

1 [Health Code Amendments - Assisted Mental Health Pilot Project]

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3 **Ordinance amending the San Francisco Health Code by adding Section 114.1 and**
4 **Section 114.2 to require that the Health Department and Department of Aging and Adult**
5 **Services adopt a pilot project to provide further care for mentally ill community**
6 **members.**

7 NOTE: Additions are *single-underline italics Times New Roman*;
8 deletions are ~~*strike-through italics Times New Roman*~~.
9 Board amendment additions are double-underlined;
Board amendment deletions are ~~strikethrough normal~~.

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

11 Section 1. The San Francisco Health Code is hereby amended by adding Sections
12 114.1 through 114.2, to read as follows:

13 **SEC. 114.1. FINDINGS.**

14 (1) Individuals with diagnosed mental illness who reside in San Francisco may experience
15 difficulties remaining safe in the community due to an inability to maintain compliance with their
16 prescribed medication regime; and

17 (2) These same individuals may qualify as gravely disabled under the California Welfare &
18 Institutions Code; and

19 (3) Families as well as third parties may be at risk due to the safety issues posed by these
20 persons and may not have the resources to handle the challenges of keeping the individual in the
21 community; and

22 (4) The California Welfare & Institutions Code provides for a procedure to conserve certain
23 individuals who are found by the Probate Court to be gravely disabled; and

24 (5) The statutory scheme allows for a conservator of a gravely disabled individual to pursue
25 medical treatment of the conservatee where approved by the Probate Court.

1 **SEC. 114.2. ASSISTED MENTAL HEALTH PILOT PROJECT.**

2 **(1) Pilot Project Elements.** *The Health Department and Department of Aging & Adult*
3 *Services, including the LPS Conservator, shall proceed with a pilot project whereby the San Francisco*
4 *Probate Court's approval will be sought for treatment of conservatees as provided under Section 5358*
5 *of the California Welfare & Institutions Code. The treatment requested shall be related specifically to*
6 *remedying or preventing the recurrence of the conservatee's being gravely disabled. The Health*
7 *Department and the Department of Aging & Adult Services shall provide whatever assessments and*
8 *documentation are necessary to support the application for treatment submitted pursuant to Section*
9 *5358(b). This ordinance shall in no way be interpreted as dictating how any professional exercises his*
10 *or her judgment in performing duties required by law.*

11 **(2) Reporting.** *The Health Department and Department of Aging & Adult Services, including*
12 *the LPS Conservator, shall report to the Board of Supervisors after the pilot project has been in*
13 *operation for one year. The report shall identify the numbers of persons assisted through the pilot*
14 *program without disclosing confidential information concerning such persons. The report shall also*
15 *describe any barriers encountered and contain recommendations as to how to better assist persons so*
16 *that they may reside in the least restrictive setting while maintaining a necessary level of safety for all*
17 *concerned.*

18 **(3) Funding.** *The Board of Supervisors shall consider the report and the recommendations*
19 *and determine whether the allocation of additional funding is necessary for the Department of Aging*
20 *and Adult Services and the Health Department to carry out the pilot project to provide care for*
21 *mentally ill community members.*

22 **(4) Expiration.** *The Pilot Project shall expire on December 31, 2011. Upon expiration of the*
23 *program, the City Attorney shall cause this section to be deleted from the code.*

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APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: _____
ALEETA M. VAN RUNKLE
Deputy City Attorney