

BOARD of SUPERVISORS



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## MEMORANDUM

TO: Dr. Grant Colfax, Director, Department of Public Health  
Dr. Amy Hart, Acting Chief Medical Examiner

FROM: John Carroll, Assistant Clerk,  
Government Audit and Oversight Committee, Board of Supervisors

DATE: June 10, 2020

SUBJECT: LEGISLATION INTRODUCED

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The Board of Supervisors' Government Audit and Oversight Committee has received the following resolution, introduced by Supervisor Peskin on June 2, 2020:

**File No. 200590**

**Resolution urging the Department of Public Health to work with the Office of the Chief Medical Examiner to conduct epidemiological post-mortem COVID-19 testing and contact tracing of deceased San Francisco residents and urging the Office of the Chief Medical Examiner to conduct surveillance swabbing of all decedents to properly identify and certify deaths from the COVID-19 virus and monitor community spread.**

If you have any additional comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Greg Wagner, Department of Public Health  
Dr. Naveena Bobba, Department of Public Health  
Sneha Patil, Department of Public Health  
Dr. Ellen Moffat, Office of the Chief Medical Examiner  
Ken Bukowski, Office of the Chief Medical Examiner

1 [Urging the Department of Public Health and the Medical Examiner to Conduct  
2 Epidemiological Post-Mortem COVID-19 Testing and Contact Tracing]

3 **Resolution urging the Department of Public Health to work with the Office of the Chief**  
4 **Medical Examiner to conduct epidemiological post-mortem COVID-19 testing and**  
5 **contact tracing of deceased San Francisco residents and urging the Office of the Chief**  
6 **Medical Examiner to conduct surveillance swabbing of all decedents to properly**  
7 **identify and certify deaths from the COVID-19 virus and monitor community spread.**

8  
9 WHEREAS, In the weeks since the City and County of San Francisco formally shut  
10 down all non-essential functions to comply with a mandatory Shelter in Place order, local and  
11 national health officials have learned much more about the timeline for the emergence of the  
12 novel coronavirus COVID-19 in the Unites States, including the high likelihood that the virus  
13 was already circulating throughout the Bay Area as far back as January of 2019; and

14 WHEREAS, On February 6, 2020, Patricia Dowd of Santa Clara County died of a  
15 cardiac tamponade from myocarditis, but severe testing shortages across the country delayed  
16 a final forensic diagnosis confirming she was infected with the COVID-19 virus at the time of  
17 her death, (specifically an infection of SARS-CoV-2 virus in her previously healthy heart  
18 muscle cells), making her the first known death from the COVID-19 virus in the United States,  
19 three weeks after the Center for Disease Control recorded the first COVID-19 deaths in  
20 Washington State; and

21 WHEREAS, Patricia Dowd was, by all documented health accounts at the time of her  
22 death, an individual in good health who was asymptomatic in the period immediately prior to  
23 death and had not travelled recently to areas with confirmed cases of COVID-19, leading  
24 health officials to conclude she had contracted the disease through local Bay Area  
25 transmission; and

1           WHEREAS, As a result of the revelations surrounding Patricia Dowd’s death, Santa  
2 Clara County health officials reclassified multiple other deaths as COVID-19 related; and

3           WHEREAS, Sound data-driven epidemiology can confirm the presence of the COVID-  
4 19 virus in San Francisco patients whose toxicology and tissue samples are required to be  
5 held for a year by the Medical Examiner’s Office, and

6           WHEREAS, Sound data-driven epidemiology can confirm the presence of the COVID-  
7 19 virus in San Francisco patients whose toxicology and tissue samples are required to be  
8 held for a year by the Medical Examiner’s Office, and

9           WHEREAS, The San Francisco Department of Public Health has said that they will not  
10 employ testing tools that have not been approved by the Food and Drug Administration,  
11 though those tests are not only available but have been used in other jurisdictions by  
12 reputable forensic epidemiologists to test post-mortem blood samples for the presence of the  
13 COVID-19 virus and contact trace the deceased’s close contacts; and

14           WHEREAS, The Connecticut Medical Examiner’s Office, The San Mateo Coroner, and  
15 the Alameda County Sheriff-Coroner’s Office has begun surveillance swabbing of deceased  
16 individuals, which is an easy-to-administer process that contributes to the State’s contact  
17 tracing efforts; and

18           WHEREAS, The high number of essential workers who work in congregate settings  
19 who have tested positive for the COVID-19 virus and who have also reported increased  
20 numbers of deaths since the start of 2020 clustered within congregate settings presumably  
21 unrelated to COVID-19 warrants further post-mortem case investigation to accurately identify  
22 the transmission and spread of the virus in “hot spots” and as compared with mortality rates  
23 over the same period of time in previous years; and

24           WHEREAS, The Center for Disease Control and the Department of Public Health have  
25 identified robust testing and contact tracing as critical and essential pre-requisites to any re-

1 opening of local jurisdictions currently sheltering in place, and health officials around the world  
2 have warned of a second surge of the COVID-19 virus in jurisdictions that have not  
3 implemented these protocols; and

4 WHEREAS, Health officials have warned that it is critical to have a more precise  
5 Patient Zero date than the state and federal jurisdictions have achieved with their current level  
6 of guesswork and assumptions in order to accurately identify a map of the events that brought  
7 the COVID-19 virus to the United States and the Bay Area, when the initial point of  
8 transmission happened and how many people the virus has killed, along with their personal  
9 profiles and demographic information, in order to have reliable and accurate data that public  
10 officials and policy makers can utilize to manage this national emergency and its local  
11 impacts; now, therefore, be it

12 RESOLVED, That the Board of Supervisors of the City and County of San Francisco  
13 urges the Department of Public Health to work with the Office of Chief Medical Examiner and  
14 the Office of Vital Records to examine the monthly mortality rates from November 2019  
15 onward and compare the same window of time to the monthly rates in previous years in order  
16 to assess unusual clusters or spikes in the mortality rates for the diagnoses of “ARDS” and  
17 “pneumonia” specifically in elderly or immune-compromised individuals; and, be it

18 FURTHER RESOLVED, That the Board of Supervisors of the City and County of San  
19 Francisco urges the Department of Public Health to conduct epidemiological post-mortem  
20 testing of all deceased San Francisco residents and contact tracing of those residents’  
21 surviving close contacts if the decedent’s COVID-19 tests are positive; and, be it

22 FURTHER RESOLVED, That the Board of Supervisors of the City and County of San  
23 Francisco urges the Office of the Chief Medical Examiner to begin surveillance swabbing of all  
24 decedents that fall under their jurisdiction.

25

# Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor  inquiries"
- 5. City Attorney Request.
- 6. Call File No.  from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.**

Sponsor(s):

Subject:

The text is listed:

Signature of Sponsoring Supervisor:

For Clerk's Use Only