

1 [Administrative Code - Composition of Behavioral Health Commission]

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3 **Ordinance amending the Administrative Code to reduce the membership of the**  
4 **Behavioral Health Commission from 17 to 11 seats; provide that the full Board of**  
5 **Supervisors rather than individual Supervisors makes these appointments; require that**  
6 **at least one seat be held by a veteran or veteran advocate; reduce the minimum**  
7 **number of seats reserved for consumers and families of consumers from nine to six;**  
8 **provide two seats for mental health professionals; reset update staggered terms for all**  
9 **seats; and retain existing members; and remove seat requirements for child advocates**  
10 **and certain mental health professionals.**

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

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

19

20 Section 1. The Administrative Code is hereby amended by revising Sections 15.12 and  
21 15.13, to read as follows:

22

23 **SEC. 15.12. BEHAVIORAL HEALTH COMMISSION – COMPOSITION AND**  
24 **APPOINTMENT OF MEMBERS.**

25 (a) There is hereby established a mental health board pursuant to the requirements  
of California Welfare and Institutions Code Sections 5604 et seq., to be known as the  
Behavioral Health Commission (“Commission”).

1 (b) The Commission shall consist of ~~17~~ 11 ~~12~~ members. ~~Each member of the Board of~~  
2 ~~Supervisors shall appoint a member of the Commission.~~ The Board of Supervisors shall appoint  
3 ~~all the remaining six~~ members, one of whom shall be a member of the Board of Supervisors.

4 (c) As required by California Welfare and Institutions Code Section 5604, at least  
5 ~~nine~~ six members of the Commission shall be consumers or the parents, spouses, siblings, or  
6 adult children of consumers, with at least ~~four~~ three members being consumers and at least  
7 ~~four~~ three other members being family of consumers. For purposes of this subsection (c),  
8 “family of consumer” includes domestic partners and significant others. For purposes of this  
9 ~~subsection~~ Section 15.12, a “consumer” is a person who has received mental health and/or  
10 substance use services in San Francisco from any program operated or funded by the City,  
11 from a State hospital, or from any public or private nonprofit mental health agency. The Board  
12 of Supervisors member position shall not count in determining whether the “consumer” and  
13 “family of consumer” requirements of this subsection are met.

14 ~~—(d) In addition to the requirements of subsection (c), one member of the Commission shall be~~  
15 ~~a child advocate (a family member or consumer advocate for minors who use mental health services);~~  
16 ~~one member shall be an older adult advocate (a family member or consumer advocate for persons 60~~  
17 ~~years of age or older who use mental health services); and two members shall be from the following~~  
18 ~~professions: psychiatry, psychology, mental health social work, nursing with a specialty in mental~~  
19 ~~health, marriage and family counseling, psychiatric technology, or administrator of a hospital~~  
20 ~~providing mental health services or of a community mental health facility.~~

21 (d) In addition to the requirements of subsection (c), one member of the Commission shall be  
22 a veteran or veteran advocate. For the purposes of this subsection (d), a “veteran advocate” includes  
23 a parent, spouse, or adult child of a veteran, or an individual who is part of a veteran organization  
24 including but not limited to the Veterans of Foreign Wars or the American Legion. Additionally, one  
25 member shall be a child advocate. For purposes of this subsection (d), a “child advocate”

1 includes a family member of a child consumer or consumer advocate for minors who use  
2 mental health services. A member may satisfy the requirements of both subsection (c) and this  
3 subsection (d) concurrently. The Board of Supervisors member position shall not count in determining  
4 whether the “veteran” or “veteran advocate” requirements of this subsection (d) isare met.

5 (e) In addition to the requirements of subsections (c) and (d), on or after July 1,  
6 2024 two members shall be from the following professions: psychiatry, psychology, mental  
7 health social work, nursing with a specialty in mental health, marriage and family counseling,  
8 psychiatric technology, or administration of a hospital providing mental health services or of a  
9 community mental health facility.

10 ~~(e)~~(f) Any positions on the Commission not allocated to specific types of members  
11 may be filled by persons with experience and knowledge of the mental health system  
12 representing the public interest, which may include, but need not be limited to, people who  
13 engage with individuals living with mental illness in the course of daily operations, such as  
14 representatives of county offices of education, large and small businesses, hospitals, hospital  
15 districts, physicians practicing in emergency departments, city police chiefs, county sheriffs,  
16 and community and nonprofit service providers.

17 ~~(f)~~(g) The Commission membership shall reflect the ethnic diversity of the client  
18 population in the City. The composition of the Commission shall, to the extent feasible,  
19 represent the demographics of the City as a whole. Except as provided in subsection ~~(g)~~(h),  
20 no member of the Commission or the member’s spouse shall be a full-time or part-time  
21 County employee of a County mental health service, an employee of the State Department of  
22 Health Care Services, or an employee of, or a paid member of the governing body of, a  
23 mental health contract agency.

