File No. <u>140084</u>

Committee Item No. 2 Board Item No. /7

# COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: \_Neighborhood Services & Safety \_\_\_\_

Date March 20, 2014

**Board of Supervisors Meeting** 

Date April 1, 2014

# **Cmte Board**

Motion   Resolution   Ordinance   Legislative Digest   Budget and Legislative Analyst Report   Legislative Analyst Report   Youth Commission Report   Introduction Form (for hearings)   Department/Agency Cover Letter and/or Report   MOU   Grant Information Form   Grant Budget   Subcontract Budget   Contract/Agreement   Form 126 – Ethics Commission   Award Letter   Application   Public Correspondence	
OTHER (Use back side if additional space is needed)	
Completed by:Derek EvansDate 3/14/14Completed by:Derek EvansDate 3/25/14	

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete docume##83@n be found in the file.

### FILE NO. 140084

### **ORDINANCE** 2

[Administrative Code - Jail Inmate Health Insurance Enrollment]

Ordinance amending the Administrative Code, to designate the Sheriff as the entity to assist county jail inmates with submitting an application for a health insurance affordability program consistent with federal requirements.

NOTE: Unchanged Code text and uncodified text are in plain Arial font. Additions to Codes are in <u>single-underline italics Times New Roman font</u>. Deletions to Codes are in <u>strikethrough italics Times New Roman font</u>. Board amendment additions are in <u>double-underlined Arial font</u>. Board amendment deletions are in <u>strikethrough Arial font</u>. Asterisks (\* \* \* \*) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco: Section 1. Findings.

1. California Penal Code section 4011.11(a) authorizes the board of supervisors in each county, in consultation with the county sheriff, to designate an entity or entities to assist county jail inmates to apply for a health insurance affordability program.

2. California Penal Code section 4011.11(f) defines health insurance affordability programs to include: (1) The state's Medi-Cal program under Title XIX of the federal Social Security Act; (2) The state's children's health insurance program (CHIP) under Title XXI of the federal Social Security Act; (3) A program that makes coverage in a qualified health plan through the California Health Benefit Exchange established pursuant to Section 100500 of the California Government Code with advance payment of the premium tax credit established under Section 36B of the Internal Revenue Code available to qualified individuals; and (4) A program that makes available coverage in a qualified health plan through the California Health Benefit Exchange in a qualified health plan through the California Health Revenue Code available to qualified individuals; and (4) A program that makes available coverage in a qualified health plan through the California Health

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with cost-sharing reductions established under Section 1402 of the federal Patient Protection and Affordable Care Act (Public Law 111-148) and any subsequent amendments to that act.

Section 2. The Administrative Code is hereby amended by adding Section 13.5 in Chapter 13, Article I, to read as follows:

# <u>SEC. 13.5. SHERIFF TO ASSIST COUNTY JAIL INMATES WITH HEALTH</u> INSURANCE AFFORDABILITY PROGRAM ENROLLMENT.

<u>The Sheriff's Department is designated as the entity to assist county jail inmates with</u> <u>submitting an application for a health insurance affordability program consistent with federal</u> <u>requirements, as permitted by California Penal Code section 4011.11(a). For purposes of this Section</u> <u>13.5, a "health insurance affordability program" shall be defined pursuant to California Penal Code</u> <u>section 4011.11(f).</u>

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

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

By: JANA CLARK Deputy City Attorney

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Sheriff's Department BOARD OF SUPERVISORS

# FILE NO. 40084

#### LEGISLATIVE DIGEST

[Administrative Code-Inmate Health Insurance Enrollment]

Ordinance amending the Administrative Code to designate the Sheriff as the entity to assist county jail inmates with submitting an application for a health insurance affordability program consistent with federal requirements.

#### **Background Information**

Federal law generally does not authorize federal financial participation for Medi-Cal when a person is an inmate of a county jail. However, federal financial participation is available after an inmate is released from county jail. An inmate's ineligibility while in custody does not preclude processing an application for a health insurance program by or on behalf of the inmate.

#### Existing Law

California Penal Code section 4011.11(a) authorizes the board of supervisors in each county, in consultation with the county sheriff, to designate an entity or entities to assist county jail inmates to apply for a health insurance affordability program. California Penal Code section 4011.11(f) defines health insurance affordability programs to include: (1) The State's Medi-Cal program under Title XIX of the federal Social Security Act; (2) The State's children's health insurance program (CHIP) under Title XXI of the federal Social Security Act; (3) A program that makes coverage in a qualified health plan through the California Health Benefit Exchange established pursuant to Section 100500 of the California Government Code with advance payment of the premium tax credit established under Section 36B of the Internal Revenue Code available to qualified individuals; and (4) A program that makes available coverage in a qualified health plan through the California Federal Social Security at the Section 100500 of the California Health Benefit Exchange established pursuant to Section 100500 at makes available coverage in a qualified individuals; and (4) A program that makes available coverage in a qualified nealth plan through the California Health Benefit Exchange established pursuant to Section 100500 of the California Health Benefit Exchange established pursuant to Section 100500 of the California Government Code with cost-sharing reductions established under Section 1402 of the federal Patient Protection and Affordable Care Act (Public Law 111-148) and any subsequent amendments to that act.

