

1 [Joint Powers Agreement with the San Francisco Health Authority.]

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3 **Resolution approving Joint Powers Agreement with the San Francisco Health Authority**
4 **to create a Joint Powers Authority to operate the Non-Medi-Cal health plans currently**
5 **operated by the San Francisco Health Authority.**

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7 WHEREAS, In 1994, the Legislature authorized the San Francisco Board of
8 Supervisors to establish a health authority as a separate legal entity to operate programs
9 involving health care services, including the authority to contract with the State of California to
10 serve as a health plan for Medi-Cal beneficiaries (Welfare and Institutions Code Section
11 14087.36); and

12 WHEREAS, In 1994, the Board of Supervisors established the San Francisco Health
13 Authority pursuant to the State statute in order to provide access to comprehensive health
14 care services for Medi-Cal beneficiaries and such other persons as the Health Authority
15 deems appropriate (San Francisco Administrative Code Section 69.1 *et seq*); and

16 WHEREAS, The governing body of the San Francisco Health Authority consists of 19
17 persons, 14 of whom are appointed by the Board of Supervisors; and

18 WHEREAS, the governing body of the San Francisco Health Authority includes, among
19 other members, the Director of Public Health, the Director of Mental Health, and appointees of
20 the Mayor and the San Francisco Health Commission; and

21 WHEREAS, The San Francisco Health Authority serves as a Knox-Keene licensed
22 HMO providing high quality health insurance to nearly 50,000 San Francisco residents and
23 workers through Medi-Cal and other programs; and

1 ("Joint Powers Authority"), a separate legal entity that would operate the non-Medi-Cal
2 programs currently operated by the San Francisco Health Authority, including the Healthy
3 Families, Healthy Workers, and Healthy Kids and Young Adults programs, as well as any new
4 programs or lines of business that the Joint Powers Authority may develop; and

5 WHEREAS, The San Francisco Health Authority approved the Agreement on March 2,
6 2005 in Resolution No. 2005-1; and

7 WHEREAS, The proposed Agreement further provides that:

8 (i) The San Francisco Health Authority is designated as the party who will serve as
9 administrator to execute the provisions of the Agreement;

10 (ii) The City shall not provide any capital funds for the Joint Powers Authority, nor be
11 responsible for any operational or administrative costs incurred in fulfilling its purposes under
12 the Agreement;

13 (iii) The debts, liabilities, and obligations of the Joint Powers Authority do not constitute
14 the debts, liabilities, or obligations of any part to the Agreement, although the members may
15 separately contract for or assume such responsibility; and

16 (iv) The members of the governing body established to govern the San Francisco
17 Health Authority serve *ex officio* as the members of the governing body established to govern
18 the Joint Powers Authority; and

19 (v) The Joint Powers Authority is required to acquire such insurance protection as the
20 City's Risk Manager deems necessary to protect the interests of the members to the
21 Agreement; and

22 (vi) The Agreement may be terminated by the adoption of a resolution by either the
23 City or the San Francisco Health Authority; now, therefore, be it

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1 RESOLVED, That the Board of Supervisors hereby approves the Joint Powers
2 Agreement with the San Francisco Health Authority to create a Joint Powers Authority to
3 operate the non-Medi-Cal health plans currently operated by the San Francisco Health
4 Authority.

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