

File No. 150933

Committee Item No. 4

Board Item No. //

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight

Date October 15, 2015

Board of Supervisors Meeting

Date November 3, 2015

Cmte Board

- |                                     |                                     |  |
|-------------------------------------|-------------------------------------|--|
| <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: JJM 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  
14 City Attorney

15   
16 YVONNE MERE *by ICAP*  
17 Chief of Complex and Affirmative Litigation

18  
19 n:\cx\lfi\lfi2015\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