobacco products to individuals who are younger than 21 years of age; it will not make it against the law for those under 21 to possess tobacco products.

Public Comment:

Bob Gordon, Tobacco Education Partnership Director, stated that raising the age to 21 for those individuals who want to purchase tobacco products will benefit all San Franciscans: less medical expense, safer homes, and safer work environments. He encouraged the Health Commission to approve the resolution in an effort to prevent needless tobacco-related deaths.

Commissioner Comments/Feedback:

Commissioner Taylor-McGhee asked for more information regarding relevant interventions and their impact. Mr. Smith stated that the SFDPH uses a community action model in which it partners with community agencies to address community issues. He noted that Breathe California is working on prevention efforts with Asian youth regarding flavored and smokeless tobacco products. He also stated that Bay Area Community Resources are targeting their anti-tobacco efforts on undocumented youth. He added that youth leadership of several organizations are focusing on tobacco, sugar-sweetened drinks, and alcohol related advertisements.

Commissioner Pating thanked Mr. Smith and Ms. Young for the presentation. He stated that he strongly supports the resolution and the effort to delay access and use of tobacco products for youth.

Commissioner Pating asked if the SFDPH is working on prevention efforts to address the persuasive e-cigarette advertisements. Mr. Smith stated that the SFDPH will continue to work with its community partners, including UCSF, in efforts to counter-act advertising for e-cigarette products.

Commissioner Chow thanked the SFDPH for its efforts on this ordinance and resolution. He added that he initially had questions regarding the title of the resolution but understands that the ordinance was written to complement existing laws.

Action Taken: The resolution was unanimously approved by the Health Commission. (Attachment)

8) MEDI-CAL 2020: CALIFORNIA'S 1115 WAIVER RENEWAL.

Colleen Chawla, Deputy Director of Health and Director of Policy and Planning, gave the presentation.

Commissioner Comments/Feedback:

Commissioner Sanchez thanked Ms. Chawla for the in-depth analysis.

Commissioner Pating asked for the total amount that the SFDPH currently receives from the current waiver and asked for more information regarding any expected changes in this amount with the new waiver. Ms. Chawla stated that over the past five years, the waiver has brought in approximately \$200 million a year; she noted that Mr. Wagner would be covering some estimations of the impact of the new waiver in the budget presentation.

Commissioner Pating asked if there will be more flexibility related to patient care. Ms. Chawla stated that there may be an opportunity for more flexibility regarding patient care but data collection may be complex. She noted that new tracking systems will have to be developed.

Commissioner Pating asked if the new proposed electronic health record (EHR) system will assist with the data requirements. Ms. Chawla stated that the new EHR will likely not be developed in time to assist with the data requirements of this waiver.

Commissioner Pating asked for more information regarding the schedule of updates to the Health Commission. Ms. Chawla stated that the SFDPH will create a timeline of updates and will submit it to the Health Commission for its review.

Commissioner Taylor-McGhee asked if electoral politics impact the waiver implementation. Ms. Chawla stated that there was motivation to complete the new waiver in 2015 to avoid any political issues that might impact its development or implementation.

Commissioner Chow asked what mechanism is best for the Health Commission to be updated. Director Garcia suggested that the waiver updates be made to the full Health Commission as part of the San Francisco Health Network updates. She commended Ms. Chawla and all staff involved in the waiver negotiation.

9) SFDPH FY16-18 BUDGET PROPOSAL- FIRST HEARING

Greg Wagner, SFDPH CFO, gave the presentation.

Commissioner Comments/Feedback:

Commissioner Pating asked if there is any transition period allowed between DRSP and the new waiver. Ms. Chawla stated that there is some overlap. However, she reminded the Commissioners that the new waiver focuses on outpatient care so significant efforts are required to develop systems to measure and report new data metrics.

Commissioner Pating asked for more information on the estimated \$57 million that will be lost in FY2017-18 budget. Mr. Wagner stated that all waiver programs require a non-federal share and a federal share that is financed through inter-governmental transfers. He noted that the expected net impact for FY2016-17 will be \$14 million and \$28 million in the next year. Mr. Wagner added that it is assumed that the SFDPH will not achieve 100% of the new measures due the shift to outpatient focus of the waiver. He also stated that in the past, the DSRP funds depended on all participants' performance. However, the new waiver includes a fixed allocation available if all measures are achieved.

Commissioner Chow asked for more information on the use of the SFDPH's reserve fund in the prior year. Mr. Wagner stated that this is the first year that the fund was used. The SFDPH identified a few specific risks: reduction in the capitated rate for the MediCal expansion population. For FY 17-18, the SFDPH will draw down some of the reserve funding on a one-time basis to permanently resolve issues that could impact the following year's budget. Commissioner Chow thanked Mr. Wagner for being prudent in setting up the fund and acknowledged that the SFDPH budget is in good standing.

Director Garcia thanked Mr. Wagner and the SFDPH Budget staff for their work on the budget. She noted that she has directed SFDPH staff to be cautious with any proposals for expansion at this time.

10) OTHER BUSINESS:

This item was not discussed.

11) JOINT CONFERENCE COMMITTEE REPORTS

Commissioner Chow, SFGH JCC Chair, stated that in open session, the committee discussed the following items: Quality Management and Regulatory Affairs Reports; Quality Measure Update; Acute Hospital Care of LHH Patients; Emergency Department Flow Tactic; Rebuild/Transition Update; Hospital Administrator's Report, Patient Care Services Report, and Hiring and Vacancy Report. He noted that during the Medical Staff Report, the committee approved the following: Anesthesia Service Rules, Consent Form revision, Credentials, Medicine Services Rules, Revised Peer Reference Form revision, and Emergency Department Privilege List revision. In closed session, the Committee approved the Credentials, Quality and PIPS reports.