24 ~~(g)~~(h) A consumer who has obtained employment with an employer described in  
25 subsection ~~(f)~~(g), and who holds a position in which the consumer has no interest, influence,

1 or authority over any financial or contractual matter concerning the employer may be  
2 appointed to the Commission. Such a member shall not participate in any matter concerning  
3 the member's employer if prohibited by state or local law.

4 ~~(h)~~(i) References in the Administrative Code or any other part of the Municipal  
5 Code, or any City ordinance, to the Advisory Board of the Community Mental Health Services,  
6 or to the San Francisco Mental Health Board shall be deemed references to the Commission.  
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8 **SEC. 15.13. BEHAVIORAL HEALTH COMMISSION – TERMS OF REMOVAL**

9 ~~(a)~~ Except for the Board of Supervisors member, the term of each member of the  
10 Behavioral Health Commission (“Commission”) shall be three years. All member terms shall  
11 be reset to begin at noon on January 1, 20212024. Thereafter, members' terms shall be  
12 staggered as determined by the Clerk of the Board of Supervisors by no later than 30 days  
13 after the effective date of the ordinance in Board File No. \_\_\_\_\_ amending this Section  
14 15.13December 31, 20202023. The Clerk of the Board of Supervisors shall determine by lot  
15 the initial terms for all 1711 seats. FiveFour seats shall have an initial one-year term expiring  
16 January 1, 20222025, sixthree seats shall have an initial two-year term expiring January 1,  
17 20232026, and sixthree seats shall have three-year terms expiring January 1, 20242027. After  
18 the initial terms expire, subsequent terms for all seats shall be three years.

19 (a) Except for the Board of Supervisors member, the term of each member of the  
20 Behavioral Health Commission (“Commission”) shall be for three years. No member shall  
21 serve more than two consecutive full terms. A member shall be deemed to have served a full  
22 term only if the member serves at least half of a full term. The clerk of the Commission in  
23 consultation with the Clerk of the Board of Supervisors, shall, upon the effective date of the  
24 ordinance in Board File No. 231076, change the number of the seats on the Commission, and  
25 assign existing Commission members, including members with expired terms serving as

1 holdover appointees, to Seats 2-12 in accordance with the requirements of Section 15.12.  
2 Their terms of office shall be aligned with the terms of office extant prior to the effective date  
3 of the aforementioned ordinance; with the understanding that holdover appointees shall not  
4 thereby acquire any permanent or other special status. The Clerk of the Board of Supervisors  
5 shall equitably stagger the appointments so that approximately one-third of the appointments  
6 expire in each year, as required by California Welfare and Institutions Code Section 5604(c).  
7 Seats occupied by holdover appointees shall expire June 30, 2024. New appointments made  
8 to Commission Seats 2-12 following the effective date of the aforementioned ordinance shall  
9 be made in accordance with Section 15.12. The Board of Supervisors member shall be  
10 appointed to Seat 1.

11 ~~—(b) No member shall serve more than two consecutive full terms. A member shall be~~  
12 ~~deemed to have served a full term only if the member serves at least half of a full term. For~~  
13 ~~the purpose of this term limit, the terms ending January 1, 20212024, and the initial terms~~  
14 ~~beginning January 1, 20212024 shall count as full terms. Provided however, that a member~~  
15 ~~whose term ends January 1, 20212024, and who has served for six months or less, will not be~~  
16 ~~deemed to have served a full term under this subsection (b).~~

17 ~~—(c) The term of office of a member appointed by an individual Board of Supervisors member~~  
18 ~~is not affected by the Board of Supervisors member no longer continuing in that office.~~

19 ~~(d)~~(e)(b) A member shall be removed from office if the member is absent for four  
20 meetings in one 12-month period ~~year~~, unless the Commission grants that person a leave of  
21 absence. The Commission may grant leaves of absence for one or more meetings. Upon  
22 determining that a member has been absent for four meetings in a 12-month period and that  
23 no leave of absence had been granted for these meetings, the Commission shall provide  
24 written notification to the Board of Supervisors. Upon receipt of the notification, the position  
25 shall be deemed vacant.

1           ~~(e)-(d)(c)~~ The Commission may recommend to the Board of Supervisors that a  
2 member be removed from the Commission on the grounds that the member's conduct is  
3 seriously disruptive of the functioning of the Commission. ~~Once the Commission makes such a~~  
4 ~~recommendation,~~ The Board of Supervisors may remove a member from the Commission for  
5 cause or upon the Commission's recommendation if it determines that the member's conduct is  
6 seriously disruptive of the functioning of the Commission.

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8           Section 2. Effective Date. This ordinance shall become effective 30 days after  
9 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
10 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
11 of Supervisors overrides the Mayor's veto of the ordinance.

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

19  
20 APPROVED AS TO FORM:  
21 DAVID CHIU, City Attorney

22 By: /s/ Charles Bruce  
23 CHARLES L. BRUCE  
24 Deputy City Attorney

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