File No. 240606

Committee Item No. 9 Board Item No.

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Cmte Board

	Motion
	Resolution
\bowtie	Ordinance
\boxtimes	Legislative Digest
	Budget and Legislative Analyst Report
	Vouth Commission Report
	Introduction Form
\square	Department/Agency Cover Letter and/or Report
•	MYR Transmittal Letter and Trailing Legislation List 5/31/2024
•	MYR Memo 5/31/2024
•	MYR 30-Day Waiver Request 5/31/2024
	MOU .
	Grant Information Form
\square	Grant Budget

- Grant Budget
- Subcontract Budget
- Contract/Agreement
- **Form 126 Ethics Commission**
- Award Letter
- Application
 - Public Correspondence

OTHER (Use back side if additional space is needed)

\square	FYI Referral 6/3/2024

Completed by:	Brent Jalipa	Date June 7, 2024
Completed by:	Brent Jalipa	Date

1	[Administrative Code - Repealing Maddy Emergency Medical Services Fund]
2	
3	Ordinance amending the Administrative Code to repeal Sections 8.42 and 10.100-195,
4	known as the Maddy Emergency Services Fund, and thereby repealing certain
5	reimbursement payments to physicians who provide emergency medical services to
6	indigent patients.
7 8	NOTE: Unchanged Code text and uncodified text are in plain Arial font. Additions to Codes are in <u>single-underline italics Times New Roman font</u> . Deletions to Codes are in <u>strikethrough italics Times New Roman font</u> .
9	Board amendment additions are in <u>double-underlined Arial font</u> . Board amendment deletions are in strikethrough Arial font. Asterisks (* * * *) indicate the omission of unchanged Code
10	subsections or parts of tables.
11	
12	Be it ordained by the People of the City and County of San Francisco:
13	
14	Section 1. Background and Findings.
15	(a) Under Section 1797.98a of the California Health and Safety Code and
16	Section 76104 of the California Government Code, counties are authorized, but not required,
17	to establish an emergency medical services fund, known as the Maddy Emergency Medical
18	Services Fund ("Maddy Fund"), to reimburse certain physicians and surgeons who provide
19	emergency medical service to uninsured individuals. In addition, under Sections 76000 and
20	76000.5 of the California Government Code, counties are authorized to levy additional
21	penalties upon every fine, penalty, or forfeiture imposed and collected for criminal offenses
22	related to the control of alcoholic beverages and all offenses involving violation of the
23	California Vehicle Code or a local ordinance adopted pursuant to the Vehicle Code.
24	(b) In 2000, the City enacted Administrative Code Section 10.100-195 to establish
25	its Maddy Fund, the "Public Health Emergency Medical Services Fund," for receiving money

for penalties assessed through Section 76000, and in 2007, the City enacted Administrative
Code Section 8.42 to levy an additional penalty, authorized by Section 76000.5, of \$2 for
every \$10 on every fine, penalty, or forfeiture imposed and collected for criminal offenses
including violations of the Vehicle Code or local ordinances adopted under the Vehicle Code.
Section 10.100-195 requires the Department of Public Health ("DPH") to administer the City's
Maddy Fund by determining reimbursements for physicians who render emergency care to
indigent patients.

8 (c) In 2018, the City amended Section 8.42 to limit assessment of the penalty to 9 non-misdemeanor and non-felony violations of the Vehicle Code or local ordinances adopted 10 under the Vehicle Code. Since 2019, the amount of money assessed and collected through Sections 76000 and 76000.5 has significantly decreased. The City's Maddy Fund now 11 12 receives approximately \$400,000 annually, of which not more than 10% can be used for 13 administrative expense. But it costs DPH approximately \$120,000 annually to administer the 14 fund. DPH has paid for the deficit using accumulated savings from the program, but future 15 administration of the Maddy Fund will require a general fund subsidy.

(d) The City's Maddy Fund is also complex to administer. DPH contracts with a
third-party administrator to receive claims from individual physicians and physician groups and
then adjudicate and pay according to the prorated reimbursement scheme established by
Section 10.100-195.

