

HEALTH COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
RESOLUTION NO. 47-94

**RECOGNIZING THE PASSAGE AND SUSPENSION
OF PROPOSITION 187**

WHEREAS, Proposition 187, appeared on the ballot for California's general election, and was passed by a majority vote on November 8, 1994; and,

WHEREAS, this initiative denies undocumented persons access to publicly-funded education, health care, and social services and requires public agencies providing these services to report persons "suspected" to be undocumented to immigration authorities; and,

WHEREAS, numerous lawsuits have been filed in State and Federal courts to challenge the legal statutory and constitutional components of the initiative; and,

WHEREAS, on November 9, 1994 Governor Pete Wilson signed Executive Order W-113-94 directing all affected state agencies to develop emergency regulations implementing Proposition 187, and further directing that the initiative shall be implemented in a fair and nondiscriminatory manner upon the issuance of emergency regulations and such other notices as are required by law (excepting sections two and three regarding penalties for false documentation); and,

WHEREAS, the San Francisco Department of Public Health seeks to promote the health and well-being of all San Franciscans by providing a continuum of medical, mental health, surveillance, and health promotion services, as well as planning and promoting sound public policies for public health and health care delivery; and,

WHEREAS, providing timely, cost-effective health care services to all persons regardless of their legal status promotes sound public policy and contributes to a healthier environment for all residents; and,

WHEREAS, Proposition 187's requirement that publicly-funded health care facilities verify the immigration status of persons suspected to be undocumented will increase the likelihood that immigrants will delay seeking timely medical attention for fear of harassment or deportation; and,

WHEREAS, this situation may result in a significant increase in the number of persons treated in San Francisco General Hospital's emergency room whose conditions might have been treated less expensively in an outpatient facility; and,

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RESOLUTION NO. 47-94 (Cont'd.)

WHEREAS, the San Francisco Health Commission passed Resolution 35-94 supporting Board of Supervisors Resolution 60-94-13 to oppose Proposition 187; now, therefore, be it

RESOLVED, that until further notice regarding the disposition of court proceedings or further administrative orders, the San Francisco Department of Public Health shall continue to follow normal operating procedures regarding the provision of medical and community public health services; and, be it

FURTHER RESOLVED, that this Commission urges the Director of Health to continue all efforts to communicate this policy to all Department employees, patients and residents of the City and County of San Francisco.

FURTHER RESOLVED, that the San Francisco Department of Public Health shall not implement any elements of Proposition 187 which contradict the mission and ethics of the Department and sound public health policy. Specifically, pending the outcome of legal challenges, the San Francisco Department of Public Health shall not in any way attempt to identify so-called "suspected" illegal immigrants; shall not report anyone to immigration authorities; shall not deprive anyone of needed health services on the grounds of "suspicion" of being undocumented; and shall not eliminate the provision of anonymous HIV testing which is an integral part of our AIDS prevention effort.

I hereby certify that the foregoing resolution was adopted by the Health Commission at its meeting of Tuesday, November 15, 1994.



Sandy Ouye Mori
Executive Secretary to
the Health Commission