

File No. 230421

Committee Item No. \_\_\_\_\_

Board Item No. 34

# COMMITTEE/BOARD OF SUPERVISORS

## AGENDA PACKET CONTENTS LIST

Committee: \_\_\_\_\_

Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: April 18, 2023

### Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

### OTHER

- Senate Bill 85 - 1/13/23 \_\_\_\_\_
- CSAC and LCC Position \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
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Prepared by: Lisa Lew

Date: April 14, 2023

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

1 [Supporting California State Senate Bill No. 85 (Wiener) - the California Extended Case  
2 Management Act (CECM)]

3 **Resolution supporting California State Senate Bill No. 85, the California Extended Case**  
4 **Management Act (CECM), authored by Senator Scott Wiener, to extend case**  
5 **management services to refugees and asylees.**

6  
7 WHEREAS, California is home to 34% of all those granted asylum in the U.S. each  
8 year, with the number growing by the thousands each year; and

9 WHEREAS, Refugees and asylees often face unique challenges from living in a conflict  
10 zone and need assistance in accessing the care needed to heal and reach their full potential  
11 in their new communities; and

12 WHEREAS, Federal law grants refugees and asylees 90 days of case management  
13 which is often not enough time for our new neighbors to settle into a successful life in the  
14 United States; and

15 WHEREAS, Extending the Enhanced Services for Asylees and Vulnerable Noncitizens  
16 (ESAVN) program to cover an additional 90 days of case management, for a total of 180  
17 days, will create greater opportunity to access the resources available in our City and in our  
18 state including Medi-Cal, CalFresh, and Covered California; and

19 WHEREAS, Senate Bill No. 85 has gained support from many immigrant-serving  
20 groups across the state, including the Coalition for Humane Immigrant Rights (CHIRLA), the  
21 California Welcomes Coalition, the Jewish Public Affairs Committee of California (JPAC), and  
22 HIAS (originally the Hebrew Immigrant Aid Society); now, therefore, be it

23 RESOLVED, That the San Francisco Board of Supervisors hereby supports California  
24 Senate Bill No. 85 and urges the California State Legislature to pass this bill to invest in the  
25

1 refugees and asylees in our communities and ensure that they may settle successfully in their  
2 new home; and, be it

3 FURTHER RESOLVED, That the Board of Supervisors hereby directs the Clerk of the  
4 Board to transmit a copy of this Resolution to the California Senate President pro Tempore  
5 Toni Atkins, California Assembly Speaker Anthony Rendon, California Human Services  
6 Committee Chair, Senator Marie Alvarado-Gil, and the bill's primary sponsor Senator Scott  
7 Wiener, and Governor Gavin Newsom.

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**Introduced by Senator Wiener**  
**(Coauthors: Senators Gonzalez and Umberg)**  
**(Coauthors: Assembly Members Berman and Jackson)**

January 13, 2023

An act to amend Sections 13275, 13276, 13277, 13282, and 13651 of the Welfare and Institutions Code, relating to immigration.

## LEGISLATIVE COUNSEL'S DIGEST

SB 85, as introduced, Wiener. Immigration: case management and social services.

(1) The federal Reception and Placement Program (RPP) under the United States Department of State is established to serve refugees during their first 3 months after arrival in the United States, through contracts with local resettlement agencies to provide various services using federal funds.

Existing state law requires the State Department of Social Services, after setting aside the necessary state administrative funds, to allocate federal funds appropriated for refugee social services programs to each eligible county or qualified nonprofit organization (QNO), as defined, based on the number of refugees receiving aid, or who reside, in the eligible county. If an eligible county or QNO that receives funds declines all or part of those funds, or returns unexpended funds, existing law authorizes the department to exercise its discretion to reallocate the declined or returned funds among eligible counties and QNOs. Existing law conditions the applicability of the requirements under these provisions on the availability of federal funds.

This bill would make those requirements also applicable if state funds are available subject to an appropriation. Under the bill, if a refugee recipient of refugee social services under RPP completes 90 days of those services and exhausts the federal funds allocated for that recipient, the recipient would be eligible for a 90-day extension of those services using state funds within the first 12 months of arrival to the United States.

