

LEGISLATIVE DIGEST

[Emergency Ordinance - Protections for Occupants of Residential Hotels During COVID-19 Pandemic]

Emergency ordinance to establish protections for occupants of residential hotels (“SRO Residents”) during the COVID-19 pandemic by, among other things: making it City policy to place in solitary hotel rooms SRO residents who meet the criteria for isolation or quarantine established by the County Health Officer, and requiring the Department of Public Health to develop a protocol to assist health care providers to identify SRO Residents who may require protection against or treatment for COVID-19; notify the operator of a residential hotel when an SRO Resident has tested positive for COVID-19 to facilitate contact tracing, testing for COVID-19, and cleaning; establish a telephone hotline for SRO Residents to respond to questions about accessing COVID-19 health screenings, testing, and solitary hotel rooms; provide face coverings to SRO Residents and workers in residential hotels; and provide daily aggregate data concerning the incidence of COVID-19 among SRO Residents, access to quarantine rooms by such residents, and the number of such residents who have died due to complications from COVID-19.

Existing Law

The California Health and Safety Code authorizes the County Health Officer to take any preventive measure that may be necessary to protect and preserve the public from any public health hazard during a local health emergency, address the spread of infectious disease, and ensure the adequate isolation and quarantine of individuals. Pursuant to this authority and to the declaration of an emergency relating to COVID-19, the County Health Officer has issued orders: 1) directing San Franciscans to stay in their homes except for limited essential activities and follow social distancing requirements; 2) directing residential hotel owners and operators to comply with mandatory cleaning standards in all common areas; 3) directing all individuals exposed to a person diagnosed with or likely to have COVID-19 to self-quarantine; and 4) directing all individuals diagnosed with or likely to have COVID-19 to self-isolate.

Amendments to Current Law

The proposed ordinance would make it the policy of the City to place SRO residents in solitary isolation / quarantine hotel rooms where they meet the standards for isolation or quarantine established by the Health Officer, and would require the City to provide such residents with essential services and amenities, including three meals per day, during their placement in such a room.

The proposed ordinance would require the Department of Public Health to:

- Prepare and disseminate to health care providers a protocol designed to help them identify SRO residents who may require protection against or treatment for COVID-19;
- Notify residential hotel operators when a resident has tested positive for COVID-19 to facilitate contact tracing, testing, and cleaning;
- Provide face coverings to SRO residents and employees who lack them;
- Establish a telephone hotline for SRO residents to facilitate screening, testing, referral to healthcare providers, and placement in solitary hotel rooms;
- Report daily data relating to the aggregate number of SRO hotels with residents who have tested positive for COVID-19, and other indicators;
- Take other specified steps to protect SRO residents against exposure to COVID-19 and to inform them of their rights.

The proposed ordinance would require SRO operators to post information in public areas of residential hotels.

Background Information

While the number of confirmed COVID-19 cases has generally “flattened,” since the State of Emergency was declared on February 25, 2020, the number of confirmed cases in congregate settings continues to steadily rise, with clusters of cases trending in Residential Hotels citywide.

A high percentage of Residential Hotel residents are 60 years of age or older and/or experience serious health complications. In addition, conditions in such hotels often present environmental problems such as mold growth, poor sanitation, broken plumbing, and poor ventilation. Because many SRO residents share restrooms, cooking facilities, and other common areas with people who are not members of their household, they are unable to engage in social distancing, self-isolate, and/or quarantine, consistent with Health Officer orders.

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