(e) The City's Maddy Fund no longer takes in sufficient revenue to support its own
 costs, and is complex to administer. The Board of Supervisors therefore finds that it is
 appropriate and in the public interest to repeal Sections 8.42 and 10.100-195 of the
 Administrative Code.

24

25

Section 2. The Administrative Code is hereby amended by deleting Sections 8.42 and
 10.100-195, as follows:

3

4

SEC. 8.42. PENALTY ASSESSMENT FOR EMERGENCY MEDICAL SERVICES.

Pursuant to California Government Code Section 76000.5, there is hereby established an additional penalty of \$2 over that currently levied under California Penal Code Section 1464 for every \$10 or fraction thereof upon every fine, penalty, or forfeiture imposed and collected by the courts for non-misdemeanor and non-felony violations of the California Vehicle Code or local ordinances adopted pursuant to the Vehicle Code, as authorized by Penal Code Sections 1464 and 1465, with the exceptions noted therein. The revenues from this assessment shall go to the Public Health Emergency Medical Services Fund established in Section 10.100-195 of this Code. Pursuant to Government Code

12 Section 76000.5(b), these increased penalties shall not offset or reduce the funding of other programs

13 *from other sources, but shall result in increased funding to those programs.*

14

15 SEC. 10.100-195. PUBLIC HEALTH EMERGENCY MEDICAL SERVICES FUND.

(a) Establishment of Fund. Pursuant to Government Code Section 76104 and Resolution No.
 713-92 of the Board of Supervisors of the City and County of San Francisco, the Public Health

18 *Emergency Medical Services Fund is established as a category six fund for the purpose of receiving*

19 *money obtained from the penalty assessment provided in Government Code Section 76000. This fund*

20 *shall also receive money obtained from the additional penalty assessment imposed under Section* 8.42

21 *and Government Code Section 76000.5.*

22 (b) Use of Fund. Pursuant to Government Code Section 76104, the moneys in such fund,

- 23 *together with any interest earned thereon, shall be payable only for the purposes specified in Chapter*
- 24 2.5 (commencing with Section 1797.98a) of Division 2.5 of the Health and Safety Code. The
- 25 *administration and use of the fund shall be consistent with the requirements of Health and Safety Code*

Mayor Breed BOARD OF SUPERVISORS Section 1797.98a through 1797.98g now in effect or as hereafter amended. Up to, but no more than, 10
 percent of the amount of the fund may be used for the costs of administering the fund.

- *Thereafter, (1) 58 percent of the money in the fund shall be used to reimburse claims from*
- *physicians for payment for emergency services provided by all physicians, except those physicians*
- *employed by county hospitals or district hospitals, in general acute care hospitals that provide basic or*
- *comprehensive emergency services up to the time the patient is stabilized, when such services would*
- *otherwise be uncompensated, (2) 25 percent of the money in the fund shall be distributed only to*
- *hospitals providing disproportionate trauma and emergency medical care services, and (3) 17 percent*
- 9 of the money in the fund shall be distributed for other emergency medical services as determined by the
- *Director of Public Health. Interest earned on the 83 percent portion of the fund to be used to reimburse*
- *claims shall be used for the same purpose. Interest earned on the 17 percent portion of the fund to be*
- *used for other emergency medical services shall be used for the same purpose. If, of the 83 percent*
- *portion of the fund, money remains after reimbursing all appropriate and approved; claims for a*
- *disbursement period, that money shall only be used to reimburse claims in one or more future*
- *disbursement periods*.