12) COMMITTEE AGENDA SETTING

Commissioner Chow reminded the Commissioners that the next Health Commission planning session will be on April 19, 2016.

13) CLOSED SESSION:

A) Public comments on all matters pertaining to the closed session

B) Vote on whether to hold a closed session (San Francisco Administrative Code Section 67.11) and to invoke the attorney-client privilege (San Francisco Administrative Code Section 67.10(d))

C) Closed Sessions

D) 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 lawsuit 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 this matter would likely and unavoidably prejudice the position of the City in the pending lawsuit listed below.

1. Settlement of Litigation: Diane Alcala, \$225,000.00

Diane Alcala v. City and County of San Francisco; Equal Employment Opportunity Commission
Charge No. 550-2010-00696

2. Settlement of Litigation: David Zeller, \$900,000.00

David Zeller vs. San Francisco General Hospital; The City and County of San Francisco;
The Regents of the University of California; Matthew Oertli, M.D.; Malini Singh, M.D.;
John Rolsont, M.D.; Daniel Pastula, M.D.; Jeffrey Dixon, M.D.; Murat Pekmezci, M.D.;
Ehsan Tabaraee, M.D.; Ralph Coughlin, M.D.; Abbey Kennedy, M.D.; Samantha Piper, M.D.;
Peter Shen, M.D. (San Francisco Superior Court, Case No, CGC-13-529554)

3. Settlement of Litigation. The City to receive reimbursement by the California Department of Health Care Services (“DHCS”) of Short Doyle Medi-Cal claims in the amount of \$928,736.44 and agreement that DHCS will follow (1) an established procedure for processing Short Doyle Medi-Cal claims over one year old and (2) an established appeal process for denied claims.

City and County of San Francisco vs. Sandra Shewry, Director of the Department of Health Care Services, State of California; Department of Care Health Services, State of California; Stephen W. Mayberg, Ph.D., Director of the State Department of Mental Health, State of California; Department of Mental Health, State of California (San Francisco Superior Court, Case Nos. CPF-07-507445 and CPF-08-508951)

- E) Reconvene in Open Session: Motions and vote on whether to disclose any or all of the closed session discussions, San Francisco Administrative Code Section 67.12(a) (ACTION)

Action Taken: The Health Commission voted not to disclose the discussions held in closed session.

14) ADJOURNMENT

The meeting was adjourned at 7:16pm.

Attachment

**HEALTH COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
Resolution No. 16-2**

RESOLUTION APPROVING SUPPORT FOR THE CITY AND COUNTY OF SAN FRANCISCO TO AMEND THE HEALTH CODE TO PROHIBIT RETAILERS FROM SELLING TOBACCO PRODUCTS, INCLUDING SMOKELESS TOBACCO AND ELECTRONIC CIGARETTES, TO PERSONS AGED 18, 19, OR 20

WHEREAS, Tobacco is the number one preventable cause of death; and

WHEREAS, Tobacco claims nearly half a million lives a year in the United States; and

WHEREAS, Cigarette smoking increases the risk of heart disease, chronic obstructive pulmonary disease, acute respiratory illness, stroke; and cancers of the lung, larynx, oral cavity, pharynx, pancreas, breast and cervix; and

WHEREAS, Electronic cigarettes also present significant health risk since they can contain nicotine, a highly addictive neurotoxin. Exposure to nicotine during adolescence can harm the brain development and predispose youth to future tobacco use; and

WHEREAS, The prevalence of cigarette smoking among adults in San Francisco has decreased over the past 17 years, however, it has remained relatively stable at 12-14% since 2008; and

WHEREAS, From 2007 to 2012, smoking before and during pregnancy has decreased among women in San Francisco. However, the prevalence of smoking three months prior to becoming pregnant is higher among Black/African American women (12.3%); and

WHEREAS, Youth are disproportionately affected by tobacco use, with almost 3% of San Francisco middle school and 9.1% of high school students reporting that they smoke; and

WHEREAS, Rates continue to increase with age peaking at 16% among young adults 18-24 years old; and

WHEREAS, A 2005 study based from the California Tobacco Survey found that 82% of adolescents who had ever smoked obtained their cigarettes from others, mostly friends, and a substantial percentage (40.9%) of the people giving cigarettes were 18 years or older, with most of them (31.3%) being ages 18, 19, or 20; and

WHEREAS, In 2015, the Institute of Medicine (IOM) concluded that raising the minimum legal age to 21 for tobacco products nationwide would reduce tobacco initiation, particularly among adolescents aged 15-17, and over time would lead to a 12% decrease in the overall smoking rate; and

WHEREAS, The IOM also predicted that raising the minimum legal age would result in 223,000 fewer premature deaths, 50,000 fewer death from lung cancer, and 4.2 million fewer years lost for people born in the US between 2000 and 2019, and would result in near-immediate reductions in preterm births, low birth weight babies, and sudden infant death syndrome; and

WHEREAS, New York City, the State of Hawaii, Kansas City- Missouri, Santa Clara County and a total of 188 jurisdictions across the nation have adopted a tobacco purchase age of 21 with more considering the proposal each week;

NOW, THEREFORE, BE IT RESOLVED, That the San Francisco Health Commission approves and supports the efforts of the City and County of San Francisco to amend the Health Code to prohibit tobacco retailers from selling tobacco products, including smokeless tobacco and electronic cigarettes, to persons aged 18, 19, or 20.

I hereby certify that the San Francisco Health Commission at its meeting on February 2, 2016 adopted the foregoing resolution.

Mark Morewitz
Executive Secretary to the Health Commission