

**James M. Illig**  
President

**Sonia E. Melara**  
Vice President

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

**Margine A. Sako**  
Commissioner

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

**Steven Tierney, Ed.D.**  
Commissioner

**Catherine M. Waters, R.N., Ph.D.**  
Commissioner

## HEALTH COMMISSION

CITY AND COUNTY OF SAN FRANCISCO  
**Gavin C. Newsom, Mayor**

**Department of Public Health**



**Mitchell H. Katz, M.D.**  
Director of Health

**Michele M. Seaton**  
Executive Secretary

TEL (415) 554-2666  
FAX (415) 554-2665

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

## MINUTES

### HEALTH COMMISSION MEETING

**Tuesday, November 4, 2008**

**At**

**4:00 p.m.**

**101 GROVE STREET, ROOM 300 or ROOM 302  
San Francisco, CA 94102**

#### 1) CALL TO ORDER

President Illig called the meeting to order at 4:10 p.m.

Present: Commissioner James M. Illig, President  
Commissioner Sonia E. Melara, MSW, Vice President  
Commissioner Edward A. Chow, M.D.  
Commissioner Margine A. Sako  
Commissioner David J. Sanchez, Jr., Ph.D.  
Commissioner Catherine M. Waters, R.N., Ph.D. – arrived at 4:15 p.m.

Absent: Commissioner Steven Tierney, Ed.D. (notified absence)

#### 2) APPROVAL OF THE MINUTES OF THE HEALTH COMMISSION MEETING OF OCTOBER 21, 2008

Action Taken: The Commission (Chow, Illig, Melara, Sako, Sanchez) approved the minutes of the October 21, 2008 Health Commission meeting.

#### 3) GENERAL PUBLIC COMMENT

None.

#### 4) DIRECTOR'S REPORT

Mitchell H. Katz, M.D., Director of Health, presented highlights from the Director's Report.

##### DPH Items at the Board of Supervisors

During the week of November 3, the Government Audit & Oversight Committee meets on Monday, the full Board of Supervisors meets on Tuesday, the Budget & Finance Committee and the Land Use & Economic Development Committee meet on Wednesday. The Rules, City Operations & Neighborhood Services, and City & School District committee meetings are cancelled. The report detailed the resolutions and hearings that are being considered.

##### Mayor's Budget Office Directive to Submit Mid Year Cuts

On October 29, Departments were given mid year reduction targets to address an estimated \$75 million citywide shortfall in projected revenues. Proposals to meet the targets must be submitted by Friday, November 7. The targets address a projected shortfall in revenues only and do not consider any potential deficit (or revenue) increase due to the outcome of the November ballot, or any additional state cuts. For that reason, the City is also any freezing one-time spending in order to account for the possibility of additional shortfalls.

The revenue weakness is expected to continue into the 2009-10 budget year. Therefore the mid year reductions must be ongoing reductions as opposed to one-time savings and should come from eliminating items such as:

- Programs that have not started or are in progress;
- Positions that are vacant or filled;
- Reductions in operating costs, or
- Reductions in contracts or programs.

We have been advised that the target for the Health Department is a \$26.7 million reduction in budgeted General Fund. This is a proportional share of a \$75 million total reduction. We are working with the Mayor's Budget Office, the Controller and our senior leadership to develop a reduction plan.

In addition to this reduction, we must also address projected overspending for the current year. Our salary projections indicate that personnel costs at our hospitals will exceed budget by \$15 million. \$10 million of this is due to structural expenses that we incurred last year, (for which supplemental appropriations were required), identified in the budget process this year but were not funded. Additional expenses are associated with a higher than budgeted census at SFGH. We are developing a separate plan to address this issue.

##### Ocean Park Health Center Hosts "Walk and Talk" Series

The Ocean Park Health Center Patient Advisory Council successfully hosted a four session *Walk and Talk* Series on this past September. An average of 25 participants from a diverse group of patients and neighbors from the community including Caucasians, Filipinos, Japanese and Chinese and ranging in age from 40 to 91 years old, attended each session.

