

File No. 240984

Committee Item No. 2

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date Dec 9, 2024

Board of Supervisors Meeting

Date _____

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OTHER (Use back side if additional space is needed)

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Completed by: Victor Young

Date Dec 5, 2024

Completed by: _____

Date _____

1 [Administrative Code - Mental Health SF Implementation Working Group]

2

3 **Ordinance amending the Administrative Code to decrease the number of members of**
4 **the Mental Health SF Implementation Working Group from 13 to 7, require the Working**
5 **Group by July 31, 2025 to submit a final report containing an evaluation of the Mental**
6 **Health SF program and recommendations for program improvements, and change the**
7 **sunset date for the Mental Health SF Implementation Working Group from September 1,**
8 **2026 to July 31, 2025**the effective date of this ordinance.

9

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
10 **Additions to Codes** are in *single-underline italics Times New Roman font*.
11 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
12 **Board amendment additions** are in double-underlined Arial font.
13 **Board amendment deletions** are in ~~strikethrough Arial font~~.
14 **Asterisks (* * * *)** indicate the omission of unchanged Code
15 subsections or parts of tables.

13

14 Be it ordained by the People of the City and County of San Francisco:

15

16 Section 1. The Administrative Code is hereby amended by revising Sections ~~5.42-2,~~
17 ~~5.42-3, 5.44-4,~~ and 5.44-5 to read as follows:

18

19 **SEC. 5.44-2. MEMBERSHIP.**

20

(a) The Implementation Working Group shall consist of ~~13~~7 members, appointed
21 by the Mayor, ~~or~~ the Board of Supervisors, ~~or the City Attorney,~~ or the City Attorney, as
22 specified in subsection (b).

23

(b) Seats 1-~~13~~7 shall be filled as follows:

24

(1) Seat 1 shall be held by a person with expertise working on behalf of healthcare
25 workers, appointed by the Board of Supervisors.

1 (2) Seats ~~2 and 3~~ and 3 shall ~~each~~ each be held by a person who identifies as
2 having a mental health condition or identifies as having both a mental health condition and
3 substance use condition (“dual diagnosis”), and who has accessed mental health or
4 substance use services in San Francisco, appointed by the Mayor ~~and the Board of Supervisors,~~
5 ~~respectively~~ and the Board of Supervisors, respectively.

6 (3) Seat ~~4~~ 4 shall be held by a City peace officer, emergency medical technician,
7 or firefighter (“First Responder”), with expertise in mental health and/or substance use
8 treatment, appointed by the Mayor.

9 (4) Seats ~~5~~ 5 and ~~6~~ 6 shall ~~each~~ each be held by a ~~substance~~ substance use
10 treatment provider with ~~substance use expertise in mental health treatment and harm reduction~~ in
11 mental health treatment and harm reduction, appointed by the Mayor ~~and the Board of~~
12 ~~Supervisors, respectively~~ and the Board of Supervisors, respectively.

13 (5) ~~Seat 5 shall be held by a treatment provider with mental health expertise,~~
14 ~~appointed by the Board of Supervisors.~~

15 (5) ~~6~~ 6 shall be held by a ~~mental health or substance use~~ mental health or
16 substance use treatment provider with experience ~~working with~~ working with ~~serving justice-~~
17 ~~involved populations~~ criminal system-involved patients,
18 appointed by the Board of Supervisors.

19 (6) ~~Seat 8 shall be held by a psychiatrist or other behavioral health professional with~~
20 ~~expertise providing services to transitional age youth (ages 18-24) in San Francisco, appointed by the~~
21 ~~Board of Supervisors.~~ (6) Seat 8 shall be held by a psychiatrist or other behavioral health
22 professional with expertise providing services to transitional age youth (ages 18-24) in San
23 Francisco, appointed by the Board of Supervisors.

24 (7) ~~Seat 9 shall be held by a person with experience in the management or operation of~~
25 ~~residential treatment programs, appointed by the Mayor.~~ (7) Seat 9 shall be held by a person with

1 experience in the management or operation of residential treatment programs, appointed by
2 the Mayor.