(c) Exceptions to Fund Category. Any expenditures in excess of \$5,000 for any one payee

- *shall require the approval, by appropriation ordinance, of the Board of Supervisors.*
- 18 -(d) Administration of Fund. The Director of Public Health shall determine which claims
 19 shall be reimbursed by the fund and the appropriate amount of reimbursement, provided that no
- 15 shall be rembarsed by the fand and the appropriate another of rembarsement, provided that no
- *physicians shall be reimbursed greater than 50 percent of their losses in accordance with Health and*
- 21 Safety Code Section 1797.98c. Since it is anticipated that the fund will only be sufficient to reimburse a
- *fraction of requests for reimbursement from physicians, the Director shall equitably prorate payments*
- 23 so that the amount of payments from the fund is based upon the magnitude of a physician's losses. The
- *Controller shall be responsible for all other administrative duties with respect to the fund, including,*
- *but not limited to, establishing procedures and time schedules for the submission and processing of*

Mayor Breed BOARD OF SUPERVISORS

1 claims. The Controller shall report to the State Legislature on the implementation and status of the fund 2 as required in Health and Safety Code Section 1797.98b. The Controller and Director of Public Health 3 shall separately or jointly issue rules and regulations governing any matters relating to the fund and the reimbursement procedures and limitations, consistent with the requirements of Health and Safety 4 5 Code Sections 1797.98a through 1797.98g. Before issuing or amending any regulations, these officers 6 shall provide a 30-day public comment period by providing published notice in an official newspaper of 7 general circulation in the City of the intent to issue or amend the regulations. The Director of Public 8 Health shall provide a quarterly report to the Budget Analyst of all expenditures made from this fund 9 during the immediately preceding three months. 10 -(e) Use and Administration of Funds Derived from Section 8.42. Pursuant to Health and Safety Code Section 1797.98a, as amended by Chapter 841 of the Statutes of 2006, and notwithstanding 11 12 subsections (b) and (d) of this Section, the money deposited into the Fund pursuant to Section 8.42 of 13 this Code and Section 76000.5 of the Government Code shall, after reimbursement of costs associated with administering the EMS Fund, which amount shall not exceed ten percent (10%) of the money 14 15 collected, be distributed as follows: 16 (1) Of the total amount collected, fifteen percent (15%), known as Richie's Fund, shall be 17 to improve access to, and coordination of, pediatric trauma and emergency services in the City and 18 County, with preference given for funding to be given to hospitals that specialize in services to 19 children, and physicians and surgeons who provide emergency care for children; and, 20 (2) The balance of the remaining seventy-five percent (75%) of the funds collected shall be 21 distributed as follows: Fifty-eight percent (58%) of the money in the fund shall be used to reimburse claims from physicians for payment for emergency services provided by all physicians, except those 22 23 physicians employed by county hospitals or district hospitals, in general acute care hospitals that 24 provide basic or comprehensive emergency services up to the time the patient is stabilized, when such 25 services would otherwise be uncompensated, twenty-five percent (25%) of the money in the fund shall

Mayor Breed BOARD OF SUPERVISORS

1	be distributed only to hospitals providing disproportionate trauma and emergency medical care
2	services, and seventeen percent (17%) of the money in the fund shall be distributed for other emergency
3	medical services as determined by the Director of Public Health.
4	
5	Section 3. Effective Date. This ordinance shall become effective 30 days after
6	enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
7	ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
8	of Supervisors overrides the Mayor's veto of the ordinance.
9	
10	APPROVED AS TO FORM:
11	DAVID CHIU, City Attorney
12	By: <u>/s/ Henry L. Lifton</u>
13	HENRY L. LIFTON Deputy City Attorney
14	n:\legana\as2024\2400409\01760227.docx
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	

LEGISLATIVE DIGEST

[Administrative Code - Repealing Maddy Emergency Medical Services Fund]

Ordinance amending the Administrative Code to repeal Sections 8.42 and 10.100-195, known as the Maddy Emergency Services Fund, and thereby repealing certain reimbursement payments to physicians who provide emergency medical services to indigent patients.

Existing Law

Administrative Code Section 10.100-195 provides for the "Public Health Emergency Medical Services Fund" or the "Maddy Fund" for receiving money for penalties assessed through Section 76000 of the California Government Code. Administrative Code Section 8.42 authorizes the City to levy an additional penalty, authorized by Section 76000.5 of the California Government Code, of \$2 for every \$10 on every fine, penalty, or forfeiture imposed and collected for criminal offenses including violations of the Vehicle Code or local ordinances adopted under the Vehicle Code. Section 10.100-195 requires the Department of Public Health ("DPH") to administer the City's Maddy Fund by determining reimbursements for physicians who render emergency care to indigent patients.