The aim of the *Walk and Talk* program was to provide opportunities for participants to exercise in a relaxed, group setting and to attend educational workshops, held in English and Chinese, which focused on various health topics. Health topics covered in the four workshops included Weight Management, Exercise Benefits, Medicare Part D program and Hepatitis B. A Q & A session & lunch were provided at the end of each workshop to enhance communication and group interaction.

Participants commented on how much they enjoyed the socialization, interaction, and health education. As a result of the success of the *Walk and Talk* series, the walking club will be continuing to meet weekly in Golden Gate Park, and more sessions covering different health topics will be scheduled in the future.

#### Mass Vaccination Exercise a Success

The CA Department of Public Health mandated that all county health departments conduct a mass vaccination clinic exercise as part of their flu program this year. This Department organized and held our mass vaccination exercise on October 22 at the Cameron House in Chinatown. The day long event was very successful. We were sufficiently staffed to the point where we could have accommodated three times the number of patients that showed up, which is a credit to the planning and response by staff. It is worth noting that 90% of the employee volunteers had never been involved in a mass vaccination clinic or exercise before and within about 10 minutes of just-in-time training, they performed like a precision drill team. By late afternoon, 261 individuals had received free influenza vaccinations. We will have an after action plan in 30 days. We continue to practice emergency drills in small and large scales, always improving our response times, cross-training staff and increasing our experience and readiness.

#### Paid Sick Day Law

Environmental Health has supported San Francisco's Paid Sick Day Law by mailing educational brochures on city labor laws to more than 3,400 San Francisco restaurants. Each year in California, hundreds of cases of preventable illnesses occur related to such restaurant outbreaks, and restaurant workers who work while ill are often contributing factors. The Paid Sick Day law, which took effect in February 2007, allows all employees working for San Francisco employers to earn paid sick time to use to take care of themselves or a family member. Unfortunately, many San Francisco workers, including restaurant workers, are still unaware of their benefits under this law, which can help prevent food borne disease outbreaks in restaurants. This outreach to restaurants is part of a broader, coordinated citywide campaign to increase employer and employee knowledge about the law that is being coordinated by the Mayor's Office of Labor Standards Enforcement. A copy of the educational brochures in both English and Spanish are attached to this Director's Report.

#### Infect Me Not Campaign Continues to Amuse and Delight

One of the many attributes of the *Infect Me Not* campaign launched earlier this month is evident in its staging and roll out. Each week, staff from the Communicable Disease Control & Prevention (CDCP) post and promote *Infect Me Not* messages on the web.

#### Flu Clinics Begin: Adults and Children

We continue to emphasize prevention as the best way to maintain good health by opening the Department's Public Flu Clinics next week. We have been promoting the clinics throughout the City utilizing newly developed posters in English, Chinese and Spanish. Castro Mission, Chinatown, Maxine Hall, Ocean Park, Silver Avenue and Southeast Health Centers will all offer flu shots for \$10 each from 8:30 am - 11:00 am on Tuesday November 4, Thursday November 6, and Thursday November 13. Curry Senior Center, Potrero Hill Health Center and Tom Waddell Health Center will also be offering shots to the general public. All public clinics in San Francisco (including private drug stores) are listed at [www.sfdph.org/flu](http://www.sfdph.org/flu). This year the Department is also sponsoring elementary school-based FluMist clinics (no needles means no tears) at William Cobb and Gordon Lau Elementary Schools. The first William Cobb clinic was successful and took place on October 28. The first Gordon Lau clinic will be November 13. Follow-up clinics for any children needing a second dose will be in December.

### Staff Presentations at American Public Health Association Meeting

Community Health Promotion and Prevention Branch/Community Health Education Section staff presented and/or co-authored presentations at the American Public Health Association annual conference and meeting, held in San Diego, October 26 - 29. Patricia Erwin, Newcomers Health Program, presented "New and Emerging Roles for Community Health Workers;" Buffy Bunting, Health Education Training Center, presented "Partnerships to Improve the Public Health Workforce and Infrastructure;" and Ginger Smyly, Community Health Promotion and Prevention, co-authored "Assessing Local Health Department's Capacity to Address Health Inequities: Organizational self assessment tool." Ms Erwin also moderated a session on "You have to see a doctor again? Continuity of care for immigrants," sponsored by the Caucus on Refugee and Immigrant Health. Congratulations to all of the DPH presenters and co-authors.