If a recipient completes that 90-day extension and seeks additional services, the bill would require the designated case manager to conduct an assessment of the recipient's needs and to determine, as specified, whether to grant the recipient an additional extension of those services, at a minimum of 90 days and a maximum of 180 days, for a combined total of no more than 360 days of those services. The bill would also make conforming changes to related provisions.

(2) Existing law, subject to an appropriation, establishes the Enhanced Services for Asylees and Vulnerable Noncitizens to provide resettlement services for persons residing in the state and who are granted asylum, as specified, or who are eligible for the above-described refugee social services. Existing law requires the program to provide culturally appropriate and responsive case management services for asylees and vulnerable noncitizens for up to 90 days within the first year following the grant of asylum or after having been deemed eligible for refugee social services.

This bill would extend the provision of those case management services for up to 180 days. If a recipient completes 180 days of services and seeks an extension, the bill would require the designated case manager to conduct an assessment of the recipient's needs and to determine, as specified, whether to grant the recipient the extension, as described above for the refugee social services, for a total of no more than 360 days of those services.

(3) For both sets of the above-described services, the bill would expand the scope of the service, as specified, and would authorize their provision by a QNO, an office or affiliate of the agencies authorized under RPP, or, in the case of refugee social services, by an eligible county.

## Digest Key

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

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## Bill Text

# THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** Section 13275 of the Welfare and Institutions Code is amended to read:

13275. For the purposes of this chapter, the following terms have the following meanings:

(a) "Eligible county" means a county or city and county designated as impacted using a formula developed by the department based upon the refugee arrivals in the county during the preceding 60-month period for which the department has data.

(b) "Qualified nonprofit organization" means a nonprofit organization that is exempt from federal income taxation pursuant to Section 501(c)(3) of the Internal Revenue Code and that satisfies any additional eligibility criteria established by the department.

(c) "Refugee social services" include, but are not limited to, English language and employment training, as funded through federal ~~appropriations~~ *appropriations, or as funded through state appropriations as described in Section 13282.*

**SEC. 2.** Section 13276 of the Welfare and Institutions Code is amended to read:

13276. (a) (1) After setting aside the necessary state administrative funds, the department shall allocate appropriated federal ~~funds~~ *funds, or appropriated state funds as described in Section 13282*, for refugee social services programs to each eligible county and, if the department exercises its discretion pursuant to subdivision (b), to a qualified nonprofit organization, based on the number of refugees receiving aid in the eligible county or the number of refugees ~~that~~ *who* reside in the eligible county. The department may, at its discretion, utilize funding adjustments based on the length of time that the refugees have resided in the United States.

(2) If an eligible county or qualified nonprofit organization that receives funds under paragraph (1) declines all or part of those funds, or returns unexpended funds, the department may exercise its discretion to reallocate the declined or returned funds among eligible counties and qualified nonprofit organizations.

(3) If the federal Office of Refugee Resettlement provides funding in addition to the annual appropriation described in paragraph (1) or designates funding for services to a specific population of eligible individuals,

the department may exercise its discretion to allocate those funds among eligible counties and qualified nonprofit organizations consistent with federal law.

(b) (1) Notwithstanding any other law, and to the extent permitted by federal law, the department may, at its discretion, contract with, or award grants to, qualified nonprofit organizations for the purpose of administering refugee social services programs within a county. An eligible county providing refugee social services pursuant to this chapter may continue to administer those services while a contractor or grantee is also providing refugee social services pursuant to this chapter within the county.

(2) If an eligible county and a qualified nonprofit organization are administering refugee social services simultaneously within the same county, the department shall, at its discretion, determine the amount of the funds to be distributed to the eligible county and qualified nonprofit organization.

(3) Contracts or grants awarded pursuant to this subdivision shall require reporting, monitoring, or audits of services provided, as determined by the department.

