

1 [Administrative Code - Composition of Behavioral Health Commission]

2
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; retain existing members; and remove seat requirements for child advocates ~~and~~**
10 **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 Section 1. The Administrative Code is hereby amended by revising Sections 15.12 and
20 15.13, to read as follows:

21 **SEC. 15.12. BEHAVIORAL HEALTH COMMISSION – COMPOSITION AND**
22 **APPOINTMENT OF MEMBERS.**

23 (a) There is hereby established a mental health board pursuant to the requirements
24 of California Welfare and Institutions Code Sections 5604 et seq., to be known as the
25 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” includes domestic partners and significant others. For purposes of this ~~subsection~~
9 Section 15.12, a “consumer” is a person who has received mental health and/or substance use
10 services in San Francisco from any program operated or funded by the City, from a State
11 hospital, or from any public or private nonprofit mental health agency. The Board of
12 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. A member may
25 satisfy the requirements of both subsection (c) and this subsection (d) concurrently. The Board of

1 Supervisors member position shall not count in determining whether the “veteran” or “veteran
2 advocate” requirement of this subsection (d) is met.

3 (e) In addition to the requirements of subsections (c) and (d), on or after July 1,
4 2024 two members shall be from the following professions: psychiatry, psychology, mental
5 health social work, nursing with a specialty in mental health, marriage and family counseling,
6 psychiatric technology, or administration of a hospital providing mental health services or of a
7 community mental health facility.

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

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

22 ~~(g)~~(h) A consumer who has obtained employment with an employer described in
23 subsection ~~(f)~~(g), and who holds a position in which the consumer has no interest, influence,
24 or authority over any financial or contractual matter concerning the employer may be
25

1 appointed to the Commission. Such a member shall not participate in any matter concerning
2 the member's employer if prohibited by state or local law.

3 ~~(h)~~(i) References in the Administrative Code or any other part of the Municipal
4 Code, or any City ordinance, to the Advisory Board of the Community Mental Health Services,
5 or to the San Francisco Mental Health Board shall be deemed references to the Commission.
6

7 **SEC. 15.13. BEHAVIORAL HEALTH COMMISSION – TERMS OF REMOVAL**

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

18 (a) Except for the Board of Supervisors member, the term of each member of the
19 Behavioral Health Commission (“Commission”) shall be for three years. No member shall
20 serve more than two consecutive full terms. A member shall be deemed to have served a full
21 term only if the member serves at least half of a full term. The clerk of the Commission in
22 consultation with the Clerk of the Board of Supervisors, shall, upon the effective date of the
23 ordinance in Board File No. 231076, change the number of the seats on the Commission, and
24 assign existing Commission members, including members with expired terms serving as
25 holdover appointees, to Seats 2-12 in accordance with the requirements of Section 15.12.

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

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

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

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

7
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.

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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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