3 ~~(8) Seat 10 shall be held by an employee of the Department of Public Health with expertise~~
4 ~~in working with dually diagnosed persons, appointed by the Mayor.~~ (8) Seat 10 shall be held by an
5 employee of the Department of Public Health with expertise in working with dually-diagnosed
6 persons, appointed by the Mayor.

7 ~~(9) Seat 11 shall be held by a person with experience providing supportive housing in San~~
8 ~~Francisco, appointed by the Board of Supervisors.~~ (9) Seat 11 shall be held by a person with
9 experience providing supportive housing in San Francisco, appointed by the Board of
10 Supervisors.

11 ~~(10710) Seat 12712 shall be held by an employee of the Department of Public~~
12 ~~Health with experience in health systems or hospital administration, appointed by the Mayor.~~

13 ~~(11) Seat 13 shall be held by a person with expertise in the field of health law, appointed~~
14 ~~by the City Attorney.~~ (11) Seat 13 shall be held by a person with expertise in the field of health
15 law, appointed by the City Attorney.

16
17 **SEC. 5.44-3. ORGANIZATION AND TERMS OF OFFICE.**

18 (a) Members of the Implementation Working Group shall serve two-year terms,
19 beginning on June 1, 2020; ~~provided, however, the term of the initial appointees in Seats 1, 3, 5, 7,~~
20 ~~9, and 11 shall be one year, expiring on June 1, 2021;~~ provided, however, the term of the initial
21 appointees in Seats 1, 3, 5, 7, 9, and 11 shall be one year, expiring on June 1, 2021.

22 (b) Members of the Implementation Working Group shall serve at the pleasure of
23 their respective appointing authorities, and may be removed by the appointing authority at any
24 time.

1 ~~—(c) The Mayor, Board of Supervisors, and City Attorney shall make initial appointments to~~
2 ~~the Implementation Working Group within 90 days of the effective date of this Article XLIV.~~(c) The
3 Mayor, Board of Supervisors, and City Attorney shall make initial appointments to the
4 Implementation Working Group within 90 days of the effective date of this Article XLIV.

5 ~~—(d) The Implementation Working Group’s inaugural meeting shall be held within 90 days of~~
6 ~~the effective date of this Article XLIV, provided that a majority of the members have been appointed~~
7 ~~and are present at the meeting. There shall be at least ten days’ public notice of the inaugural~~
8 ~~meeting.~~(d) The Implementation Working Group’s inaugural meeting shall be held within 90
9 days of the effective date of this Article XLIV, provided that a majority of the members have
10 been appointed and are present at the meeting. There shall be at least ten days’ public notice
11 of the inaugural meeting.

12 ~~(eee) The Implementation Working Group shall meet at least once every other~~
13 ~~monthly~~after the inaugural meeting ~~after the inaugural meeting~~ for a total of at least six
14 ~~meetings per year.~~

15 ~~(fff)~~ Any member who misses three regular meetings of the Implementation
16 Working Group within any 12-month period without the express approval of the
17 Implementation Working Group at or before each missed meeting shall be deemed to have
18 resigned from the body 10 days after the third unapproved absence. The Implementation
19 Working Group shall inform the appointing authority for the resigned member’s seat of any
20 such resignation.

21 ~~(ggg)~~ Service on the Implementation Working Group is voluntary and members shall
22 receive no compensation from the City, except that a City employee appointed to Seat ~~4, 10,~~
23 4, 10, 3 or ~~12712~~ shall receive compensation from the City as an employee, because work on
24 the Implementation Working Group shall be considered part of the employee’s work for the
25 City.

1 (~~h~~) The Department of Public Health shall provide administrative and clerical
2 support for the Implementation Working Group. All City officials and agencies shall cooperate
3 with the Implementation Working Group in the performance of its functions.