### Transgender Health Conference

On October 24, Community Behavioral Health Services in collaboration with the HIV Prevention Section, presented the training conference, *Transgender Health: Everything You Wanted to Know... But Were Afraid to Ask*. Approximately 307 substance use treatment providers, therapists, counselors, physicians, physician's assistants, nurses, social workers, health educators, outreach workers, and providers of family services packed into St. Mary's Conference Center. This conference was designed to educate service providers on important issues and trends affecting transgender people and their families, focusing on three main topical areas: 1) access to primary care, 2) substance use and 3) mental health services. Featured presenters included: Holy Old Man Bull, Discrimination Investigator of the Human Rights Commission; Robin Dea, MD Regional Director of Mental Health Services - Kaiser Permanente; the Ladies of Passion; Lori Kohler, MD of UCSF; and Barry Zevin, MD of Tom Waddell Health Center and a host of other leaders in the field of transgender health. Those who attended had high praise for the conference, which had been much anticipated. Many thanks to Norman Aleman of CBHS and Jenna Rapues of HPS for their leadership and success with this training.

### Comments/Follow Up

- Commissioner Illig announced that Michele Seaton, Health Commission Executive Secretary, has resigned her position to take a job with Santa Clara County.

### **5) PRESENTATION OF THE MAYOR'S MID-YEAR BUDGET REDUCTION TARGETS AND THE HEALTH DEPARTMENT'S PLAN FOR MEETING THE TARGET**

Gregg Sass, Chief Financial Officer, presented an update on the mid-year cuts that the Mayor's Budget Office has called for. On October 31<sup>st</sup>, the Controller announced that there would be a current year revenue shortfall of \$90 million - \$125 million. DPH was asked to provide \$26.7 million in cuts to address its portion of the deficit. Mr. Sass described DPH's balancing plan for the current year's projected deficit, and presented a process for the mid-year reductions. The deadline for submission of the mid-year reductions is Friday, November 7<sup>th</sup>, but it is doubtful that DPH can meet this deadline due to the enormity of the task. Staff is reviewing items proposed for reduction in FY 2008/09 and restored by the Mayor and Board of Supervisors, but even if all of these cuts were taken DPH would not meet the target. The plan is to bring a report to the November 18<sup>th</sup> Health Commission meeting. It is probable that cuts will require a Beilenson Hearing before the Health Commission. Dr. Katz added that one of the ways this year is different is this year we have a "same year" problem, and the city is spending more than it is earning. The City Charter prohibits

this so the problem must be addressed immediately. In addition, the target is so large that it requires us to look carefully the strategic plan and re-envision what the Health Department looks like. The Health Commission and staff have been doing good work around this, and this provides a good baseline. The focus will be on how to be smaller, but still in keeping with the strategic plan. It is likely that the list presented on November 18<sup>th</sup> will consist of proposals that were already presented to the Commission.

#### Comments/Follow Up

- Commissioner Illig noted that the Health Department has by far the biggest target reduction, and it appears that our percentage of the cuts is higher than the Department's percentage of the general fund.
- Commissioner Sako said in terms of trends, based on what DPH contributed to the citywide problem last year, we can expect to contribute a similar amount next year. Mr. Sass said that if the Department is successful with this process, it will go a long way toward addressing next year's budget reductions.
- Commissioner Chow said that the fact that certain items cannot be looked at during mid-year, due to things like long-term leases, contracts, etc., does not mean they should be taken out of next year's budget reduction proposal. Dr. Katz said everything is on the table. Commissioner Chow said the fact that the Board of Supervisors restored programs that were proposed to be cut and now mere months later we are facing another revenue shortfall adds to people's cynicism. This might again be seen as an effort in futility. DPH needs to be very clear about what these cuts means in terms of reduced services.
- Commissioner Sanchez said we will need to carefully evaluate what the core responsibilities of the Health Department are, what the priorities are, and target areas that do not meet these priorities for reductions.
- The budget report will come to the full commission on November 18, 2008.
- The Beilenson Hearing is tentatively scheduled for December 16, 2008, subject to confirmation of a quorum.
- Commissioner Sako said that when individual reductions are presented, the report should include information about the total amount of funding for the program, in addition to the amount of the cut.