Amendments to Current Law

The proposed ordinance would delete Sections 8.42 and 10.100-195 in their entirety.

Background Information

In 2018, the City amended Section 8.42 to limit assessment of the penalty to nonmisdemeanor and non-felony violations of the Vehicle Code or local ordinances adopted under the Vehicle Code. Since 2019, the amount of money assessed and collected through Sections 76000 and 76000.5 has significantly decreased. The City's Maddy Fund now receives approximately \$400,000 annually, of which not more than 10% can be used for administrative expense. But it costs DPH approximately \$120,000 annually to administer the fund. DPH has paid for the deficit using accumulated savings from the program, but future administration of the Maddy Fund will require a general fund subsidy. The City's Maddy Fund is also complex to administer. DPH contracts with a third-party administrator to receive claims from individual physicians and physician groups and then adjudicate and pay according to the prorated reimbursement scheme established by Section 10.100-195.

n:\legana\as2024\2400409\01760598.docx

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

- TO: Dr. Grant Colfax, Director, Department of Public Health Greg Wagner, City Controller, Office of the Controller
- FROM: Brent Jalipa, Assistant Clerk, Budget and Appropriations Committee

DATE: June 3, 2024

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Budget and Appropriations Committee has received the following proposed legislation, introduced by Mayor London Breed:

File No. 240606

Ordinance amending the Administrative Code to repeal Sections 8.42 and 10.100-195, known as the Maddy Emergency Services Fund, and thereby repealing certain reimbursement payments to physicians who provide emergency medical services to indigent patients.

If you have any 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: Dr. Naveena Bobba, Department of Public Health Sneha Patil, Department of Public Health Ana Validzic, Department of Public Health Todd Rydstrom, Office of the Controller Office of the Mayor San Francisco



LONDON N. BREED Mayor

To: Aaron Peskin, President of the Board of Supervisors
From: Anna Duning, Mayor's Budget Director
Date: May 31, 2024
Re: 30-Day Waiver Requests

President Peskin,

The Mayor's Office respectfully requests 30-day hold waivers for the following ordinances and trailing legislation introduced with the budget on Friday, May 31, 2024:

- Proposed Interim Annual Appropriation Ordinance (AAO) for Selected Departments
- Proposed Interim Annual Salary Ordinance (ASO) for Selected Departments
- Proposed Annual Appropriation Ordinance (AAO) for Selected Departments
- Proposed Annual Salary Ordinance (ASO) for Selected Departments
- Proposed Interim Budget and the Proposed Budget for the Office of Community Investment and Infrastructure (OCII)
- Police Code License fees
- Administrative Code County Clerk fees
- Health Code DPH Patient Rates
- Public Works Code Permit fees and charges
- Park Code Tennis court reservation fees
- Park Code Recreation program fees
- Homelessness and Supportive Housing Fund FYs 2024-25 and 2025-26 Expenditure Plan
- Funding Reallocation Our City, Our Home Homelessness Gross Receipts Tax
- Early Care and Education Commercial Rents Tax Baseline
- Resolution Adjusting the Access Line Tax with the Consumer Price Index of 2024
- Neighborhood Beautification and Graffiti Clean-up Fund Tax Designation Ceiling
- Administrative Code Maddy Emergency Services Fund
- Administrative Code Competitive solicitation requirements for DPH Grant
- Overtime Supplemental Appropriation for Police Department and Sheriff Department
- Business and Tax Regulations Code DPH cannabis fees

Should you have any questions, please contact Tom Paulino at 415-554-6153.

