

File No. 240984

Committee Item No. 3

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

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Committee: Rules Committee

Date Nov 18, 2024

Board of Supervisors Meeting

Date _____

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OTHER (Use back side if additional space is needed)

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Completed by: Victor Young

Date Nov 14, 2024

Completed by: _____

Date _____

1 [Administrative Code - Mental Health SF Implementation Working Group]

2

3 **Ordinance amending the Administrative Code to decrease the number of members of**
4 **the Mental Health SF Implementation Working Group from 13 to seven, require the**
5 **Working Group by July 31, 2025, to submit a final report containing an evaluation of the**
6 **Mental Health SF program and recommendations for program improvements, and**
7 **change the sunset date for the Working Group from September 1, 2026, to July 31,**
8 **2025.**

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

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

17

18 Section 1. The Administrative Code is hereby amended by revising Sections 5.42-2,
19 5.42-3, 5.44-4, and 5.44-5, to read as follows:

20

21 **SEC. 5.44-2. MEMBERSHIP.**

22 (a) The Implementation Working Group shall consist of ~~13~~ members, appointed by
23 the Mayor, or the Board of Supervisors, ~~or the City Attorney~~, as specified in subsection (b).

24 (b) Seats 1-~~13~~ shall be filled as follows:

25 (1) Seat 1 shall be held by a person with expertise working on behalf of healthcare
workers, appointed by the Board of Supervisors.

1 (2) Seats 2 ~~and 3~~ shall ~~each~~ be held by a person who identifies as having a mental
2 health condition or identifies as having both a mental health condition and substance use
3 condition (“dual diagnosis”), and who has accessed mental health or substance use services
4 in San Francisco, appointed by the Mayor ~~and the Board of Supervisors, respectively.~~

5 (3) Seat ~~4~~3 shall be held by a City peace officer, emergency medical technician, or
6 firefighter (“First Responder”), with expertise in mental health and/or substance use treatment,
7 appointed by the Mayor.

8 (4) Seats ~~5~~4 ~~and 6~~ shall ~~each~~ be held by a ~~substance use~~ treatment provider with
9 substance use expertise ~~in mental health treatment and harm reduction~~, appointed by the Mayor
10 ~~and the Board of Supervisors, respectively.~~

11 ~~(5) Seat 5 shall be held by a treatment provider with mental health expertise, appointed by~~
12 ~~the Board of Supervisors.~~

13 ~~(5)~~ Seat ~~7~~6 shall be held by a ~~mental health or substance use~~ treatment provider
14 with experience ~~working with~~ serving justice-involved populations ~~eriminal system-involved patients~~,
15 appointed by the Board of Supervisors.

16 ~~(6) Seat 8 shall be held by a psychiatrist or other behavioral health professional with~~
17 ~~expertise providing services to transitional age youth (ages 18-24) in San Francisco, appointed by the~~
18 ~~Board of Supervisors.~~

19 ~~(7) Seat 9 shall be held by a person with experience in the management or operation of~~
20 ~~residential treatment programs, appointed by the Mayor.~~

21 ~~(8) Seat 10 shall be held by an employee of the Department of Public Health with expertise~~
22 ~~in working with dually diagnosed persons, appointed by the Mayor.~~

23 ~~(9) Seat 11 shall be held by a person with experience providing supportive housing in San~~
24 ~~Francisco, appointed by the Board of Supervisors.~~

1 (~~10~~) Seat ~~12~~ shall be held by an employee of the Department of Public Health
2 with experience in health systems or hospital administration, appointed by the Mayor.

3 ~~(11) Seat 13 shall be held by a person with expertise in the field of health law, appointed~~
4 ~~by the City Attorney.~~

5
6 **SEC. 5.44-3. ORGANIZATION AND TERMS OF OFFICE.**

7 (a) Members of the Implementation Working Group shall serve two-year terms,
8 beginning on June 1, 2020; ~~provided, however, the term of the initial appointees in Seats 1, 3, 5, 7,~~
9 ~~9, and 11 shall be one year, expiring on June 1, 2021.~~

10 (b) Members of the Implementation Working Group shall serve at the pleasure of
11 their respective appointing authorities, and may be removed by the appointing authority at any
12 time.