#### Public Comment

- Jacob Moody, Bayview Hunters Point Foundation, asked how the re-envisioning of the Department will move forward, given that we do not want the dollars to drive reorganization. He said Barbara Garcia's process may be a good place for these discussions. Dr. Katz said that each decision will be made with a strategic re-envisioning in mind.
- Dick Hodgson asked if State mid year cuts will add to the City's mid year problem. Commissioner Illig said it would seem so.

## 6) UPDATE ON NON-PROFIT CONTRACTING

Anne Okubo, Deputy Finance Director, presented an update on non-profit contracting. Contractors and DPH staff have commended the Health Commission on its revised policy to streamline contract approval, as well as the Commission's revised policy on oversight of contractor performance. Ms. Okubo said the Board's Finance Committee has concerns about the 12% contingency included in contracts. DPH staff will follow up with the Board and the Controller on potential legislation. Ms. Okubo said a new model was piloted to jointly conduct contract negotiations with providers for FY 08-09 residential treatment programs. In addition, contractors received one FY 08-09 contract allocation letter reflecting all Community Programs funding rather than separate letters from each section. A master list was developed of all contracts across Community Programs to determine funding by agency, section and modality. A RFP is being developed that will consolidate funding from CBHS and HIV Services for residential substance abuse programs. And finally a users group was created to allow contractors to meet and discuss issues related to use of COOL.

### Public Comment

- Debbi Lerman, Human Services Network, said HSN has been working closely with the Department on this issue for the past five years. She described HSN's list of principles that would further enhance the contract streamlining process, and asked that the Commission to review. She submitted written testimony, which is on file in the Health Commission Office.

### Comments/Follow Up

- Commissioner Illig said that the Commission would like to see movement on the development of standards of care and outcomes on all services. Commissioner Illig intends to meet with Supervisor Elsbernd about the contingency issue.
- Commissioner Chow said that DPH has a fiduciary responsibility for funds, and must maintain oversight of and closely follow funding to contractors.

## 7) UPDATE ON PANDEMIC FLU PREPARATION

Susan Fernyak, M.D., Director, Community Disease Control and Prevention, updated the Commission on preparations for pandemic flu, and described the materials that have been created to help educate the public about pandemic flu and reduction measures. The materials are translated into Spanish and Chinese.

### Comments/Follow Up

- Commissioner Chow asked if agencies could link back to DPH's website, for example Kaiser, San Francisco Medical Society and other organizations. This could be an easy way to disseminate information. Dr. Fernyak will pursue this.

## 8) DISCUSSION OF THE HEALTH COMMISSION'S TEMPORARY PROCEDURES FOR THE COMMUNITY HEALTH CARE PLANNING ORDINANCE (PROPOSITION Q).

Commissioner Illig said that the Health Commission adopted temporary procedures to implement Proposition Q in 1989. These were never permanently adopted nor are they part of the Health

Commission's Rules of Order. He would like to propose amendments that give the Health Commission the flexibility to make hold the hearing and make findings at the same meeting, rather than having to hold two meetings. This is consistent with the ordinance that was adopted by the voters in 1988.

#### Comments/Follow Up

- Commissioner Chow said it has been helpful in the past to have two Proposition Q hearings, giving the hospital the opportunity to provide additional information in the intervening weeks before making a decision. This has allowed for a lot of changes and compromises to occur. Commissioner Illig said that his intent with the amendments is to allow the Commission to do either, and will not preclude having a subsequent meeting if there are issues that need to be worked out.
- The amendments will be presented to the Health Commission on November 18<sup>th</sup>, and will be posted on the website and distributed to interested parties, including the Hospital Council, prior to the meeting.

#### 9) CLOSED SESSION

##### A) Public Comments on All Matters Pertaining to the Closed Session

None.