Sincerely,

Anna Duning Mayor's Budget Director

1 DR. CARLTON B. GOODLETT PLACE, ROOM 200 SAN FRANCISCO, CALIFORNIA 94102-4681 TELEPHONE: (415) 554-6141 Office of the Mayor San Francisco



LONDON N. BREED MAYOR

> ω ω

To: Angela Calvillo, Clerk of the Board of Supervisors
From: Anna Duning, Mayor's Budget Director
Date: May 31, 2024
Re: Mayor's June 1 FY 2024-25 and FY 2025-26 Budget Submission

Madam Clerk,

In accordance with City and County of San Francisco Administrative Code, Section 3.3, the Mayor's Office hereby submits the Mayor's proposed June 1 budget, corresponding legislation, and related materials for Fiscal Year (FY) 2024-25 and FY 2025-26.

In addition to the Mayor's Proposed FY 2024-25 and FY 2025-26 June 1 Budget Book, the following items are included in the Mayor's submission:

- The June 1 Proposed Interim Annual Appropriation Ordinance (AAO) and Proposed Interim Annual Salary Ordinance (ASO)
- The June 1 Proposed Annual Appropriation Ordinance (AAO) and Proposed Annual Salary Ordinance (ASO), along with Administrative Provisions
- The Proposed Interim Budget and the Proposed Budget for the Office of Community Investment and Infrastructure (OCII)
- 30 separate pieces of trailing legislation (see list attached)
- A Transfer of Function letter detailing the transfer of positions from one City department to another
- An Interim Exception letter to the ASO
- A letter addressing funding levels for nonprofit corporations or public entities for the coming two fiscal years
- A letter and supporting documentation detailing technical adjustments to the Mayor's Proposed May 1 Budget for FY 2024-25 and FY 2025-26, per Charter Section 9.101
- Memo to the Board President requesting for 30-day rule waivers on ordinances

Please note the following:

• Technical adjustments to the June 1 budget are being prepared, but are not submitted with this set of materials.

Sincerely,

Anna Duning Mayor's Budget Director

cc: Members of the Board of Supervisors Budget & Legislative Analyst's Office Controller

DEPT	Item	Description	Type of Legislation	File #
ADM	New Prop J	Office of the Medical Examiner security services	Resolution	240613
ADM	Continuing Prop J	City Administrator's Office fleet security services, Real Estate Division custodial services and security services, and convention facilities management for FY 2024-25	Resolution	240612
BOS	Continuing Prop J	Board of Supervisors Budget and Legislative Analyst Services for FY 2024-25	Resolution	240612
DPH	Continuing Prop J	Department of Public Health security services for FY 2024-25	Resolution	240612
DPW	Continuing Prop J	Department of Public Works security services for FY 2024-25	Resolution	240612
ном	Continuing Prop J	Homelessness and Supportive Housing security services for FY 2024- 25	Resolution	240612
HSA	Continuing Prop J	Human Services Agency Security Services for FY 2024-25	Resolution	240612
MOHCD	Continuing Prop J	Mayor's Office of Housing and Community Development security services for FY 2024-25	Resolution	240612
REG	Continuing Prop J	Department of Elections Assembly of Vote by Mail Services for FY 2024-25	Resolution	240612
SHF	Continuing Prop J	Sheriff's Department County Jails Food Services for FY 2024-25	Resolution	240612
ADM	Code Amendment	Amending the Police Code to adjust to current amounts the license fees for Billiard Parlor, Dance Hall Keeper, Extended Hours Premises, Fixed Place Outdoor Amplified Sound, Limited Live Performance, Mechanical Amusement Device, and Place of Entertainment permits	Ordinance	240598
ADM	Code Amendment	Amending the Administrative Code to adjust the fees imposed by the County Clerk, and authorizing the Controller to make future adjustments to the fees	Ordinance	240597
DPH	Patient Rates	Amending the Health Code to set patient rates and rates for other healthcare services provided by the Department of Public Health, for Fiscal Years 2024-2025 and 2025- 2026	Ordinance	240600
OPW	Code Amendment	Amending the Public Works Code to modify certain permit fees and other charges and affirming the Planning	Ordinance	240601

