

1 [Supporting California State Senate Bill No. 221 (Wiener) - Timely Care for Mental Health and
2 Substance Use Disorders]

3 **Resolution supporting California State Senate Bill No. 221, introduced on January 14,**
4 **2021, by Senator Scott Wiener (SD-11), which would require health plans and insurers**
5 **to provide patients with timely follow-up care for mental health issues and substance**
6 **use disorders.**

7
8 WHEREAS, Although California’s existing law requires that Health Maintenance
9 Organizations (HMOs) and insurers provide initial care for patients within ten business days
10 following enrollment, under current interpretation of the law, health plans and insurers are not
11 required to provide timely follow-up care for patients after an initial appointment; and

12 WHEREAS, This loophole in state law means that Californians suffering from mental
13 health issues and addiction may not be receiving the level of care that they need in order to
14 get better, or even as much as a second appointment; and

15 WHEREAS, In the absence of clear timely access standards for follow-up
16 appointments with non-physician mental health and substance use disorder providers - like
17 social workers and therapists - large numbers of Californians requiring ongoing courses of
18 treatment for mental health and substance use disorders have been unable to access care
19 within the timeframes that are clinically appropriate for their diagnoses; and

20 WHEREAS, Timeliness is critical when providing mental health care to individuals who
21 may be experiencing a mental health crisis, and significant delays in accessing care have
22 contributed to a growing number of tragic suicides; and

23 WHEREAS, Mental health care and substance use disorder treatment is urgent and
24 necessary, and people should have timely access to it before they go into crisis in the first
25 place and their situations escalate; and

1 WHEREAS, Recent science indicates that, without timely access to follow-up mental
2 health treatment or appointments, patients can suffer longer recovery times and worse
3 outcomes including a more chronic course of their disorders; and

4 WHEREAS, Delays in accessing appropriate treatment can lead to increased morbidity
5 and mortality rates, increased time away from work, increased strain on families, increased
6 risk of decompensation, and accelerating crises to a point that requires more costly and
7 intensive care; and

8 WHEREAS, According to a December 2020 survey, 88% of the mental health
9 therapists at California's largest HMO reported that weekly individual psychotherapy treatment
10 is unavailable for patients who need it and 51% of therapists reported that their patients wait
11 more than 4 weeks, on average, for a follow-up appointment; and

12 WHEREAS, In the California Health Care Foundation's most recent survey of
13 Californians' health care priorities, 52% of those who tried to make a mental health
14 appointment believe they waited longer than was reasonable to get one; and

15 WHEREAS, COVID-19 has only exacerbated an already dire mental health and
16 substance use crisis facing our country, making timely access to mental health care all the
17 more important; and

18 WHEREAS, National survey data shows that the rate of anxiety and depression has
19 tripled over the previous year, and a recent Center for Disease Control study found that one in
20 four people age 18 to 24 had seriously considered taking their life in the past 30 days; and

21 WHEREAS, Substance use and overdose deaths are on the rise nationally since the
22 beginning of the pandemic, and San Francisco has seen an unprecedented number of
23 overdose deaths which have outpaced COVID-19 deaths by a margin of three to one; and

24 WHEREAS, California Senate Bill 221, introduced by Senator Scott Wiener of San
25 Francisco, would establish clear timely access standards for HMOs who operate under

1 Department of Managed Health Care (DMHC) and health insurers who fall under the
2 jurisdiction of the California Department of Insurance (CDI), requiring them to provide follow-
3 up appointments and other forms of care within ten business days, unless a provider believes
4 a longer gap is appropriate; and

5 WHEREAS, This law would save lives by closing the biggest loophole that still allows
6 insurers to deny Californians timely and appropriate mental health and substance use
7 disorder care, and ensuring that people who need follow-up appointments get them in time;
8 and

9 WHEREAS, Senate Bill 221 is sponsored by the National Union of Healthcare Workers
10 (NUHW), which represents more than 4,000 mental health and substance use disorder
11 clinicians in California; and

12 WHEREAS, Senate Bill 221 complements the objectives of Mental Health SF, a law
13 approved by the San Francisco Board of Supervisors in 2019 that overhauls how the city
14 provides services to people in crisis due to mental illness or addiction by decreasing
15 institutional barriers to lifesaving treatment and behavioral health services; now, therefore, be
16 it

17 RESOLVED, That the City and County of San Francisco supports California Senate Bill
18 221, which would help ensure timely access to critical mental health care services for all
19 Californians whose health and well-being depend on such services; and, be it

20 FURTHER RESOLVED, That the Clerk of the Board of Supervisors of the City and
21 County of San Francisco distribute this Resolution to San Francisco's State Legislative
22 Delegation and to California Governor Gavin Newsom.

23
24
25