

Edward A. Chow, M.D.
President

David Pating, M.D.
Vice President

Dan Bernal
Commissioner

Cecilia Chung
Commissioner

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

James Loyce, Jr., M.S.
Commissioner

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

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

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



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MINUTES

HEALTH COMMISSION MEETING

Tuesday, January 16, 2018, 4:00 p.m.

101 Grove Street, Room 300

San Francisco, CA 94102

1) CALL TO ORDER

Present: Commissioner Dan Bernal
Commissioner Cecilia Chung
Commissioner Judith Karshmer, Ph.D, PMHCNS-BC
Commissioner James Loyce, Jr., M.S.
Commissioner David J. Sanchez Jr., Ph.D.

Excused: Commissioner Edward A. Chow M.D., President
Commissioner David Pating, M.D.

The meeting was called to order at 4:06pm. Commissioner Sanchez chaired the meeting.

2) APPROVAL OF THE MINUTES OF THE HEALTH COMMISSION MEETING OF DECEMBER 19, 2017

Action Taken: The Health Commission unanimously approved the minutes.

3) DIRECTORS REPORT

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>

Major tax reform bill signed, repealing the ACA individual mandate

President Trump signed the tax reform bill, Tax Cuts and Jobs Act, into law on December 22. The bill repeals the Affordable Care Act's (ACA) individual insurance mandate, making it the most significant change to health care legislation enacted since the ACA in 2010. According to the Congressional Budget Office (CBO), the mandate's repeal will result in decreased government expenditures due to lower government spending on subsidies to help people afford coverage. It is estimated 13 million fewer people in the U.S. will have health insurance in 2027 without the mandate, and premiums will rise by 10 percent.

The bill is expected to impact the overall federal deficit, which will increase by an estimated \$1.45 trillion after allowing for predicted economic growth. This expected deficit increase is already leading to renewed calls to

reduce entitlement spending, with some Republican leaders specifying federal spending reductions to social and health programs as a legislative priority in the upcoming year.

The tax plan will lead to a number of changes next year, though the impact will not be clear to San Francisco immediately. San Francisco's current uninsured rate, at 3.3%, is among the lowest in the country and includes about 29,000 uninsured residents. Due to our local laws (the Health Care Accountability Ordinance and the Health Care Security Ordinance) and because of Covered California's strong consumer protections and outreach efforts, the City may not see drastic drops in insurance rates. However, we do anticipate some reductions in coverage and increases in premiums as the individuals and insurance markets adjust to the new landscape. We will continue to monitor activity at the state and federal level and work with local leaders and our partners to protect the City's advancement in health as a result of our long-standing commitment to coverage and access.

U.S. Attorney General authorizes expanded federal cannabis enforcement

U.S. Attorney General Jeff Sessions has rescinded an Obama-era policy that limited federal prosecution of cannabis businesses in states with legalized cannabis. A 2013 memo from the Obama administration had instructed U.S. attorneys overseeing states with legal cannabis to focus only on specific types of cannabis-related activity, such as preventing interstate trafficking and sales to minors. Sessions' action will allow federal prosecutors to exercise greater discretion when deciding whether to pursue criminal charges against cannabis businesses or consumers who are otherwise in compliance with state law. This action did not go as far as directing or advocating more cannabis prosecutions; however, it is unclear how this will play out at the state level. California state and local policymakers have stated they plan to continue to implement the state's cannabis law. Legalization of commercial cannabis took effect in California on January 1, 2018.

Trump administration proposed new rule to expand association health plans

Under the direction of President Trump, the Department of Labor (DOL) has proposed a new rule that would expand association health plans (AHPs). The rule, which grew out of an executive order issued in October, would allow more small businesses and self-employed workers to band together to form AHPs and exempt them from certain consumer protection rules mandated by the Affordable Care Act (ACA). The Administration argues that the proposed rule will encourage competition in the health insurance markets and lower the cost of coverage. According to the DOL, 11 million people could be eligible to enroll in these new plans.