4 (~~g~~) One representative from each of the following departments shall attend
5 meetings of the Implementation Working Group to be available for consultation by its
6 members: the Department of Public Health, the Human Services Agency, the Department of
7 Disability and Aging Services, and the Department of Homelessness and Supportive Housing.

8 ~~(h) Transition and Continued Membership.~~

9 ~~As of the effective date of the ordinance in Board File No. _____ reducing the number~~
10 ~~of members of the Implementation Working Group:~~

11 ~~_____ (1) The members occupying the seats formerly designated as seats 3, 8, 9, 10,~~
12 ~~11, and 13 shall cease being members;~~

13 ~~_____ (2) The members occupying seats 1 and 2 shall continue to occupy seats 1~~
14 ~~and 2, respectively, until their current term expires or until their appointing authority appoints a~~
15 ~~new member to fill that seat;~~

16 ~~_____ (3) The members occupying the seats formerly designated as seats 4, 5, 6, 7,~~
17 ~~and 12 shall occupy seats 3, 4, 5, 6, and 7, respectively, until their current term expires or until~~
18 ~~their appointing authority appoints a new member to fill that seat;~~

19 ~~_____ (4) Any seats that are vacant shall be filled by the appointing authority as soon~~
20 ~~as practicable.~~

21 ~~(i) A quorum for meetings of the Implementation Working Group shall be based on the~~
22 ~~new total number of seats.~~

23
24 **SEC. 5.44-4. POWERS AND DUTIES.**

1 (a) The Implementation Working Group shall have the power and duty to advise the
2 Mental Health Board or any successor agency, the Health Commission, the Department of
3 Public Health, the Mayor, and the Board of Supervisors, and may advise the San Francisco
4 Health Authority, on the design, outcomes, and effectiveness of Mental Health SF, established
5 by Section 15.104 of the Administrative Code. The Implementation Working Group shall
6 evaluate the effectiveness of Mental Health SF in meeting the behavioral health and housing
7 needs of eligible participants, by reviewing program data, and shall review and assess the
8 Implementation Plan that is required to be submitted to the Mayor and the Board of
9 Supervisors under subsection (h)(3) of Section 15.104 of the Administrative Code.

10 (b) The Implementation Working Group shall work with the Controller and the
11 Department of Human Resources to conduct a staffing analysis of both City and nonprofit
12 mental health services providers to determine whether there are staffing shortages that impact
13 the providers' ability to provide effective and timely mental health services. If the staffing
14 analysis concludes that there are staffing shortages that impact timely and effective service
15 delivery, the staffing analysis shall also include recommendations regarding appropriate
16 salary ranges that should be established, and other working conditions that should be
17 changed, to attract and retain qualified staff for the positions where there are staffing
18 shortages.

19 (c) By no later than October 1, 2020, and every year thereafter, the Implementation
20 Working Group shall submit to the Board of Supervisors, the Mayor, and the Director of Health
21 a written report on its progress.

22 (d) By no later than June 1, 2021, the Implementation Working Group shall submit
23 to the Board of Supervisors, the Mayor, and the Director of Health its final recommendations
24 concerning the design of Mental Health SF, and any steps that may be required to ensure its
25 successful implementation.

1 (e) Within six months of the effective date of this Article XLIV, the Implementation
2 Working Group shall submit to the Mayor, the Board of Supervisors, and the Director of Health
3 the staffing analysis required by subsection (b).

4 (f) In the event that the actual or projected annual cost of implementing Mental
5 Health SF exceeds \$150 million, as annually adjusted to reflect changes in the Consumer
6 Price Index (the "Cost Cap"), the Implementation Working Group shall submit to the Board of
7 Supervisors, the Mayor, and the Director of Health recommendations for how to reduce the
8 scope of services provided by Mental Health SF in order to reduce annual costs so that they
9 do not exceed the Cost Cap.

