

[Mental Health Services Agreement]

RETROACTOVELY FROM JULY 1, 1998,
/ AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH TO ENTER INTO AN
AGREEMENT WITH THE SAN FRANCISCO HEALTH AUTHORITY, DBA THE SAN
FRANCISCO HEALTH PLAN, WHICH INCLUDES BINDING ARBITRATION AND
PAYMENT DISPUTES CLAUSES AND DOES NOT INCLUDE PATENT INFRINGEMENT
INDEMNIFICATION AND FALSE CLAIMS CLAUSES.

WHEREAS, The San Francisco Health Plan (the "Health Plan") operates, or will during
the term of this Agreement operate, a prepaid health care service plan licensed pursuant to the
Knox-Keene Act; and,

WHEREAS, The Health Plan has entered or will enter into an agreement (the "Healthy
Families Agreement") with the Managed Risk Medical Insurance Board ("MRMIB") applicable
to children who are eligible for membership pursuant to the Healthy Families Program adopted
by the California Legislature and an agreement (the "IHSS Agreement") with the IHSS Public
Authority for the provision of services to persons employed under the In Home Support Services
Program ("IHSS Program"); and ,

WHEREAS, The Community Mental Health System of the City and County of San
Francisco (the "Provider") operates a mental health provider system, which includes outpatient
mental health facilities owned and operated by the City and County of San Francisco, mental
health professionals employed by the City and County of San Francisco, and contracts with
inpatient and outpatient mental health and substance abuse treatment facilities and licensed
mental health professionals; and,

WHEREAS, The Health Plan and the Provider desire to enter into an Agreement
pursuant to which the Provider shall provide or arrange for the provision of all behavioral health
services which are covered benefits to which the Health Plan's Healthy Family Members are
entitled under the Healthy Families Agreement and the Health Plan's IHSS Program Members
are entitled under the IHSS Agreement; and,

WHEREAS, A copy of the Agreement is on file with the Clerk of the Board of
Supervisors in File No. 990081 ; and,

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1 WHEREAS, The Agreement contains certain provisions described below which require
2 the approval of the Board of Supervisors; and,

3 WHEREAS, The Agreement does not contain certain provisions described below, which
4 are required under the Administrative Code unless waived by the Board of Supervisors; and,

5 WHEREAS, The Board of Supervisors desires to authorize the Department of Public
6 Health, on behalf of the City to enter into the Agreement for this and any future years; now,
7 therefore, be it

8 RESOLVED, That the Department of Public Health is hereby ^{retroactively} authorized to enter into
9 the Agreement on behalf of the City; and, be it from July 1, 1988,


10 FURTHER RESOLVED, That the Board of Supervisors hereby approves the provision
11 in the Agreement pursuant to which the City agrees to submit all claims arising out of the
12 Agreement to binding arbitration; and, be it

13 FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement
14 contained in Sections 6.21 and 21.19 of the Administrative Code that the Agreement include an
15 indemnification by the Health Plan of the City for the infringement of patent rights; and, be it

16 FURTHER RESOLVED, That the Board of Supervisors hereby waives the requirement
17 contained in Section 6.57 (c) of the Administrative Code that the Agreement include a paragraph
18 reciting the false claim provisions contained in Section 6.57 (a) of the Administrative Code; and,
19 be it

20 FURTHER RESOLVED, That the Director of Health and/or the Health Commission can
21 make amendments to this Agreement.

22 RECOMMENDED:

23 
24 Mitchell H. Katz, M.D.
25 Director of Health

APPROVED:


Health Commission

Department of Public Health



City and County of San Francisco

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

Tails

Resolution

File Number: 990081

Date Passed:

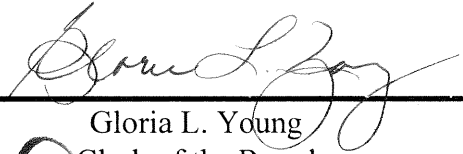
Resolution retroactively authorizing from July 1, 1998, the Department of Public Health to enter into an agreement with the San Francisco Health Authority, dba the San Francisco Health Plan, which includes binding arbitration and payment disputes clauses and does not include patent infringement indemnification and false claims clauses.

February 22, 1999 Board of Supervisors — ADOPTED

Ayes: 11 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee

File No. 990081

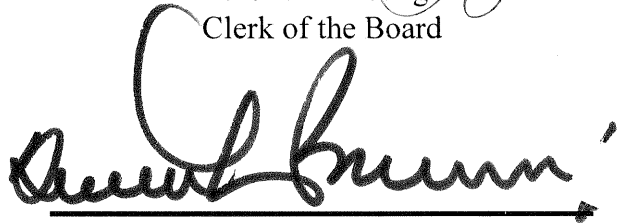
I hereby certify that the foregoing Resolution was ADOPTED on February 22, 1999 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young
Clerk of the Board

MAR - 5 1999

Date Approved



Mayor Willie L. Brown Jr.

File No. 990081 continued...