AGENDA
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

   *Minutes of the meeting of January 19, 2016

3) FOR DISCUSSION: DIRECTOR’S REPORT
   (Barbara Garcia, Director of Health)
   • Legislation
   • Programs
   • Budget
   • Departmental News
   • Announcements
   *Director’s Report

4) GENERAL PUBLIC COMMENT
   AT THIS TIME, MEMBERS OF THE PUBLIC MAY ADDRESS THE COMMISSION ON ITEMS OF INTEREST TO THE PUBLIC THAT ARE
   WITHIN THE SUBJECT MATTER JURISDICTION OF THE COMMISSION THAT ARE NOT ON THIS MEETING AGENDA. WITH
   RESPECT TO AGENDA ITEMS, YOUR OPPORTUNITY TO ADDRESS THE COMMISSION WILL BE AFFORDED WHEN THE ITEM IS
   REACHED IN THE MEETING. EACH MEMBER OF THE PUBLIC MAY ADDRESS THE COMMISSION FOR UP TO THREE MINUTES.
   THE BROWN ACT FORBIDS A COMMISSION FROM TAKING ACTION OR DISCUSSING ANY ITEM NOT APPEARING ON THE
   POSTED AGENDA, INCLUDING THOSE ITEMS RAISED AT PUBLIC COMMENT.

5) FOR DISCUSSION: FINANCE AND PLANNING COMMITTEE
   THE COMMITTEE CHAIR WILL GIVE A BRIEF UPDATE ON MATTERS DISCUSSED AND/OR RECOMMENDATIONS MADE IN THIS
   COMMITTEE INCLUDING: THE FEBRUARY 2016 CONTRACTS REPORT, ST. JAMES INFIRMARY PROP. I REQUEST, AND A NEW
   CONTRACT REQUEST WITH JTC MEDICAL PHYSICS.
6) FOR ACTION:  CONSENT CALENDAR
   • 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)

7) FOR DISCUSSION:  MEDI-CAL 2020: CALIFORNIA’S 1115 WAIVER RENEWAL.
   (Colleen Chawla, Deputy Director of Health and Director of Policy and
   Planning)
   THE HEALTH COMMISSION WILL HEAR AN UPDATE ON CALIFORNIA’S 1115 WAIVER RENEWAL.

8) FOR DISCUSSION:  SFDPH FY16-18 BUDGET PROPOSAL- FIRST HEARING
   (Greg Wagner, SFDPH CFO)
   THE HEALTH COMMISSION WILL BE PRESENTED WITH THE SFDPH FY16-18 BUDGET. THE HEALTH COMMISSION WILL
   VOTE ON THIS ITEM AT ITS FEBRUARY 16, 2016 MEETING.

9) FOR ACTION:  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)
   THE HEALTH COMMISSION WILL CONSIDER A RESOLUTION TO RAISE THE AGE TO PURCHASE TOBACCO PRODUCTS TO 21.
   THIS ITEM WAS DISCUSSED AT THE JANUARY 19, 2016 HEALTH COMMISSION COMMUNITY AND PUBLIC HEALTH
   COMMITTEE. APPROVAL IS REQUESTED.

10) OTHER BUSINESS:
    OPPORTUNITY WHEN COMMISSIONERS, THE DIRECTOR, AND THE PUBLIC MAY BRING UP TOPICS FOR DISCUSSION,
    PROVIDING THAT ANY ACTION IS DELAYED UNTIL PROPER NOTICE CAN BE GRANTED.

11) FOR DISCUSSION:  JOINT CONFERENCE COMMITTEE REPORTS
    THE HEALTH COMMISSION WILL HEAR A BRIEF SUMMARY OF THE JANUARY 26, 2016 SFGH JCC MEETING.

12) FOR DISCUSSION AND COMMITTEE AGENDA SETTING
    POSSIBLE ACTION:
    OPPORTUNITY WHEN COMMISSIONERS, THE DIRECTOR, AND THE PUBLIC MAY BRING UP TOPICS FOR DISCUSSION,
    PROVIDING THAT ANY ACTION IS DELAYED UNTIL PROPER NOTICE CAN BE GRANTED.

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 considered 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 Rolston, M.D.; Daniel Pastula, M.D.; Jeffrey Dixon, M.D.; Murat Pekmezci, M.D.;
   Ehsan Tabaraei, 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) Re-convene 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)

14) ADJOURNMENT

* Explanatory documents are available at the Health Commission Office, 101 Grove Street, Room #309, telephone 554-2666. If any materials related to an item on this agenda have been distributed to the Health Commission after distribution of the agenda packet, those materials are available for public inspection at the Health Commission Office at the address above during normal business hours.

Accessible Meeting Policy
Meetings are held in the Auditorium, Room #300, at 101 Grove Street, in San Francisco, CA. The Auditorium is wheelchair accessible through the Grove Street entrance. The closest accessible station for Muni and BART is the Civic Center station. The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142. For information about MUNI services, call 673-6864. There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the
War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street and at the southwest corner of Grove and Polk Streets.

American Sign Language interpreters and readers and/or language interpreters are available with advance notice of three business days. The Department of Public Health will make every effort to accommodate requests for sound enhancement systems and alternative formats for meeting minutes and agendas. Please make these requests as far in advance as possible. For all requests contact the Department of Public Health, Equal Employment Opportunity Program, telephone 554-2595 or the Health Commission office at 554-2666. Late requests will be honored if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

**Cell Phone and/or Sound Producing Electronic Device Usage at Hearings**
The ringing of and use of cellular phones, pagers and similar sound producing electronic devices are prohibited during public meetings. Please be advised that the Chair/President may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phones, pagers, or other similar sound producing electronic devices (Sunshine Ordinance 67A.1).

**San Francisco Lobbyist Ordinance**
Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (San Francisco Campaign and Governmental Conduct Code 2.100) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; and web site: [www.sfgov.org/ethics](http://www.sfgov.org/ethics).

**Know Your Rights Under the Sunshine Ordinance**
The Government’s duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people’s business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people’s review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force Administrator by mail to, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at [sotf@sfgov.org](mailto:sotf@sfgov.org). Citizens may obtain a free copy of the Sunshine Ordinance by contacting the Sunshine Ordinance Task Force or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at [http://www.sfgov.org/sunshine.htm](http://www.sfgov.org/sunshine.htm).