**SEC. 3.** Section 13277 of the Welfare and Institutions Code is amended to read:

13277. (a) The department shall notify each eligible county's board of supervisors of the availability of funds described in subdivision (a) of Section ~~13276~~. *13276 or in subdivision (b) of Section 13282.*

(b) (1) A county administering refugee social services shall designate an agency that is responsible for developing and implementing a plan for the provision of services funded by refugee social services funds.

(2) Until October 1, 1990, paragraph (1) does not apply to any county on whose behalf the department is administering the refugee employment social services funds.

(c) (1) The plan developed pursuant to subdivision (b) shall be in accordance with Sections 13278 and 13279.

(2) The plan developed pursuant to subdivision (b) shall reflect the full intent of this chapter that the funding for, and provision of, refugee social services shall lead to successful self-sufficiency and social integration for all refugee recipients of refugee social services, in accordance with guidelines issued by the department.

(3) Any plan developed pursuant to subdivision (b) shall, at a minimum, meet all of the following requirements:

(A) Each eligible county's board of supervisors shall ensure that the county planning process is designed in such a way as to facilitate refugee participation and public input in that process.

(B) The plan shall include a description of how available funds will be used to provide services to refugees.

(C) The plan shall specifically address how services will be delivered to refugees receiving aid in each county.

(D) The plan shall provide for the priority consideration for funding refugee community-based organizations if they demonstrate the capacity to implement the proposed programs, which capacity shall be comparable to that of other competitors who qualify for funding.

(d) Any plan described in Section 11321.6 that is developed by any county that elects to utilize these funds to pay for any service provided to, or any activity performed on behalf of, any refugee participating in the program authorized by Article 3.2 (commencing with Section 11320) of Chapter 2 shall meet the requirements of Section 13280.

(e) (1) Prior to October 1, 1990, the department shall discontinue administering refugee employment social services funds for a county pursuant to the request of the county.

(2) Commencing October 1, 1990, the department shall discontinue administering refugee employment social services funds on behalf of the county.

**SEC. 4.** Section 13282 of the Welfare and Institutions Code is amended to read:

13282. (a) The requirements established by this chapter shall be applicable only so long as federal funds are available for its ~~purposes~~ purposes, or so long as state funds are available pursuant to subdivision (b).

(b) (1) This subdivision shall be implemented only to the extent an appropriation of state funds is made in the annual Budget Act or another statute for the purpose of this subdivision.

(2) If a refugee recipient of refugee social services under the federal Reception and Placement Program by the United States Department of State completes 90 days of those services and exhausts the federal funds allocated for that recipient, the recipient shall be eligible for a 90-day extension of refugee social services using state funds within the first 12 months of arrival to the United States.

(3) (A) If a recipient completes the 90-day extension described in paragraph (2) and seeks additional refugee social services, the designated case manager shall conduct an assessment of the recipient's needs and shall determine whether to grant the recipient an additional extension of those services using state funds.

(B) The case manager's determination in subparagraph (A) shall be on a case-by-case basis and subject to a finding by the case manager that the recipient demonstrates extreme need pursuant to criteria set forth by the department. A finding of extreme need shall be based on the level of need for services as defined in subdivision (c) of Section 13275 or case management services as described in subdivision (b) of Section 13651.

(C) An additional extension granted under this paragraph shall be at a minimum 90 days and at a maximum 180 days, resulting in a combined duration of no more than 270 days for the extensions described in paragraph (2) and this paragraph beyond the original 90 days under the federal Reception and Placement Program, for a total of no more than 360 days of those services. If the recipient is approved for the additional extension pursuant to this paragraph, the case manager shall determine the number of extension days granted based on the assessment and on the level of the recipient's extreme need.

(4) The refugee social services covered pursuant to this subdivision shall include the services as defined in subdivision (c) of Section 13275 and the case management services described in subdivision (b) of Section 13651.

(5) The refugee social services covered pursuant to this subdivision may be provided by a qualified nonprofit organization, as defined in Section 13275 or as described in Section 13650, including a community-based organization, or by an eligible county, as defined in Section 13275, or by any office or affiliate of the agencies authorized under the federal Reception and Placement Program, as applicable.