13 ~~(c) The Mayor, Board of Supervisors, and City Attorney shall make initial appointments to~~
14 ~~the Implementation Working Group within 90 days of the effective date of this Article XLIV.~~

15 ~~(d) The Implementation Working Group's inaugural meeting shall be held within 90 days of~~
16 ~~the effective date of this Article XLIV, provided that a majority of the members have been appointed~~
17 ~~and are present at the meeting. There shall be at least ten days' public notice of the inaugural meeting.~~

18 ~~(e)~~ The Implementation Working Group shall meet at least once every other month
19 ~~after the inaugural meeting for a total of at least six meetings per year.~~

20 ~~(f)~~ Any member who misses three regular meetings of the Implementation Working
21 Group within any 12-month period without the express approval of the Implementation
22 Working Group at or before each missed meeting shall be deemed to have resigned from the
23 body 10 days after the third unapproved absence. The Implementation Working Group shall
24 inform the appointing authority for the resigned member's seat of any such resignation.

1 (~~ge~~) Service on the Implementation Working Group is voluntary and members shall
2 receive no compensation from the City, except that a City employee appointed to Seat ~~4, 10, 3~~
3 or ~~12~~ shall receive compensation from the City as an employee, because work on the
4 Implementation Working Group shall be considered part of the employee's work for the City.

5 (~~hf~~) The Department of Public Health shall provide administrative and clerical
6 support for the Implementation Working Group. All City officials and agencies shall cooperate
7 with the Implementation Working Group in the performance of its functions.

8 (~~ig~~) One representative from each of the following departments shall attend
9 meetings of the Implementation Working Group to be available for consultation by its
10 members: the Department of Public Health, the Human Services Agency, the Department of
11 Disability and Aging Services, and the Department of Homelessness and Supportive Housing.

12 *(h) Transition and Continued Membership.*

13 *As of the effective date of the ordinance in Board File No. 240984 reducing the number of*
14 *members of the Implementation Working Group:*

15 _____ *(1) The members occupying the seats formerly designated as seats 3, 8, 9, 10, 11, and*
16 *13 shall cease being members;*

17 _____ *(2) The members occupying seats 1 and 2 shall continue to occupy seats 1 and 2,*
18 *respectively, until their current term expires or until their appointing authority appoints a new member*
19 *to fill that seat;*

20 _____ *(3) The members occupying the seats formerly designated as seats 4, 5, 6, 7, and 12*
21 *shall occupy seats 3, 4, 5, 6, and 7, respectively, until their current term expires or until their*
22 *appointing authority appoints a new member to fill that seat;*

23 _____ *(4) Any seats that are vacant shall be filled by the appointing authority as soon as*
24 *practicable.*

1 (i) A quorum for meetings of the Implementation Working Group shall be based on the new
2 total number of seats.

3
4 **SEC. 5.44-4. POWERS AND DUTIES.**

5 (a) The Implementation Working Group shall have the power and duty to advise the
6 Mental Health Board or any successor agency, the Health Commission, the Department of
7 Public Health, the Mayor, and the Board of Supervisors, and may advise the San Francisco
8 Health Authority, on the design, outcomes, and effectiveness of Mental Health SF, established
9 by Section 15.104 of the Administrative Code. The Implementation Working Group shall
10 evaluate the effectiveness of Mental Health SF in meeting the behavioral health and housing
11 needs of eligible participants, by reviewing program data, and shall review and assess the
12 Implementation Plan that is required to be submitted to the Mayor and the Board of
13 Supervisors under subsection (h)(3) of Section 15.104 of the Administrative Code.

