

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Dr. Grant Colfax, Director, Department of Public Health
Abigail Stewart-Kahn, Interim Director
Department of Homelessness and Supportive Housing
Trent Rhorer, Executive Director, Human Services Agency
Mary Ellen Carroll, Executive Director,
Department of Emergency Management

FROM: Victor Young, Assistant Clerk *Victor Young*

DATE: March 29, 2021

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Rules Committee received the following proposed legislation:

File No. 210304

Ordinance amending the Administrative Code to require the Department of Public Health, Department of Homelessness and Supportive Housing, Human Services Agency, and Department of Emergency Management to develop and submit to the Board of Supervisors departmental overdose prevention policies.

If you have 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 or by email at: linda.wong@sfgov.org.

- c. Greg Wagner, Public Health
Dr. Naveena Bobba, Public Health
Sneha Patil, Public Health
Arielle Fleisher, Public Health
Dylan Schneider, Homelessness and Supportive Housing
Emily Cohen, Homelessness and Supportive Housing
Elizabeth LaBarre, Human Services Agency
Victor Lim, Emergency Management



City and County of San Francisco

Master Report

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

File Number: 210304 **File Type:** Ordinance **Status:** 30 Day Rule

Enacted: _____ **Effective:** _____

Version: 1 **In Control:** Rules Committee

File Name: Administrative Code - Departmental Overdose Prevention Policies **Date Introduced:** 03/23/2021

Requester: _____ **Cost:** _____ **Final Action:** _____

Comment: _____ **Title:** Ordinance amending the Administrative Code to require the Department of Public Health, Department of Homelessness and Supportive Housing, Human Services Agency, and Department of Emergency Management to develop and submit to the Board of Supervisors departmental overdose prevention policies.

Sponsor: Haney

History of Legislative File 210304

Ver	Acting Body	Date	Action	Sent To	Due Date	Result
1	President	03/23/2021	ASSIGNED UNDER 30 DAY RULE	Rules Committee	04/22/2021	

1 [Administrative Code - Departmental Overdose Prevention Policies]

2

3 **Ordinance amending the Administrative Code to require the Department of Public**
4 **Health, Department of Homelessness and Supportive Housing, Human Services**
5 **Agency, and Department of Emergency Management to develop and submit to the**
6 **Board of Supervisors departmental overdose prevention policies.**

7 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
8 **Additions to Codes** are in *single-underline italics Times New Roman font*.
9 **Deletions to Codes** are in ~~*strikethrough italics Times New Roman font*~~.
10 **Board amendment additions** are in double-underlined Arial font.
11 **Board amendment deletions** are in ~~strikethrough Arial font~~.
12 **Asterisks (* * * *)** indicate the omission of unchanged Code
13 subsections or parts of tables.

11

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

13

14 Section 1. Findings.

15 (a) According to data from the Office of the Medical Examiner, the number of people
16 who have died from drug overdoses in San Francisco has been rising at a staggering rate. In
17 2017, 222 people in San Francisco died from a drug overdose. In 2020, 697 people in San
18 Francisco died from a drug overdose. This represents more than a tripling of the death rate in
19 only three years, such that deaths from drug overdoses now average nearly two a day, and
20 nearly 60 a month.

21 (b) Fentanyl, which is estimated to be 50 to 100 times more potent than morphine,
22 entered the San Francisco market around 2015, causing eleven deaths that year. In 2016,
23 the number of fentanyl overdose deaths in San Francisco doubled, reaching a total of 22. In
24 2020, 502 people were reported to have died in San Francisco as a result of overdose from

25

1 use of fentanyl. Thus, in five years, fentanyl overdose deaths in San Francisco increased by
2 4500%.

3 (c) This is a public health crisis of major proportions that is out of control. The
4 number of people who died from a drug overdose in San Francisco in 2020 was more than
5 three times the number of people who died in San Francisco from COVID-19 that same year.

6 (d) Based on data showing the addresses of fatal drug overdoses in San Francisco
7 over the first eight months of 2020, 111 people died on sidewalks or alleys, or in parks or cars;
8 296 people were found dead in homes or hotels, many in supportive housing in the
9 Tenderloin; and 60 people were pronounced dead at hospitals.