**SEC. 5.** Section 13651 of the Welfare and Institutions Code is amended to read:

13651. (a) (1) The program shall provide culturally appropriate and responsive case management services for asylees and vulnerable noncitizens for up to ~~90 days~~ 180 days, or as specified in paragraph (2), within the first year following the grant of asylum or after having been deemed eligible for services under Section 13283.

(2) (A) If a recipient completes 180 days of case management services pursuant to paragraph (1) and seeks an extension of those services, the designated case manager shall conduct an assessment of the recipient's needs and shall determine whether to grant the recipient the extension.

(B) The case manager's determination in subparagraph (A) shall be on a case-by-case basis and subject to a finding by the case manager that the recipient demonstrates extreme need pursuant to criteria set

*forth by the department. A finding of extreme need shall be based on the level of need for services as defined in subdivision (c) of Section 13275 or case management services as described in subdivision (b).*

*(C) An additional extension granted under this paragraph shall be at a minimum 90 days and at a maximum 180 days, for a total of no more than 360 days of case management services. If the recipient is approved for the additional extension pursuant to this paragraph, the case manager shall determine the number of extension days granted based on the assessment and on the level of the recipient's extreme need.*

(b) Case management services under the program shall include assistance in identifying and applying for all benefits to which the person is legally entitled, including cultural orientation and integration programs, support in accessing and navigating the public benefits and health care systems, *housing assistance*, community connection and relationship building, English language instruction, ~~and~~ *enrollment in an educational program or institution, financial literacy education*, employment training, job placement assistance, and professional recredentialing and licensing application assistance.

*(c) Case management services under the program may be provided by a qualified nonprofit organization, as defined in Section 13275 or as described in Section 13650, including a community-based organization, or by any office or affiliate of the agencies authorized under the federal Reception and Placement Program by the United States Department of State, as applicable.*

~~(e)~~

(d) The department shall, in collaboration with service providers, determine outcome metrics to define program success.



## Lew, Lisa (BOS)

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**From:** BOS Legislation, (BOS)  
**To:** Heiken, Emma (BOS)  
**Subject:** RE: Introduction: Reso in Support of SB85

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**From:** Heiken, Emma (BOS) <emma.heiken@sfgov.org>  
**Sent:** Tuesday, April 11, 2023 12:06 PM  
**To:** BOS Legislation, (BOS) <bos.legislation@sfgov.org>; Melgar, Myrna (BOS) <myrna.melgar@sfgov.org>  
**Cc:** Somera, Alisa (BOS) <alisa.somera@sfgov.org>; Farrah, Michael (BOS) <michael.farrah@sfgov.org>; Fieber, Jennifer (BOS) <jennifer.fieber@sfgov.org>; Low, Jen (BOS) <jen.low@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>  
**Subject:** RE: Introduction: Reso in Support of SB85

Hello Lisa,

Thank you for your quick reply.

- See attached copy of SB85
- Confirming that neither the [California State Association of Counties](#) and [League of California Cities](#) have taken positions
- Confirming that these matters are routine, not contentious in nature, and of no special interest

Supervisor Melgar will follow up to confirm shortly.

Best,

**Emma Heiken**  
Legislative Aide  
Office of Supervisor Myrna Melgar

## Introduction Form

*(by a Member of the Board of Supervisors or the Mayor)*



I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- 2. Request for next printed agenda (For Adoption Without Committee Reference)  
*(Routine, non-controversial and/or commendatory matters only)*
- 3. Request for Hearing on a subject matter at Committee
- 4. Request for Letter beginning with "Supervisor  inquires..."
- 5. City Attorney Request
- 6. Call File No.  from Committee.
- 7. Budget and Legislative Analyst Request (attached written Motion)
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the Board on

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- Small Business Commission       Youth Commission       Ethics Commission
- Planning Commission       Building Inspection Commission       Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- Yes                       No

*(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)*

Sponsor(s):

Subject:

Long Title or text listed:

Signature of Sponsoring Supervisor: