[Supporting California State Assembly Bill No. 1611 (Chiu) - Emergency Hospital Services]

Resolution supporting California State Assembly Bill No. 1611, authored by Assembly Member David Chiu, which would extend consumer protections from the practice of "balance billing" to all privately-insured patients at San Francisco General Hospital.

WHEREAS, San Francisco General Hospital (SF General) is the City and County of San Francisco's premiere – and only – Level 1 trauma and emergency service institution, caring for some 108,000 patients per year, including almost 4,000 trauma cases and more than 83,000 psychiatric and medical emergency department visits annually; and

WHEREAS, The vast majority of patients at SF General Hospital have Medi-Cal, Medicare or are uninsured, and only 6.2% of patients have private commercial insurance and come to SF General Hospital for trauma and emergency services; and

WHEREAS, SF General is an "out-of-network" institution, and, while private insurance companies have generally been unwilling to negotiate with SF General to agree on billing rates for services received by the hospital's relatively small population of privately-insured patients, those private insurers are nevertheless billed for those services; and

WHEREAS, The practice of "balance billing" occurs when a patient's insurance covers only a portion of a hospital bill, leaving the patient responsible for the remainder of the bill; and

WHEREAS, On September 23, 2016, California Governor Jerry Brown signed Assembly Bill No. 72 (Bonta), which extended consumer protections from balance billing to patients with HMO plans who receive emergency services at out-of-network facilities; and

WHEREAS, For the remaining insured patients with PPO health insurance plans, who constitute about 3.8% of patients who visit SF General, if a private insurer does not cover the whole amount of their bill, they are left with the outstanding balance of the bill; and

WHEREAS, Insurance companies - not patients or taxpayers - should be responsible for covering the costs of trauma center care for privately insured patients; and

WHEREAS, While patients subject to balance billing are a small percentage of the patients served by SF General Hospital, that percentage nevertheless represents upwards of 1,700 patients with PPO plans last year who were potentially affected by balance billing; and

WHEREAS, By the Department of Public Health's own estimate, somewhere between 5,000 and 6,000 privately-insured patients over the past four years have been left struggling to pay the balance of their bills, which balances in some instances are in the tens of thousands of dollars; and

WHEREAS, On February 22, 2019, Assembly Member Chiu and principal coauthor Senator Wiener introduced Assembly Bill No. 1611 (AB 1611) to further extend consumer protections from balance billing to privately-insured patients with PPO plans, ensuring that those patients will owe the same copayment or deductible at out-of-network institutions like SF General that they would pay for in-network emergency care; and

WHEREAS, The Board of Supervisors acknowledges continued deliberations and study to fairly define "Reasonable Charges" in Section 1317.2a of AB 1611 in such a way that does not place undue burden on taxpayers; now, therefore, be it

RESOLVED, The Board of Supervisors of the City and County of San Francisco hereby urges the California State Legislature and the Governor to pass Assembly Bill No. 1611; and, be it

FURTHER RESOLVED, The San Francisco Board of Supervisors hereby directs the Clerk of the Board to send a copy of the resolution to the City's State Legislature and the City Lobbyist upon passage.

City and County of San Francisco
Tails
Resolution

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

File Number: 190224 **Date Passed:** March 05, 2019

Resolution supporting California State Assembly Bill No. 1611, authored by Assembly Member David Chiu, which would extend consumer protections from the practice of "balance billing" to all privately-insured patients at San Francisco General Hospital.

March 05, 2019 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

March 05, 2019 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 11 - Brown, Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton and Yee

File No. 190224

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 3/5/2019 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned
London N. Breed
Mayor

3/15/2019
Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

3/15/2019
Date