10 (e) Consuming drugs alone while sheltering-in-place during the COVID-19
11 pandemic almost certainly amplified the overdose death risk of strong drugs; more than half of
12 the 561 deaths from accidental overdoses during the period January - October 2020 occurred
13 indoors.

14 (f) A 2019 study published in Drug and Alcohol Dependence surveyed overdose
15 mortality among residents of single room occupancy (SRO) buildings in San Francisco during
16 the period 2010 – 2017, and found that overdose mortality was substantially higher among
17 SRO residents as compared to non-SRO residents, and that SRO residents were also more
18 likely to die from overdosing at home than elsewhere.

19 (g) A 2019 study published in the Journal of Urban Health examined the
20 acceptability, feasibility, and implementation of the Tenant Overdose Response Organizers
21 (TORO) program facilitated in ten SROs in Canada. That study concluded that the overdose
22 response interventions used by the TORO program, including peer-led overdose prevention
23 and response trainings, wall-mounted naloxone for emergency response, and peer-led
24 support groups, are effective tools in addressing overdose risk in SROs. The study also
25 concluded that tenants who had participated in the program and were taught about opioid

1 overdoses were better able to respond to overdoses and contribute to wider community
2 responses. This study helped inform the DOPE (Drug Overdose Prevention and Education)
3 Project's SRO initiative in San Francisco.
4

5 Section 2. Chapter 15 of the Administrative Code is hereby amended by adding
6 Section 15.17, to read as follows:
7

8 **SEC. 15.17. DEPARTMENTAL OVERDOSE PREVENTION POLICIES.**

9 *By no later than December 31, 2021, and every year thereafter, the Department of Public*
10 *Health, the Department of Homelessness and Supportive Housing, the Healthy Streets Operation*
11 *Center through the Department of Emergency Management, and the Human Services Agency shall*
12 *each submit to the Board of Supervisors a departmental policy describing how the department and its*
13 *grantees that provide direct services to clients who use drugs will promote strategies to reduce drug*
14 *overdoses (“Overdose Prevention Policy”), along with a resolution to accept transmission of the*
15 *policy. Each departmental Overdose Prevention Policy shall, to the extent applicable to the*
16 *department’s activities:*

17 (a) *Address how departmental programs will provide drug treatment and harm reduction*
18 *programs and services;*

19 (b) *Describe where the department will post the following materials to ensure that they are*
20 *available and accessible to all clients:*

21 (1) *Up-to-date information about the location and schedule of syringe access and*
22 *disposal services; and*

23 (2) *Up-to-date referral information about naloxone access and the schedule of*
24 *overdose prevention and naloxone distribution services;*
25

1 (c) Include an onsite overdose response policy that describes the steps the department will
2 take in the event that an individual overdoses on property managed by the department or in the
3 presence of department personnel;

4 (d) Ensure that department staff who work with people who use drugs receive training in
5 overdose prevention strategies; and

6 (e) Describe the process by which the department will ensure that grantees that manage
7 property on behalf of the department and/or provide direct services to people who use drugs implement
8 overdose prevention policies that contain the information required in subsections (a)-(d) of this Section
9 15.17 as applied to the grantee.
10

11 Section 3. Effective Date. This ordinance shall become effective 30 days after
12 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
13 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
14 of Supervisors overrides the Mayor’s veto of the ordinance.
15

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17
18 APPROVED AS TO FORM:
19 DENNIS J. HERRERA, City Attorney

20 By: /s/ Anne Pearson
21 ANNE PEARSON
22 Deputy City Attorney

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24
25

LEGISLATIVE DIGEST

[Administrative Code - Departmental Overdose Prevention Policies]

Ordinance amending the Administrative Code to require the Department of Public Health, Department of Homelessness and Supportive Housing, Human Services Agency, and Department of Emergency Management to develop and submit to the Board of Supervisors departmental overdose prevention policies.

Existing Law

Currently, there is no law requiring that any City department prepare and submit to the Board of Supervisors a departmental overdose prevention policy.