14 (b) The Implementation Working Group shall work with the Controller and the
15 Department of Human Resources to conduct a staffing analysis of both City and nonprofit
16 mental health services providers to determine whether there are staffing shortages that impact
17 the providers' ability to provide effective and timely mental health services. If the staffing
18 analysis concludes that there are staffing shortages that impact timely and effective service
19 delivery, the staffing analysis shall also include recommendations regarding appropriate
20 salary ranges that should be established, and other working conditions that should be
21 changed, to attract and retain qualified staff for the positions where there are staffing
22 shortages.

23 (c) By no later than October 1, 2020, and every year thereafter, the Implementation
24 Working Group shall submit to the Board of Supervisors, the Mayor, and the Director of Health
25 a written report on its progress.

1 (d) By no later than June 1, 2021, the Implementation Working Group shall submit
2 to the Board of Supervisors, the Mayor, and the Director of Health its final recommendations
3 concerning the design of Mental Health SF, and any steps that may be required to ensure its
4 successful implementation.

5 (e) Within six months of the effective date of this Article XLIV, the Implementation
6 Working Group shall submit to the Mayor, the Board of Supervisors, and the Director of Health
7 the staffing analysis required by subsection (b).

8 (f) In the event that the actual or projected annual cost of implementing Mental
9 Health SF exceeds \$150 million, as annually adjusted to reflect changes in the Consumer
10 Price Index (the "Cost Cap"), the Implementation Working Group shall submit to the Board of
11 Supervisors, the Mayor, and the Director of Health recommendations for how to reduce the
12 scope of services provided by Mental Health SF in order to reduce annual costs so that they
13 do not exceed the Cost Cap.

14 (g) By no later than July 31, 2025, the Implementation Working Group shall submit to the
15 Board of Supervisors, the Mayor, and the Director of Health a final written report that includes:

16 (1) an evaluation of the effectiveness of Mental Health SF at addressing the mental
17 health needs of San Franciscans in its first five years of implementation;

18 (2) a summary of all of the Implementation Working Group's prior
19 recommendations;

20 (3) new recommendations relating to:

21 (A) options for Mental Health Service Center services and programs;

22 (B) future growth of the Office of Coordinated Care established under
23 subsection (g)(2) of Section 15.104 of the Administrative Code, including suggestions developed from
24 the information gathered by the Department of Public Health from community mapping exercises and
25 community engagement activities previously requested by the Implementation Working Group;

1 (C) the work of the Crisis Response Street Team established under subsection
2 (g)(3) of Section 15.104 of the Administrative Code;

3 (D) follow-up care referrals and linkages that the Street Teams can
4 implement and develop for and on behalf of individuals encountered by the Street Teams;

5 (E) the types and number of mental health residential treatment beds and
6 facilities needed to meet the needs of San Francisco residents based on the information collected in the
7 most recent beds study by the Office of the Controller and the Department of Public Health, described
8 in part in subsection (g)(4) of Section 15.104 of the Administrative Code;

9 (F) the services and programs provided by Mental Health SF based on the
10 Implementation Working Group’s review of Mental Health SF metrics and other applicable data made
11 available to the Implementation Working Group;

12 (G) the types of communications to providers and the community that would
13 raise awareness of the availability of Mental Health SF services and programs;

14 (H) which populations and programs and services should be prioritized by
15 Mental Health SF if the budget for Mental Health SF were to be reduced;

16 (I) any amendments to the legislation establishing Mental Health SF that
17 would improve the program’s effectiveness at addressing the mental health needs of San Franciscans;
18 and

19 (J) the projected impacts on Mental Health SF programs and priority
20 populations of recently enacted or proposed laws addressing behavioral health care services, including
21 but not limited, to S.B. 43 (2024), Proposition 1 (March 2024), and San Francisco's Proposition F
22 (November 2024).

