

File No. 150933

Committee Item No. 4

Board Item No. 2

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight

Date October 15, 2015

Board of Supervisors Meeting

Date OCTOBER 27, 2015

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

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Completed by: Erica Major Date October 9, 2015

Completed by: Jm Date 10/20/2015

1 [Settlement of Lawsuit - State of Nevada, the Nevada Department of Health and Human
2 Services; Southern Nevada Adult Mental Health Services - City to Receive \$400,000]

3 **Ordinance authorizing settlement of the lawsuit filed by the City and County of San**
4 **Francisco against State of Nevada, the Nevada Department of Health and Human**
5 **Services (“DHHS”); Richard Whitley in his official capacity as Director of DHHS; the**
6 **Southern Nevada Adult Mental Health Services (“SNAMHS”); and Joanne Malay in her**
7 **official capacity as Hospital Administrator of SNAMHS for \$400,000; the lawsuit was**
8 **filed on September 10, 2013, in San Francisco Superior Court, Case No. CGC-13-**
9 **534108; entitled City and County of San Francisco v. State of Nevada, the Nevada**
10 **Department of Health and Human Services (“DHHS”); Richard Whitley in his official**
11 **capacity as Director of DHHS; the Southern Nevada Adult Mental Health Services**
12 **(“SNAMHS”); and Joanne Malay in her official capacity as Hospital Administrator of**
13 **SNAMHS; other material terms of the settlement are contractual obligations limiting**
14 **Defendants’ practices relating to transfer of patients from Defendants psychiatric**
15 **hospital to any city or county in the State of California.**

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


18 Section 1. Pursuant to Charter, Section 6.102(5), the Board of Supervisors hereby
19 authorizes the City Attorney to settle the action entitled City and County of San Francisco v.
20 State of Nevada, the Nevada Department of Health and Human Services (“DHHS”); Richard
21 Whitley in his official capacity as Director of DHHS; the Southern Nevada Adult Mental Health
22 Services (“SNAMHS”); and Joanne Malay in her official capacity as Hospital Administrator of
23 SNAMHS, San Francisco Superior Court, Case No. CGC-13-534108 by the payment of
24 \$400,000 by the State of Nevada and by Defendants’ undertaking of a contractual obligation
25

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

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

9
10
11 APPROVED AS TO FORM AND
12 RECOMMENDED:

13 DENNIS J. HERRERA
City Attorney

14 
15 YVONNE MERE *by KAP*
16 Chief of Complex and Affirmative Litigation

17
18
19 n:\cxlit\li2015\131066\01048067.docx

LEGISLATION RECEIVED CHECKLIST


Date 9/21/15 File Number (if applicable) _____

- Legislation for Introduction (NEW) ▶▶▶ Legislative Clerk
- Legislation Pending in Committee (AMENDED) ▶▶▶ Committee Clerk
- Legislation for Board Agenda (AMENDED) ▶▶▶ 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
 - Letter of Intent or grant award letter from funding agency
 - Contract, Leases/Agreements (if applicable)
 - Ethics Form 126 (if applicable) in **Word** format
 - Other support documents *as identified in the cover letter and legislation*
- E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org**

RECEIVED
 BOARD OF SUPERVISORS
 SAN FRANCISCO
 2015 SEP 21 AM 10:55


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

- 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
 - Letter of Intent or grant award letter from funding agency
 - Contract, Leases/Agreements (if applicable)
 - Ethics Form 126 (if applicable) in **Word** format
 - Other support documents *as identified in the cover letter and legislation*
- E-Copy of legislation/supporting documents: Sent to BOS.Legislation@sfgov.org**

Resolution

- Legislation:** Original, 1 hard copy, and 1 electronic copy in **Word** format
- Signature:** None (Note: Required for Settlement of Claims - 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**

Joy Perez 554-3869 City Attorney
 Name and Telephone Number Department