		Department's determination under the California Environmental Quality Act		
REC	Code Amendment	Amending the Park Code to authorize the Recreation and Park Department to charge a fee for reserving tennis and pickleball courts at locations other than the Golden Gate Park Tennis Center	Ordinance	240603
REC	Code Amendment	Amending the Park Code to impose an additional \$5 charge for recreation programs	Ordinance	240602
DAT	Joint Powers Grant	Authorizing the Office of the District Attorney to accept and expend a grant in the amount of \$2,530,992 from the California Victim Compensation Board	Resolution	240617
REC	Habitat Conservation Fund Grants	Retroactively authorizing the Recreation and Park Department to accept and expend grant funding in the amount of \$400,000 from the Habitat Conservation Fund	Resolution	240615
REC	BAAQMD Grant	Authorizing the Recreation and Park Department to accept and expend a grant in the amount of \$619,085 from the Bay Area Air Quality Management District to install level-2 electric vehicle chargers at six park sites	Resolution	240614
REC	USDA Urban Forest Grant	Authorizing the Recreation and Park Department to accept and expend a grant in the amount of \$2,000,000 from the USDA Forest Service to develop a Workforce Development Program and implement Reforestation Projects	Resolution	240616
DPH	Recurring State Grants	Authorizing the acceptance and expenditure of Recurring State grant funds by the San Francisco Department of Public Health for Fiscal Year (FY) 2024-2025	Resolution	240618
HOM/HSH	CAAP Client Housing Legislation	Approving the FYs 2024-2025 and 2025-2026 Expenditure Plan for the Department of Homelessness and Supportive Housing Fund	Resolution	240620
HSH/DPH	Funding Reallocation – Our City, Our Home Homelessness Gross Receipts Tax	Reallocating approximately \$13,676,000 in unappropriated earned interest revenues from the Our City, Our Home Fund to allow the City to use such revenues from the	Ordinance	240607

		Homelessness Gross Receipts Tax for certain types of services to address homelessness		
DEC	Early Care and Education Commercial Rents Tax Baseline	Amending the baseline funding requirements for early care and education programs in Fiscal Years 2024-2025 through 2027-2028, to enable the City to use the interest earned from the Early Care and Education Commercial Rents Tax for those baseline programs	Ordinance	240604
OCII	OCII Interim Budget Resolution	Approving the Fiscal Year 2024-25 Interim Budget of the Office of Community Investment and Infrastructure	Resolution	240610
OCII	OCII Budget Resolution	Approving the Fiscal Year 2024-25 Budget of the Office of Community Investment and Infrastructure	Resolution	240611
CON	Access Line Tax (ALT) Tax Rates	Concurring with the Controller's establishment of the Consumer Price Index for 2024, and adjusting the Access Line Tax by the same rate	Resolution	240619
CON	Neighborhood Beautification Fund	Adopting the Neighborhood Beautification and Graffiti Clean-up Fund Tax designation ceiling for tax year 2024	Ordinance	240608
DPH	Code Amendment	Amending the Administrative Code to repeal the Maddy Emergency Services Fund	Ordinance	240606
DPH	Code Amendment	Authorizing the Department of Public Health to award a one-time grant to Planned Parenthood Northern California by waiving the competitive solicitation requirements of the Administrative Code	Ordinance	240605
POL/SHF	Overtime Supplemental	De-appropriating surplus amounts from and re-appropriating amounts to overtime at the Police Department and Sheriff Department to support projected increases in spending as required per Administrative Code Section 3.17	Ordinance	240609
ADM/DPH	Cannabis Inspection Fees	Amending the Business and Tax Regulations Code to eliminate fees charged to permitted cannabis businesses to cover the cost of inspections of those businesses by the Department of Public Health	Ordinance	240599

Office of the Mayor san Francisco

To:

From:

Date:

Re:



Ordinance amending the Administrative Code to repeal Sections 8.42 and 10.100-195, known as the Maddy Emergency Services Fund, and thereby repealing certain reimbursement payments to physicians who provide emergency medical services to indigent patients.

Should you have any questions, please contact Tom Paulino at 415-554-6153.