File No.	150933	Committee Item No	4	
•	-	Board Item No.		

## **COMMITTEE/BOARD OF SUPERVISORS**

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Board of Su	pervisors Meeting	Date			
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	Motion				
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	Ordinance	•			
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	<b>Budget and Legislative Analyst R</b>	eport			
	Youth Commission Report	·			
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	<b>Department/Agency Cover Letter</b>	and/or Report			
	MOU				
	Grant Information Form				
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	Contract/Agreement				
	Form 126 – Ethics Commission				
	Award Letter				
	Application				
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OTHER (Use back side if additional space is needed)					
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[Settlement of Lawsuit - State of Nevada, the Nevada Department of Health and Human Services; Southern Nevada Adult Mental Health Services - City to Receive \$400,000]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against State of Nevada, the Nevada Department of Health and Human Services ("DHHS"); Richard Whitley in his official capacity as Director of DHHS; the Southern Nevada Adult Mental Health Services ("SNAMHS"); and Joanne Malay in her official capacity as Hospital Administrator of SNAMHS for \$400,000; the lawsuit was filed on September 10, 2013, in San Francisco Superior Court, Case No. CGC-13-534108; entitled City and County of San Francisco v. State of Nevada, the Nevada Department of Health and Human Services ("DHHS"); Richard Whitley in his official capacity as Director of DHHS; the Southern Nevada Adult Mental Health Services ("SNAMHS"); and Joanne Malay in her official capacity as Hospital Administrator of SNAMHS; other material terms of the settlement are contractual obligations limiting Defendants' practices relating to transfer of patients from Defendants psychiatric hospital to any city or county in the State of California.

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

Section 1. Pursuant to Charter, Section 6.102(5), the Board of Supervisors hereby authorizes the City Attorney to settle the action entitled <u>City and County of San Francisco v.</u>

State of Nevada, the Nevada Department of Health and Human Services ("DHHS"); Richard Whitley in his official capacity as Director of DHHS; the Southern Nevada Adult Mental Health Services ("SNAMHS"); and Joanne Malay in her official capacity as Hospital Administrator of <u>SNAMHS</u>, San Francisco Superior Court, Case No. CGC-13-534108 by the payment of \$400,000 by the State of Nevada and by Defendants' undertaking of a contractual obligation

to limit their transportation to the State of California those patients discharged from Defendants' state psychiatric hospital.

Section 2. The above-named action was filed in San Francisco Superior Court on September 10, 2013, and the following parties were named in the lawsuit: Plaintiff City and County of San Francisco; and Defendants State of Nevada, the Nevada Department of Health and Human Services ("DHHS"); Richard Whitley in his official capacity as Director of DHHS; the Southern Nevada Adult Mental Health Services ("SNAMHS"); and Joanne Malay in her official capacity as Hospital Administrator of SNAMHS.

APPROVED AS TO FORM AND RECOMMENDED:

DENNIS J. HERRERA City Attorney

YVONNE MERE KIY ICAP

Chief of Complex and Affirmative Litigation

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LEGISLATION RECEIVED CHECKLIST					
Date 9/2///5 File Number (if applicable)					
Legislation for Introduction (NEW)  Legislation Pending in Committee (AMENDED)  Legislation for Board Agenda (AMENDED)  Legislation for Board Agenda (AMENDED)  Legislation for Board Agenda (AMENDED)  Legislative Clerk  Deputy Clerk  Deputy Clerk					
Supervisor, Mayor, and Departmental Submittals					
Grant Ordinance  [ ] Legislation: Original, 1 hard copy, and 1 electronic copy in Word format					
[ ] Signature: Department Head, Mayor or the Mayor's designee, plus the Controller [ ] Supporting documents: 1 full set, and separate pdf copies of each in email         [ ] Cover letter (original)         [ ] Grant budget/application         [ ] Grant information form, including signed disability checklist					
<ul><li>Letter of Intent or grant award letter from funding agency</li><li>Contract, Leases/Agreements (if applicable)</li></ul>					
[ ] Ethics Form 126 (if applicable) in <b>Word</b> format					
[ ] Other support documents as identified in the cover letter and legislation					
[ ] E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org					
Ordinance					
Legislation: Original, 1 hard copy, and 1 electronic copy in Word format  Signature: City Attorney (For Settlement of Lawsuits - City Attorney, Department Head, Controller, Commission Secretary)					
Supporting documents: 1 full set, and separate pdf copies of each in email					
[ Cover letter (original)					
Settlement Report/Agreement (for settlements)  [ ] Other support documents as identified in the cover letter and legislation					
E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org					
Grant Resolution					
<ul> <li>Legislation: Original, 1 hard copy, and 1 electronic copy in Word format</li> <li>Signature: Department Head, Mayor or the Mayor's designee, plus the Controller</li> <li>Supporting documents: 1 full set, and separate pdf copies of each in email</li> <li>Cover letter (original)</li> <li>Grant budget/application</li> </ul>					
<ul> <li>[ ] Grant information form, including signed disability checklist</li> <li>[ ] Letter of Intent or grant award letter from funding agency</li> <li>[ ] Contract, Leases/Agreements (if applicable)</li> <li>[ ] Ethics Form 126 (if applicable) in Word format</li> </ul>					
[ ] Other support documents as identified in the cover letter and legislation					
[ ] E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org					
Resolution					
<ul> <li>[ ] Legislation: Original, 1 hard copy, and 1 electronic copy in Word format</li> <li>[ ] Signature: None (Note: Required for Settlement of Claims - City Attorney, Department Head, Controller, Commission Secretary)</li> </ul>					
[ ] Supporting documents: 1 full set, and separate pdf copies of each in email [ ] Cover letter (original)					
[ ] Settlement Report/Agreement (for settlements)					
<ul> <li>Other support documents as identified in the cover letter and legislation</li> <li>E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org</li> </ul>					
Toy Perez 554-3869 City afformer					
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Name and Telephone Number

Clerk's Office/Forms/Legislation Received Checklist (1/2015) for more help go to: sfbos.org/about the board/general/legislative process handbook