Amendments to Current Law

The proposed ordinance would require the Department of Public Health, the Department of Homelessness and Supportive Housing, the Healthy Streets Operation Center through the Department of Emergency Management, and the Human Services Agency to each submit to the Board of Supervisors annually a departmental policy describing how the department and its grantees that provide direct services to clients who use drugs will promote strategies to reduce drug overdoses. Each departmental Overdose Prevention Policy must:

- Address how departmental programs will provide drug treatment and harm reduction programs and services;
- Describe where the department will post information about syringe access and disposal and the schedule of naloxone distribution services;
- Include an onsite overdose response policy that describes the steps the department will take in the event that an individual overdoses on property managed by the department or in the presence of department personnel;
- Ensure that department staff who work with people who use drugs receive training in overdose prevention strategies; and
- Describe the process by which the department will ensure that grantees that manage property on behalf of the department and/or provide direct services to people who use drugs implement overdose prevention policies.

Background Information

According to data from the Office of the Medical Examiner, the number of people who have died from drug overdoses in San Francisco has been rising at a staggering rate. In 2017, 222 people in San Francisco died from a drug overdose. In 2020, 697 people in San Francisco

FILE NO. 210304

died from a drug overdose. This represents more than a tripling of the death rate in only three years, such that deaths from drug overdoses now average nearly two a day, and nearly 60 a month.

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Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

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

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor inquiries"
- 5. City Attorney Request.
- 6. Call File No. from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

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

Sponsor(s):

Haney

Subject:

Administrative Code - Departmental Overdose Prevention Policies

The text is listed:

Ordinance amending the Administrative Code to require the Department of Public Health, the Department of Homelessness and Supportive Housing, the Human Services Agency, and the Department of Emergency Management to develop and submit to the Board of Supervisors departmental overdose prevention policies.

Signature of Sponsoring Supervisor: Matt Haney

For Clerk's Use Only

From: [RivamonteMesa, Abigail \(BOS\)](#)
To: [BOS Legislation, \(BOS\)](#)
Cc: [PEARSON, ANNE \(CAT\)](#); [Haney, Matt \(BOS\)](#); [Mahogany, Honey \(BOS\)](#); [Zou, Han \(BOS\)](#)
Subject: Introduction: Overdose Prevention Policy
Date: Tuesday, March 23, 2021 2:33:39 PM
Attachments: [01519513.DOCX](#)
[01519512.docx](#)
[3.23 Introduction Form Overdose Prevention Policies.pdf](#)

Attached please find for Introduction:

[Administrative Code - Departmental Overdose Prevention Policies]

Thank you!
Abi

Thank you,
Abi

From: Pearson, Anne (CAT) <Anne.Pearson@sfcityatty.org>
Sent: Tuesday, March 16, 2021 11:03 AM
To: RivamonteMesa, Abigail (BOS) <abigail.rivamontemesa@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>
Cc: Mcdonald, Courtney (BOS) <courtney.mcdonald@sfgov.org>
Subject: RE: overdose prevention

Hi Abi,

The final drafts are attached, approved as to form, and ready for introduction.

Thanks,
Anne

Anne Pearson – available by cell phone at 646-241-7670

Deputy City Attorney
Office of the City Attorney
1 Dr. Carlton B. Goodlett Place, Suite 234
San Francisco, CA 94102
Tel: (415) 554-4706
anne.pearson@sfcityatty.org

Attorney-Client Communication - Do Not Disclose
Confidential Attorney-Work Product - Do Not Disclose

From: RivamonteMesa, Abigail (BOS) <abigail.rivamontemesa@sfgov.org>
Sent: Monday, March 15, 2021 12:19 PM
To: Pearson, Anne (CAT) <Anne.Pearson@sfcityatty.org>; Haney, Matt (BOS)

<matt.haney@sfgov.org>

Cc: Mcdonald, Courtney (BOS) <courtney.mcdonald@sfgov.org>

Subject: Re: overdose prevention

Thank you Anne! Please share final version with us when ready and let us know if any other issues come up from legislative review unit.

Abigail Rivamonte Mesa, Chief of Staff

Office of Supervisor Matt Haney, District 6

abigail.rivamontemesa@sfgov.org

For Covid-19 updates | WWW.SF.GOV | Dial 311 | Text COVID19SF to 888-777

I am working from home due to the COVID-19 Stay Safer at Home Order and will be most responsive via email

1 [Administrative Code - Departmental Overdose Prevention Policies]

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

20 By: /s/ Anne Pearson
21 ANNE PEARSON
22 Deputy City Attorney

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