10 ~~(g) By no later than July 31, 2025, the Implementation Working Group shall submit to~~
11 ~~the Board of Supervisors, the Mayor, and the Director of Health a final written report that~~
12 ~~includes:~~

13 ~~(1) an evaluation of the effectiveness of Mental Health SF at addressing the~~
14 ~~mental health needs of San Franciscans in its first five years of implementation;~~

15 ~~———— (2) a summary of all of the Implementation Working Group's prior~~
16 ~~recommendations;~~

17 ~~(3) new recommendations relating to:~~

18 ~~———— (A) options for Mental Health Service Center services and programs;~~

19 ~~———— (B) future growth of the Office of Coordinated Care established under~~
20 ~~subsection (g)(2) of Section 15.104 of the Administrative Code, including suggestions~~
21 ~~developed from the information gathered by the Department of Public Health from community~~
22 ~~mapping exercises and community engagement activities previously requested by the~~
23 ~~Implementation Working Group;~~

24 ~~———— (C) the work of the Crisis Response Street Team established under~~
25 ~~subsection (g)(3) of Section 15.104 of the Administrative Code;~~

1 ~~————— (D) — follow-up care referrals and linkages that the Street Teams can~~
2 ~~implement and develop for and on behalf of individuals encountered by the Street Teams;~~

3 ~~————— (E) — the types and number of mental health residential treatment beds~~
4 ~~and facilities needed to meet the needs of San Francisco residents based on the information~~
5 ~~collected in the most recent beds study by the Office of the Controller and the Department of~~
6 ~~Public Health, described in part in subsection (g)(4) of Section 15.104 of the Administrative~~
7 ~~Code;~~

8 ~~————— (F) — the services and programs provided by Mental Health SF based on~~
9 ~~the Implementation Working Group’s review of Mental Health SF metrics and other applicable~~
10 ~~data made available to the Implementation Working Group;~~

11 ~~————— (G) — the types of communications to providers and the community that~~
12 ~~would raise awareness of the availability of Mental Health SF services and programs;~~

13 ~~————— (H) — which populations and programs and services should be prioritized~~
14 ~~by Mental Health SF if the budget for Mental Health SF were to be reduced;~~

15 ~~————— (I) — any amendments to the legislation establishing Mental Health SF~~
16 ~~that would improve the program’s effectiveness at addressing the mental health needs of San~~
17 ~~Franciscans; and~~

18 ~~————— (J) — the projected impacts on Mental Health SF programs and priority~~
19 ~~populations of recently enacted or proposed laws addressing behavioral health care services,~~
20 ~~including but not limited, to S.B. 43 (2024), Proposition 1 (March 2024), and San Francisco’s~~
21 ~~Proposition F (November 2024).~~

22
23 **SEC. 5.44-5. SUNSET.**

24 This Article XLIV shall expire by operation of law, and the Implementation Working
25 Group shall terminate, on ~~September 1, 2026~~ July 31, 2025the effective date of the ordinance in

1 Board File No. 240984 amending this Section 5.44-5. After its expiration, the City Attorney
2 ~~shall~~ is authorized to cause this Article XLIV to be removed from the Administrative Code.

3
4 Section 2. Effective Date. This ordinance shall become effective 30 days after
5 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
6 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
7 of Supervisors overrides the Mayor’s veto of the ordinance.

8
9 Section 3. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
10 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
11 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
12 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
13 additions, and Board amendment deletions in accordance with the “Note” that appears under
14 the official title of the ordinance.

15
16 APPROVED AS TO FORM:
17 DAVID CHIU, City Attorney

18 By: /s/ _____
19 ARNULFO MEDINA
20 Deputy City Attorney

21 n:\legana\as2024\2500031\01800664.docx

LEGISLATIVE DIGEST

(Revised 11/18/2024)

[Administrative Code - Mental Health SF Implementation Working Group]

Ordinance amending the Administrative Code to change the sunset date for the Working Group from September 1, 2026 to the effective date of this ordinance.