##### B) Vote on Whether to Hold a Closed Session (San Francisco Administrative Code Section 67.11)

Action Taken: The Commission (Chow, Illig, Melara, Sako, Sanchez, Waters) voted to hold a closed session.

The Commission went into closed session at 5:50 p.m. Present in closed session were Commissioner Chow, Commissioner Illig, Commissioner Melara, Commissioner Sako, Commissioner Sanchez, Commissioner Waters, Mitchell H. Katz, M.D., Health Director, Elizabeth Jacobi, Human Resources Director, Rose-Ellen Fairgrieve, Deputy City Attorney and Michele Seaton, Health Commission Executive Secretary.

##### C) Closed Session Pursuant to Government Code Section 54956.9 and San Francisco Administrative Code Section 67.10(d)

Action Taken: The Commission (Chow, Illig, Melara, Sako, Sanchez, Waters) approved the settlement of Aparicio v. City and County of San Francisco.

##### D) Reconvene in Open Session

The Commission reconvened in open session at 6:05 p.m.

1. Possible Report on Action Taken in Closed Session (Government Code Section 54957.1(a)2 and San Francisco Administrative Code Section 67.12(b)(2).)

2. Vote to Elect Whether to Disclose Any or All Discussions Held in Closed Session. (San Francisco Administrative Code Section 67.12(a).)

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

**10) CLOSED SESSION**

- A) Public Comments on All Matters Pertaining to the Closed Session

None.

- B) Vote on Whether to Hold a Closed Session (San Francisco Administrative Code Section 67.11)

The Commission went into closed session at 5:50 p.m. Present in closed session were Commissioner Chow, Commissioner Illig, Commissioner Melara, Commissioner Sako, Commissioner Sanchez, Commissioner Waters, Mitchell H. Katz, M.D., Health Director and Elizabeth Jacobi, Human Resources Director.

- C) Closed session pursuant to Government Code Section 54957 and San Francisco Administrative Code Section 67.10(b)

**PERSONNEL DISCUSSION: HEALTH DIRECTOR AND HEALTH COMMISSION EXECUTIVE SECRETARY**

- D) Reconvene in Open Session

The Commission reconvened in open session at 6:35 p.m.

1. Possible Report on Action Taken in Closed Session (Government Code Section 54957.1(a)2 and San Francisco Administrative Code Section 67.12(b)(2).)
3. Vote to Elect Whether to Disclose Any or All Discussions Held in Closed Session. (San Francisco Administrative Code Section 67.12(a).)

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

**11) OTHER BUSINESS**

Secretary's Note – this item was discussed before the Commission went into closed session.

Ms. Seaton said the Department of Children, Youth and Their Families is required to present the Community Needs Assessment to five commissions, including the Health Commission. The director has asked to present the Community Needs Assessment at one meeting with representatives from the five commissions, rather than present to each commission separately. Commissioner Melara said her preference is that the presentation be made to the full Health Commission. Commissioner Chow agrees that it be presented to the full Health Commission. His past experience with joint commission

meetings where only a few commissioners are represented is that they have not been useful and do not allow for real dialogue. The Health Commission Executive Secretary will convey this to Margaret Brodtkin.

The Health Commission decided that the Proposition Q Hearing on the closure of CPMC Davies Geriatric Psychiatry Unit, which is scheduled for the November 18<sup>th</sup> Health Commission meeting, will notices as a 6:30 p.m. time certain.

**12) COMMISSIONER REPORTS/ANNOUNCEMENTS/JOINT CONFERENCE  
COMMITTEE REPORTS**

Commissioner Chow said a UCSF medical student, Charles Liao, working with Dr. Albert Yuy from Chinatown Public Health Center, won first place in the poster presentation of the Chinese American Medical Society annual meeting in New York City. The topic of their presentation was Hepatitis B screening practices at Chinatown Public Health Center. Second place went to a basic research abstract from a UCSF student, Annie Fang.

**13) ADJOURNMENT**

The meeting was adjourned at 6:35 p.m.

---

Michele Seaton  
Health Commission Executive Secretary