#### Amendments to Current Law

This ordinance would designate the Sheriff as the entity to assist county inmates to apply for a health insurance affordability program, as defined by California Penal Code section 4011.11(f).



# OFFICE OF THE SHERIFF CITY AND COUNTY OF SAN FRANCISCO

1 DR. CARLTON B. GOODLETT PLACE ROOM 456, CITY HALL SAN FRANCISCO, CALIFORNIA 94102



Ross Mirkarimi SHERIFF

January 28, 2014 Reference: AdminCD 2014-004

Angela Calvillo, Clerk of the Board Board of Supervisors City Hall, Room 244 San Francisco, CA 94102

Dear Ms. Calvillo,

I am submitting this request on behalf of Sheriff Ross Mirkarimi. Attached please find an original and two copies of a proposed ordinance for the Board of Supervisors approval which seeks to amend the Administrative Code to designate the sheriff as the entity to assist county jail inmates with submitting an application for the Health Insurance Affordability Program.

If you have any questions relative to his request, please do not hesitate to contact me at (415) 554-7223. Thank you in advance for your consideration in this matter.

Sincerely,

Kathy Gorwood, #1319 Chief Deputy

# **SLATION RECEIVED CHECKLIS**

File Number (if applicable)

- [] Legislation for Introduction (NEW)
- [] Legislation Pending in Committee (AMENDED)

LE

- [] Legislation for Board Agenda (AMENDED)
- ►►► Legislation Clerk
- ►►► Committee Clerk
- ►►► Dep Clerk, Legislative Div

### Supervisor, Mayor, and Departmental Submittals

### **Grant Ordinance**

Date

- [] Legislation: Original and 2 hard copies and 1 electronic copy in word format
- [] Signature: Department Head, Mayor or the Mayor's designee, plus the Controller
- [] Back-up materials: 1 full set (see below) and 1 electronic copy in pdf format\*
  - [] Cover letter (original and 1 hard copy)
  - [] Grant budget/application
  - [] Grant information form, including disability checklist
  - [] Letter of Intent or grant award letter from funding agency
  - [] Contract, Leases/Agreements (if applicable)
  - [] Ethics Form 126 (*if applicable*)\*Word format
- [] E-Copy of legislation/back-up materials: Sent to BOS.Legislation@sfgov.org

## Ordinance

- [] Legislation: Original and 2 hard copies and 1 electronic copy in word format
- [] Signature: City Attorney (For Settlement of Lawsuits City Attorney, Department Head, Controller, Commission Secretary)
- [] Back-up materials: 1 hard copy (see below) and 1 electronic copy in pdf format
  - [] Cover letter (original and 1 hard copy)
  - [] Settlement Report/Agreement (for settlements)
  - [] Other (Explain)

[] E-Copy of legislation/back-up materials: Sent to BOS.Legislation@sfgov.org

# **Grant Resolution**

- [] Legislation: Original and 2 hard copies and 1 electronic copy in word format
- [] Signature: Department Head, Mayor or the Mayor's designee, plus the Controller
- [] Back-up materials: 1 hard copy (see below) and 1 electronic copy in pdf format\*
  - [] Cover letter (original and 1 hard copy)
  - [] Grant budget/application
  - [] Grant information form, including disability checklist
  - [] Letter of Intent or grant award letter from funding agency
  - [] Contract, Leases/Agreements (if applicable)
  - [] Ethics Form 126 (if applicable)\*Word format

[] E-Copy of legislation/back-up materials: Sent to BOS.Legislation@sfgov.org

# Resolution

- [] Legislation: Original and 2 hard copies and 1 electronic copy in word format
- [] Signature: None (Required for Settlement of Claims City Attorney, Department Head, Controller, Commission Secretary)
- [] Back-up materials: 1 full set (see below) and 1 electronic copy in pdf format
  - [] Cover letter (original and 1 hard copy)
  - [] Settlement Report/Agreement (for settlements)
  - [] Other (Explain)

[] E-Copy of legislation/back-up materials: Sent to BOS.Legislation@sfgov.org

Name and Telephone Number

Clerk's Office/Forms/Legislation Received Checklist (11/2013) for more help go to: sfbos.org/about the board/general/legislative process handbook

Department

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