State insurance regulators and policy experts have voiced concern that the proposal could destabilize health insurance markets for individuals and small businesses in California and beyond. Healthy people could opt into the cheaper association coverage, driving up prices for those who continue to buy insurance through the ACA exchanges and on the private market. There is also concern that the rule could expose consumers to coverage gaps or higher out-of-pocket costs because AHPs would not have to meet certain ACA requirements. Under the rule, associations would not have to include benefits across the ten "essential" categories of care, including hospitalization, prescription drugs and emergency care. They would also be exempt from rules requiring that at least 80 percent of premium revenue are spent on medical care and that older members' premiums cost no more than three times as much as younger members. The rule could also pre-empt state laws that guarantee consumers access to care within a certain time frame, protect their right to appeal health insurance denials to the state, and shield them from high out-of-pocket costs. The public will have 60 days to comment on the proposal before the Trump administration adopts final rules.

Court decision allows 340B drug program cuts to take effect

A federal court dismissed legal challenges to a Centers for Medicare & Medicaid Services (CMS) rule cutting \$1.6 billion in funding for the 340B Drug Pricing Program, allowing it to take effect on January 1, 2018. The rule reduces Medicare payments for outpatient drugs purchased under 340B to 27 percent below average sales price (ASP), and creates new reporting requirements for the program. Previously under 340B, eligible safety-net hospitals bought drugs at a discount from the pharmaceutical companies and then were reimbursed for

those purchases from Medicare at 6% above ASP, providing them additional resources to serve patients.

SFDPH is expected to experience

significant impact from changes under the rule, as the 340B Program has funded direct health services to thousands of San Franciscans. The hospital associations that lodged the legal challenge have stated they will continue to fight the rule, but it is unclear when any new action will be taken. In Congress, two competing bi-partisan bills have been introduced that aim to address different aspects of the 340B program. One bill would institute a moratorium on the new CMS rule (McKinley-Thompson), while the other would impose new reporting requirements for the 340B program and limit the number hospitals that can enroll in the program (Bucshon-Peters).

Governor Jerry Brown releases proposed state budget for FY 2018-2019: Health and human services highlights

Governor Brown proposed a \$132 billion state budget on January 10. The plan warns that a likely recession and changes at the federal level could severely impact the state's fiscal landscape, and thus the state needs take appropriate budgetary precautions. The budget cautions that federal uncertainties could significantly impact health and human services programs, including Congressional action to reduce Medicaid funding, continued efforts to repeal the Affordable Care Act (ACA), Children's Health Insurance Program (CHIP) reauthorization, and proposed reductions to the health and social service block grants.

The plan also acknowledges that the recent repeal of individual coverage mandate in the tax bill may result in disruptions in the health care market and that without a long-term reauthorization of CHIP, it could impact the 1.3 million children and pregnant women enrolled in the program. The proposed budget for health and human services continues California's commitments to implementing and improving upon the Affordable Care Act.

Health-related highlights from the plan include:

- Increases for Medi-Cal by \$543.7 million over the 2017-18 Budget Act.
- Estimates of \$1.3 billion revenue from Proposition 56 Tobacco Tax. That funding would be allocated to the Medi-Cal program and providers, and home health providers.
- Restoration of full dental services for adult Medi-Cal members as of January 1 2018 with a \$34.7 million allocation in 2017-18 and \$72.9 million annually thereafter.
- Restrictions on the use of federal 340B Drug Pricing Program reimbursements effective July 1, 2019 – taking a critical source of savings away from public health care systems and other safety net providers.
- Increases in revenue from the cannabis excise taxes estimated at \$175 million in 2017-18 and \$643 million in 2018-19.

Over the coming weeks, the Legislature will begin hearing proposed budget items. The Senate is scheduled to convene a budget overview hearing on January 18 and the Assembly on January 23. In May, the Governor will release a revised budget plan. The Legislature must then pass a budget by June 15.

Flu season is here – DPH promoting prevention and outreach

Flu season is off to an early start nationwide, and the California Department of Public Health reports widespread flu activity in the state. San Franciscans can protect themselves by getting the **flu shot** and taking other steps to prevent getting sick or spreading illness.