23
24 **SEC. 5.44-5. SUNSET.**

LEGISLATIVE DIGEST

[Administrative Code - Mental Health SF Implementation Working Group]

Ordinance amending the Administrative Code to decrease the number of members of the Mental Health SF Implementation Working Group from 13 to seven, require the Working Group by July 31, 2025, to submit a final report containing an evaluation of the Mental Health SF program and recommendations for program improvements, and change the sunset date for the Working Group from September 1, 2026, to July 31, 2025.

Existing Law

Currently, the Administrative Code establishes a Mental Health SF Implementation Working Group (MHSF IWG) that is charged with advising the Board of Supervisors and other City officials on the design, outcomes, and effectiveness of Mental Health SF; evaluating the effectiveness of Mental Health SF in meeting the behavioral health and housing needs of participants; conducting a staffing analysis to determine whether there are staffing shortages that impact providers' ability to provide effective and timely mental health services; and making recommendations concerning the design of Mental Health SF.

Currently, the MHSF IWG is comprised of 13 members, appointed by the Board of Supervisors, the Mayor, and the City Attorney, and is scheduled to sunset on September 1, 2026.

Amendments to Current Law

The proposed ordinance would decrease the number of members of the MHSF IWG from 13 to 7, and change the sunset date from September 1, 2026, to July 31, 2025. In addition, the ordinance would require the MHSF IWG to prepare a final summative report containing an evaluation of Mental Health SF and numerous recommendations for program improvements.

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BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

Date: October 28, 2024
To: The Honorable Members, Board of Supervisors
From: *Ace* Angela Calvillo, Clerk of the Board
Subject: Mental Health SF Implementation Working Group (File No. 240984)

The Board's Rules of Order, 2.21 establishes certain criteria when establishing, or reauthorizing any boards/commissions/task forces/advisory bodies and requires the Clerk to advise the Board on such criteria. To identify these requirements, and other important suggestions, the following information is provided:

File No. 240984 Administrative Code - Mental Health SF Implementation Working Group

- Does a current body address the same or similar subject matter? (*Board Rule 2.21*)

Yes, the Behavioral Health Commission also reviews and evaluates the City and County's behavioral health needs, services, facilities, and special problems and other duties as provided in Administrative Code, Sections 15.12 et seq., and California Welfare and Institutions Code, Sections 5604 et seq.

However, the Mental Health SF Implementation Working Group (MHIWG) advises the Mental Health Board, the Health Commission, the Department of Public Health, the Mayor, and the Board of Supervisors – and may advise the Health Authority – on the design, outcomes and effectiveness of Mental Health SF, specifically.

- Is an administering department identified? (*Board Rule 2.21*)

Yes, Section 5.44-3(f) states "The Department of Public Health will provide administrative and clerical support for the Implementation Working Group."



- Does the enabling legislation contain language requiring the body to meet at least once every four months? (*Board Rule 2.21*)

Yes, Section 5.44-3(c) states that the Working Group shall meet at least monthly for a total of at least six meetings per year.

- Does the enabling legislation include the number of seats, a description of the seat qualifications, the appointment commencement date and the term length? (*Board Rule 2.21*)

Yes, if this legislation passes, the Implementation Working Group membership shall be reduced from 13 members to 7 members, as follows:

- *The members occupying the seats formerly designated as seats 3, 8, 9, 10, 11, and 13 shall cease being members;*
- *The members occupying seats 1 and 2 shall continue to occupy seats 1 and 2, respectively, until their current term expires or until their appointing authority appoints a new member to fill that seat;*
- *The members occupying the seats formerly designated as seats 4, 5, 6, 7, and 12 shall occupy seats 3, 4, 5, 6, and 7, respectively, until their current term expires or until their appointing authority appoints a new member to fill that seat; and*
- *Any seats that are vacant shall be filled by the appointing authority as soon as practicable.*

The proposed composition of the Working Group would be as follows:

- *Seat 1 shall be held by a person with expertise working on behalf of healthcare workers, appointed by the Board of Supervisors.*
- *Seat 2 shall be held by a person who identifies as having a mental health condition or identifies as having both a mental health condition and substance use condition (“dual diagnosis”), and who has accessed mental health or substance use services in San Francisco, appointed by the Mayor.*
- *Seat 3 shall be held by a City peace officer, emergency medical technician, or firefighter (“First Responder”), with expertise in mental health and/or substance use treatment, appointed by the Mayor.*
- *Seat 4 shall be held by a treatment provider with substance use expertise appointed by the Mayor.*
- *Seat 5 shall be held by a treatment provider with mental health expertise, appointed by the Board of Supervisors.*
- *Seat 6 shall be held by a treatment provider with experience serving justice-involved populations appointed by the Board of Supervisors.*



- *Seat 7 shall be held by an employee of the Department of Public Health with experience in health systems or hospital administration, appointed by the Mayor.*

- Term limits (i.e., commencement date? staggered terms?) *(Board Rule 2.21)*

Yes, Section 5.44-3(d) states “Members of the Implementation Working Group shall serve two-year terms, beginning on June 1, 2020.”

- Is a Sunset date included, not to exceed three years? *(Board Rule 2.21)*

Yes, Section 5.44-5 states “This Article shall expire by operation of law, and the Implementation Working Group shall terminate, on July 31, 2025.”

- Is language included establishing attendance requirements?

(Past practices have shown the need to detail and codify the reporting requirements of a body.)

Yes, Section 5.44-3(d) states “Any member who misses three regular meetings of the Implementation Working Group within any 12-month period without the express approval of the Implementation Working Group at or before each missed meeting shall be deemed to have resigned from the Implementation Working Group 10 days after the third unapproved absence. The Implementation Working Group shall inform the Board of Supervisors of any such resignation.”

- Are the reporting requirements identified?

(Past practices have shown the need to detail and codify the reporting requirements of a body.)

Yes, Section 5.44-4(g) states “By no later than July 31, 2025, the Implementation Working Group shall submit to the Board of Supervisors, the Mayor, and the Director of Health a final written report.”

- Does the enabling legislation indicate members serve at the pleasure of the appointing authority?

(Past practices have shown the need to ensure the appointing authority may remove an appointee at any time.)

Yes, Section 5.44-3(b) states that Members of the Implementation Working Group shall serve at the pleasure of the appointing authority and may be removed at any time.

BOARD of SUPERVISORS



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Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

TO: Valerie Kirby, Mental Health SF Implementation Working Group

FROM: Victor Young, Assistant Clerk *Victor Young*

DATE: October 17, 2024

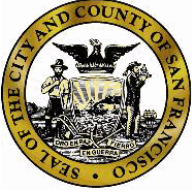
SUBJECT: LEGISLATION INTRODUCED

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

File No. 240984

Ordinance amending the Administrative Code to decrease the number of members of the Mental Health SF Implementation Working Group from 13 to seven, require the Working Group by July 31, 2025, to submit a final report containing an evaluation of the Mental Health SF program and recommendations for program improvements, and change the sunset date for the Working Group from September 1, 2026, to July 31, 2025.

If you have comments or reports to be included with the file, please forward them to Victor Young at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: victor.young@sfgov.org.



City and County of San Francisco

Master Report

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

File Number: 240984 **File Type:** Ordinance **Status:** 30 Day Rule

Enacted: _____ **Effective:** _____

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

File Name: Administrative Code - Mental Health SF Implementation Working Group **Date Introduced:** 10/08/2024

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

Comment: _____ **Title:** Ordinance amending the Administrative Code to decrease the number of members of the Mental Health SF Implementation Working Group from 13 to seven, require the Working Group by July 31, 2025, to submit a final report containing an evaluation of the Mental Health SF program and recommendations for program improvements, and change the sunset date for the Working Group from September 1, 2026, to July 31, 2025.

Sponsor: Ronen

History of Legislative File 240984

Ver	Acting Body	Date	Action	Sent To	Due Date	Result
1	President	10/08/2024	ASSIGNED UNDER 30 DAY RULE	Rules Committee	11/07/2024	