| File No | 240606 | Committee Item No | 9 |
|-------------------------|--|---|--------|
| | | Board Item No. 20 | |
| C | COMMITTEE/BOARI AGENDA PACKET | O OF SUPERVISOR | RS |
| | Budget and Appropriation pervisors Meeting | s Committee Date June Date July 9 | |
| Cmte Boar | r d | | |
| MYR I | Motion Resolution Ordinance Legislative Digest Budget and Legislative A Youth Commission Repo Introduction Form Department/Agency Cove Transmittal Letter and Tra Memo 5/31/2024 30-Day Waiver Request 5/3 MOU Grant Information Form Grant Budget Subcontract Budget Contract/Agreement Form 126 – Ethics Comm Award Letter Application Public Correspondence | rt er Letter and/or Report iling Legislation List 5/31 31/2024 | 1/2024 |
| OTHER | (Use back side if addition | nal space is needed) | |
| | FYI Referral 6/3/2024 | | |
| • | oy: Brent Jalipa | Date June 7, 2024 | 4 |
| Completed b | oy: Brent Jalipa | Date June 17, 202 | 24 |

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|----|-----------------|---|
| 2 | | |
| 3 | Ordinance am | ending 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 | reimbursemen | t payments to physicians who provide emergency medical services to |
| 6 | indigent patier | nts. |
| 7 | NOTE: | Unchanged Code text and uncodified text are in plain Arial font. |
| 8 | | 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 double-underlined Arial font. Board amendment deletions are in strikethrough Arial font. Actorisks (* * * * *) indicate the emission of unchanged Code |
| 10 | | Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables. |
| 11 | | |
| 12 | Be it ord | ained by the People of the City and County of San Francisco: |
| 13 | | |
| 14 | Section | 1. Background and Findings. |
| 15 | (a) U | nder 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 |
| | | |

[Administrative Code - Repealing Maddy Emergency Medical Services Fund]

California Vehicle Code or a local ordinance adopted pursuant to the Vehicle Code.

(b) In 2000, the City enacted Administrative Code Section 10.100-195 to establish its Maddy Fund, the "Public Health Emergency Medical Services Fund," for receiving money

Services Fund ("Maddy Fund"), to reimburse certain physicians and surgeons who provide

emergency medical service to uninsured individuals. In addition, under Sections 76000 and

penalties upon every fine, penalty, or forfeiture imposed and collected for criminal offenses

76000.5 of the California Government Code, counties are authorized to levy additional

related to the control of alcoholic beverages and all offenses involving violation of the

- 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.
 - (c) In 2018, the City amended Section 8.42 to limit assessment of the penalty to non-misdemeanor 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.
 - (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.

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

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 Section 76000.5(b), these increased penalties shall not offset or reduce the funding of other programs from other sources, but shall result in increased funding to those programs.

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

Emergency Medical Services Fund is established as a category six fund for the purpose of receiving money obtained from the penalty assessment provided in Government Code Section 76000. This fund shall also receive money obtained from the additional penalty assessment imposed under Section 8.42 and Government Code Section 76000.5.

- (b) Use of Fund. Pursuant to Government Code Section 76104, the moneys in such fund, together with any interest earned thereon, shall be payable only for the purposes specified in Chapter 2.5 (commencing with Section 1797.98a) of Division 2.5 of the Health and Safety Code. The administration and use of the fund shall be consistent with the requirements of Health and Safety Code

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 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.

(d) Administration of Fund. The Director of Public Health shall determine which claims shall be reimbursed by the fund and the appropriate amount of reimbursement, provided that no physicians shall be reimbursed greater than 50 percent of their losses in accordance with Health and 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 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

| claims. The Controller shall report to the State Legislature on the implementation and status of the fund |
|---|
| as required in Health and Safety Code Section 1797.98b. The Controller and Director of Public Health |
| 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 |
| Code Sections 1797.98a through 1797.98g. Before issuing or amending any regulations, these officers |
| shall provide a 30-day public comment period by providing published notice in an official newspaper of |
| general circulation in the City of the intent to issue or amend the regulations. The Director of Public |
| Health shall provide a quarterly report to the Budget Analyst of all expenditures made from this fund |
| during the immediately preceding three months. |
| |

(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 subsections (b) and (d) of this Section, the money deposited into the Fund pursuant to Section 8.42 of 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 collected, be distributed as follows:

(1) Of the total amount collected, fifteen percent (15%), known as Richie's Fund, shall be to improve access to, and coordination of, pediatric trauma and emergency services in the City and County, with preference given for funding to be given to hospitals that specialize in services to children, and physicians and surgeons who provide emergency care for children; and,

(2) The balance of the remaining seventy five percent (75%) of the funds collected shall be 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 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, twenty-five percent (25%) of the money in the fund shall

| 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: /s/ Henry L. Lifton |
| 13 | HENRY L. LIFTON Deputy City Attorney |
| 14 | n:\legana\as2024\2400409\01760227.docx |
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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 non-misdemeanor 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.

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BOARD OF SUPERVISORS Page 1

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

OFFICE OF THE MAYOR SAN FRANCISCO



LONDON N. BREED Mayor



To:

Angela Calvillo, Clerk of the Board of Supervisors

From:

m: 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

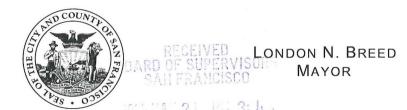
Controller

| 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 | 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:

Angela Calvillo, Clerk of the Board of Supervisors

From:

Anna Duning, Mayor's Budget Director

Date:

May 31, 2024

Re:

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.

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