- Cough and sneeze into a tissue or your elbow
- Avoid touching your eyes, nose or mouth
- Wash your hands often and thoroughly
- Stay home when you are sick

The Health Department has taken several steps to promote prevention, including press release, multi-lingual PSAs and multiple media interviews. Our web and social media sites provide flu tips and shot locations, and we have reached out to providers, hospitals, community based organizations and other city agencies to help spread the word. Flu shots are being given at the Adult Immunization and Travel Clinic, ZSFG, Laguna Honda

and primary care clinics, as well as at Project Homeless Connect and Hep A vaccine pop-up clinics. San Franciscans also can obtain flu shots at their doctor's offices, primary care clinics, and at pharmacies on a walk-in basis for a fee. Use the [Health Map Vaccine Finder](#) to find a flu shot near you.

In our monitoring of flu activity, we have looked at EMS call volumes, which have fallen into the normal range of call volumes for this time of year. We have reached out to hospitals, and while they all are fairly full they are managing to keep up with the demand so far. To date there have been no reported deaths from flu, of people under 65.

For more information about the flu, visit <http://www.sfcddcp.org/flu>.

Legalized cannabis for adults prompts youth health campaign

As San Francisco embarks upon the legal sale of adult-use cannabis, the Health Department launched a campaign in December to provide youth with the facts and risks to support healthy decisions in this new era. The campaign kicked off with social media PSAs and will expand with messages tested by youth focus groups, in collaboration with SFUSD, the Department of Children, Youth and Their Families, and other organizations that work with young people.

With the loosening of restrictions for adults, and the expected surge in cannabis businesses and advertising, it is crucial that teenagers know the facts. Young people are smart. They need clear information about the new law, the risks of cannabis use and how to withstand the influence of targeted advertising. California voters approved Proposition 64, the Adult Use of Marijuana Act, in November 2016. The law makes it legal for people 21 and older to use, possess and make non-medical cannabis available for retail sale. The San Francisco Office of Cannabis oversees the local program, and the Health Department will support it through health education and assessment, environmental health monitoring and inspection, and care for people who develop medical or substance use problems related to recreational cannabis. Youth consumption of cannabis here is lower than the national average. Seventy-one percent of San Francisco high school students have never used cannabis, compared to 59 percent of their counterparts nationwide, according to a 2015 study by the National Drug Early Warning System. Using cannabis is not something that every teenager does, despite the myths and messages to the contrary.

From a health perspective, delaying cannabis consumption is the smart thing to do for young brains, which are still developing into the mid-20s. Cannabis-related health risks are greater for young people. Smoking it can increase the risk of respiratory illness, and decreased motivation and memory can inhibit youth from reaching their goals as they grow into adulthood.

Vision Zero progress: 2017 shows drop in traffic fatalities on San Francisco's streets

Acting Mayor London Breed joined the Department of Public Health, San Francisco Municipal Transportation Agency and Police Department for a January 4 announcement that 2017 saw the lowest number of traffic fatalities on San Francisco's streets since the City began keeping records in 1915. The City launched Vision Zero with a goal to eliminate traffic fatalities in 2014. The prior year there were 34 fatalities on San Francisco streets. After concerted efforts that number fell to a record-low of 20 in 2017, a decrease of 41 percent. Pedestrian fatalities also reached a historic low of 14 last year, falling 34 percent.

San Francisco's improving statistics run counter to regional and national trends, which show that traffic deaths, particularly among pedestrians and cyclists, are on the rise. Data from the National Highway Traffic Safety Administration (NHTSA) shows that nationwide traffic fatalities increased 5.6 percent in 2016 over the previous year. In the Bay Area, traffic fatalities increased 43 percent from 2010 to 2016, according to the Metropolitan Transportation Commission. San Francisco's decline in traffic fatalities also comes during a time of unprecedented growth in the city, when an increase might be expected. According the U.S. Census Bureau's 2015 American Community Survey, San Francisco added roughly 100,000 new commuters between 2006 and 2015.