Existing Law

Currently, the Administrative Code establishes a Mental Health SF Implementation Working Group (MHSF IWG) that is charged with advising the Board of Supervisors and other City officials on the design, outcomes, and effectiveness of Mental Health SF; evaluating the effectiveness of Mental Health SF in meeting the behavioral health and housing needs of participants; conducting a staffing analysis to determine whether there are staffing shortages that impact providers' ability to provide effective and timely mental health services; and making recommendations concerning the design of Mental Health SF.

Currently, the MHSF IWG is comprised of 13 members, appointed by the Board of Supervisors, the Mayor, and the City Attorney, and is scheduled to sunset on September 1, 2026.

Amendments to Current Law

The proposed ordinance changes the sunset date from September 1, 2026 to the effective date of this ordinance.

Background Information

The amended ordinance reflects changes requested for introduction and approved at the Rules Committee meeting on November 18, 2024, which changes the proposed sunset date from June 30, 2025 to December 31, 2024, eliminates the proposed changes to reduce the total number and composition of the MHSF IWG's membership, and eliminates the proposed final summative report that required the MHSF IWG to evaluate Mental Health SF and propose numerous recommendations for program improvements.

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BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

Date: October 28, 2024
To: The Honorable Members, Board of Supervisors
From: *Ace* Angela Calvillo, Clerk of the Board
Subject: Mental Health SF Implementation Working Group (File No. 240984)

The Board's Rules of Order, 2.21 establishes certain criteria when establishing, or reauthorizing any boards/commissions/task forces/advisory bodies and requires the Clerk to advise the Board on such criteria. To identify these requirements, and other important suggestions, the following information is provided:

File No. 240984 Administrative Code - Mental Health SF Implementation Working Group

- Does a current body address the same or similar subject matter? (*Board Rule 2.21*)

Yes, the Behavioral Health Commission also reviews and evaluates the City and County's behavioral health needs, services, facilities, and special problems and other duties as provided in Administrative Code, Sections 15.12 et seq., and California Welfare and Institutions Code, Sections 5604 et seq.

However, the Mental Health SF Implementation Working Group (MHIWG) advises the Mental Health Board, the Health Commission, the Department of Public Health, the Mayor, and the Board of Supervisors – and may advise the Health Authority – on the design, outcomes and effectiveness of Mental Health SF, specifically.

- Is an administering department identified? (*Board Rule 2.21*)

Yes, Section 5.44-3(f) states "The Department of Public Health will provide administrative and clerical support for the Implementation Working Group."



- Does the enabling legislation contain language requiring the body to meet at least once every four months? (*Board Rule 2.21*)

Yes, Section 5.44-3(c) states that the Working Group shall meet at least monthly for a total of at least six meetings per year.

- Does the enabling legislation include the number of seats, a description of the seat qualifications, the appointment commencement date and the term length? (*Board Rule 2.21*)

Yes, if this legislation passes, the Implementation Working Group membership shall be reduced from 13 members to 7 members, as follows:

- *The members occupying the seats formerly designated as seats 3, 8, 9, 10, 11, and 13 shall cease being members;*
- *The members occupying seats 1 and 2 shall continue to occupy seats 1 and 2, respectively, until their current term expires or until their appointing authority appoints a new member to fill that seat;*
- *The members occupying the seats formerly designated as seats 4, 5, 6, 7, and 12 shall occupy seats 3, 4, 5, 6, and 7, respectively, until their current term expires or until their appointing authority appoints a new member to fill that seat; and*
- *Any seats that are vacant shall be filled by the appointing authority as soon as practicable.*

The proposed composition of the Working Group would be as follows:

- *Seat 1 shall be held by a person with expertise working on behalf of healthcare workers, appointed by the Board of Supervisors.*
- *Seat 2 shall be held by a person who identifies as having a mental health condition or identifies as having both a mental health condition and substance use condition (“dual diagnosis”), and who has accessed mental health or substance use services in San Francisco, appointed by the Mayor.*
- *Seat 3 shall be held by a City peace officer, emergency medical technician, or firefighter (“First Responder”), with expertise in mental health and/or substance use treatment, appointed by the Mayor.*
- *Seat 4 shall be held by a treatment provider with substance use expertise appointed by the Mayor.*
- *Seat 5 shall be held by a treatment provider with mental health expertise, appointed by the Board of Supervisors.*
- *Seat 6 shall be held by a treatment provider with experience serving justice-involved populations appointed by the Board of Supervisors.*



- *Seat 7 shall be held by an employee of the Department of Public Health with experience in health systems or hospital administration, appointed by the Mayor.*
- Term limits (i.e., commencement date? staggered terms?) *(Board Rule 2.21)*

Yes, Section 5.44-3(d) states “Members of the Implementation Working Group shall serve two-year terms, beginning on June 1, 2020.”

- Is a Sunset date included, not to exceed three years? *(Board Rule 2.21)*

Yes, Section 5.44-5 states “This Article shall expire by operation of law, and the Implementation Working Group shall terminate, on July 31, 2025.”

- Is language included establishing attendance requirements?

(Past practices have shown the need to detail and codify the reporting requirements of a body.)

Yes, Section 5.44-3(d) states “Any member who misses three regular meetings of the Implementation Working Group within any 12-month period without the express approval of the Implementation Working Group at or before each missed meeting shall be deemed to have resigned from the Implementation Working Group 10 days after the third unapproved absence. The Implementation Working Group shall inform the Board of Supervisors of any such resignation.”

- Are the reporting requirements identified?

(Past practices have shown the need to detail and codify the reporting requirements of a body.)

Yes, Section 5.44-4(g) states “By no later than July 31, 2025, the Implementation Working Group shall submit to the Board of Supervisors, the Mayor, and the Director of Health a final written report.”

- Does the enabling legislation indicate members serve at the pleasure of the appointing authority?

(Past practices have shown the need to ensure the appointing authority may remove an appointee at any time.)

Yes, Section 5.44-3(b) states that Members of the Implementation Working Group shall serve at the pleasure of the appointing authority and may be removed at any time.

BOARD of SUPERVISORS



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MEMORANDUM

TO: Valerie Kirby, Mental Health SF Implementation Working Group

FROM: Victor Young, Assistant Clerk *Victor Young*

DATE: October 17, 2024

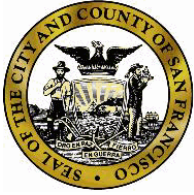
SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Rules Committee received the following proposed Ordinance:

File No. 240984

Ordinance amending the Administrative Code to decrease the number of members of the Mental Health SF Implementation Working Group from 13 to seven, require the Working Group by July 31, 2025, to submit a final report containing an evaluation of the Mental Health SF program and recommendations for program improvements, and change the sunset date for the Working Group from September 1, 2026, to July 31, 2025.

If you have comments or reports to be included with the file, please forward them to Victor Young at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: victor.young@sfgov.org.



City and County of San Francisco

Master Report

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 240984 **File Type:** Ordinance **Status:** 30 Day Rule

Enacted: _____ **Effective:** _____

Version: 1 **In Control:** Rules Committee

File Name: Administrative Code - Mental Health SF Implementation Working Group **Date Introduced:** 10/08/2024

Requester: _____ **Cost:** _____ **Final Action:** _____

Comment: _____ **Title:** Ordinance amending the Administrative Code to decrease the number of members of the Mental Health SF Implementation Working Group from 13 to seven, require the Working Group by July 31, 2025, to submit a final report containing an evaluation of the Mental Health SF program and recommendations for program improvements, and change the sunset date for the Working Group from September 1, 2026, to July 31, 2025.

Sponsor: Ronen

History of Legislative File 240984

Ver	Acting Body	Date	Action	Sent To	Due Date	Result
1	President	10/08/2024	ASSIGNED UNDER 30 DAY RULE	Rules Committee	11/07/2024	