At the core of Vision Zero is a very simple philosophy: traffic deaths are preventable and unacceptable. While these statistics are an encouraging sign the City is making progress toward achieving its goal of zero traffic fatalities, city departments and advocates are redoubling their efforts to make the San Francisco's streets safer. Vision Zero combines engineering, enforcement, education and data analysis to identify and solve traffic safety problems. SFDPH plays a critical role by coordinating with Zuckerberg San Francisco General Hospital to conduct data analyses on patients injured in traffic collisions so that the City is better informed about where collisions most commonly occur. This has led to the creation of the High-Injury Network – the first analysis in the United States that maps both police and hospital records to inform targeted traffic safety efforts.

In San Francisco, seniors are disproportionately victims of traffic collisions, making up 50 percent of pedestrian deaths in 2017 while comprising just 15 percent of the population. In response, SFDPH launched the Safe Streets for Seniors program, which has reached over 730 seniors, providing multi-lingual Vision Zero education to them and their service providers.

Public-private partnership to bring new beds for mental health patients to San Francisco

The City is launching a public-private partnership to address critical mental health needs in our system of care for people with complex behavioral health needs. Soon, 40 new subacute mental health (conservatorship and incompetent to stand trial) beds will open at St. Mary's Hospital.

Former Mayor Lee invested \$5M in the City's FY17/18 and 18/19 budget for DPH to increase capacity for subacute mental health beds. These new beds will serve clients placed on various mental health conservatorships, as well as people who are deemed incompetent to stand trial. The increased capacity – nearly doubling the in-county supply -- will allow us to alleviate upstream pressure on inpatient psychiatric units, Psychiatric Emergency Services, and the city's emergency rooms. DPH, with support from UCSF of a \$1M capital investment, is partnering with Saint Mary's Medical Center where the beds are currently scheduled to open in February.

Kavoos Ghane Bassiri honored as a Non-Profit Hero

I am delighted to announce that Kavoos Ghane Bassiri, Director of Behavioral Health Services, will be honored at the San Francisco Suicide Prevention "Heroes of Non Profit" Luncheon on Friday Feb 9 at the City Club of San Francisco. Please join Kavoos and other non-profit heroes and community leaders to celebrate the hard work they do for the community. For tickets, or more information visit [Heroes of Non Profit Luncheon](#) on Eventbrite or contact San Francisco Suicide Prevention.

4) GENERAL PUBLIC COMMENT

There was no public comment.

5) SAN FRANCISCO HEALTH NETWORK UPDATE

Roland Pickens, Director, gave the update.

Commissioner Comments:

Commissioner Sanchez thanked Mr. Pickens for a thorough report and update.

Commissioner Karshmer commended the San Francisco Health Network leadership, including Mr. Pickens, for deciding to use common language regarding Lean and quality assurance measures throughout the Network because it brings clarity to the system. She stated that as a Commissioner on the Laguna Honda Hospital Joint Conference Committee, she is appreciative of this decision.

Director Garcia stated that the SFDPH has opened a Kaizen Office which is in charge of Lean activities throughout the Department.

6) SFDPH SECURITY UPDATE

Basil Price, Director of Security, gave the update.

Commissioner Comments:

Commissioner Karshmer thanked Mr. Price for his impactful responsiveness including establishing a more effective relationship with the Sheriff's Department.

Commissioner Sanchez stated that he is impressed by Mr. Price's leadership. He noted that data collection is important to understand how the Security interventions can make improvements in the SFDPH's system wide issues.

7) OTHER BUSINESS:

Commissioner Chung requested information at a future meeting regarding the number of total uninsured individuals in San Francisco and within California.

8) JOINT CONFERENCE COMMITTEE REPORTS

Commissioner Sanchez, LHH JCC Chair, stated that at its January 9, 2018 meeting, the Committee discussed the Administrator's Report, 2017 Employee Satisfaction Survey, Annual Security Review, Annual Facility Assessment, and approved hospital-wide policies and procedures.

9) COMMITTEE AGENDA SETTING

This item was not discussed.

10) ADJOURNMENT

The meeting was adjourned at 4:33pm in memory of Dr. Matilde Krim, co-founder of the American Foundation for AIDS Research, who died on January 15, 2018.