

Meeting Date: 01/27/15 (5)

ORDINANCE 10371 (NEW SERIES)

AN ORDINANCE AMENDING ARTICLE LV OF THE COUNTY OF SAN DIEGO
ADMINISTRATIVE CODE RELATING TO THE HEALTH SERVICES ADVISORY
BOARD

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The purposes of this ordinance is to correct punctuation throughout the Section, add the female adjective “her” to “his or her” throughout the Section, add that the Health Services Advisory Board (HSAB) minutes will be posted on the HSAB webpage, and clarify language that references enhancing coordination of the local health care system. The Board of Supervisors finds and determines that these amendments are reasonable and necessary to clarify language and update this section of the Code.

Section 2. Section 861 of the San Diego County Code is hereby amended to read as follows:

SEC. 861. SAN DIEGO COUNTY HEALTH SERVICES ADVISORY BOARD.

There is hereby created and established the San Diego County Health Services Advisory Board. The Health Services Advisory Board shall constitute a citizens advisory board on public health as required by Section 710 of the County Charter. This Board is established to advise the Board of Supervisors, and the Health and Human Services Agency regarding programs, issues and budget items pertaining to the Health and Human Services Agency as defined in Section 861.8 of this County Administrative Code.

SEC. 861.1. MEMBERSHIP AND SELECTION.

The Board shall consist of eighteen (18) members. All members shall represent the entire area and population of the County in the performance of duties. Persons appointed to the Board shall have demonstrated interest and experience in the needs of the Health and Human Services Agency. The members shall serve during their terms at the pleasure of the Board of Supervisors and any member may be removed at any time by a majority vote of the Board of Supervisors or by the member's failure to meet the regularly scheduled meeting attendance requirements. All members shall be voting members of the Board, provided, however, that each member may designate an alternate in writing, and the alternate shall be entitled to vote on Board matters in the absence of the member.

Each member of the Board of Supervisors shall nominate and recommend for appointment by the Board of Supervisors two (2) members to the Board from the following categories:

- Physicians representing traditional health care providers serving low income and indigent populations, each physician to be affiliated with one or more minority health care provider organizations in San Diego County;
- Representatives of academic institutions active in the training and education of health professionals in San Diego County;
- Representatives of business, recommended by the Greater San Diego Chamber of Commerce and other Chambers of Commerce located in San Diego County or by the San Diego County Taxpayers Association;
- Representative of organized-labor groups active in the health care industry of San Diego County;

- Representative of rural health organizations recommended by the Director of the Health and Human Services Agency and the Chief Administrative Officer to achieve geographic and ethnic balance
- Representatives of minority health organizations recommended by the Director of the Health and Human Services Agency and the Chief Administrative Officer to achieve geographic and ethnic balance; and
- Representatives of legal services organizations representing indigent populations.
- Others who are residents of San Diego County, consumers, or professional advocates

In addition, the following eight (8) persons shall be members of the Board or shall designate representatives from their organizations who shall be members:

- President and Chief Executive Officer of the San Diego County Medical Society,
- President and Chief Executive Officer of the Hospital Association of San Diego and Imperial Counties,
- Chief Executive Officer of the San Diego Council of Community Clinics,
- Chief Executive Officer of the Consumer Center for Health Education and Advocacy,
- Chair of the San Diego County Mental Health Advisory Board, the
- Chair of the San Diego County Alcohol & Drug Abuse Advisory Board,
- Chair of the Healthy San Diego Professional Advisory Board, and
- Chair of the Healthy San Diego Consumer Advisory Board.

SEC. 861.2. EXCLUSIONS.

(1) An employee of the County shall not serve as a voting member on the Board.

(2) No person shall be appointed to the Board if by reason of such employment a conflict of interest could arise. Appointment by the court of an attorney to represent an individual shall not be considered a conflict of interest.

(3) Members of County citizen advisory committees shall disclose to the Clerk of the Board of Supervisors in writing any outside employment or activity engaged in for compensation which relates to their County duties or to the functions and responsibilities of the County department or agency which they serve or which may be subject to approval by any County officer or employee.

No member of an advisory committee shall make, participate in making or in any way attempt to use his or her position as a member of an advisory committee to influence a decision in which he knows or has reason to know that he has a financial interest, except in those cases where the member is appointed to represent an entity or group having a financial interest in a matter coming within the citizen committee's area of responsibility.

No person shall be appointed to or serve on, an advisory committee which participates in the making of County contracts in which such person is financially interested within the terms of Government Code section 1090 et seq. This prohibition is not applicable to persons with "remote interests" as defined in subdivision (b) of Government Code Section 1091, provided that the person discloses the interest in accordance with subdivision (a) of Government Code Section 1091 and the person does not influence or attempt to influence other advisory committee members to act favorably in respect to the contract in which the person has a remote interest.

SEC. 861.3. TERM OF OFFICE.

Members nominated by a Supervisor shall serve a term of office concurrent with the term of office of their nominating Supervisor. The terms shall expire on the date of expiration of the term of the nominating member of the Board of Supervisors or at such time as said member of the Board of Supervisors ceases to hold office, whichever first occurs. The reelection of a member of the Board of Supervisors for a succeeding term shall not automatically extend the term of any board member.

The persons, if any, who are members of the Health Services Advisory Board because they hold one of the following positions or are designated by such person to represent their organization shall serve on the Board until a successor has been chosen for the position, at which time the successor shall become a member of the Board:

- President and Chief Executive Officer of the San Diego County Medical Society;
- President and Chief Executive Officer of the Hospital Association of San Diego and Imperial Counties;
- Chief Executive Officer of the San Diego Council of Community Clinics;
- Chief Executive Officer of the Consumer Center for Health Education and Advocacy;
- Chair of the San Diego County Mental Health Advisory Board;
- Chair of the San Diego County Alcohol and Drug Advisory Board;
- Chair of the Healthy San Diego Professional Advisory Board; and
- Chair of the Healthy San Diego Consumer Advisory Board.

Any member whose term has expired hereunder shall continue to discharge the duties as a member until a qualified successor has been appointed.

SEC. 861.4. VACANCIES.

A vacancy shall occur as a result of any of the following events before the expiration of the term:

- (1) The death of the incumbent.
- (2) The resignation of the incumbent.
- (3) Unexcused absences from more than one-third of the regularly scheduled meetings in any 12-month period or three consecutive regularly scheduled meetings.
- (4) Or for any reason specified in Government Code Section 1770.

When a vacancy occurs as the result of missing one-third of the regularly scheduled meetings in one 12-month period or three consecutive regularly scheduled meetings, both the member, the nominating Supervisor, if any, the Chief Administrative Officer and the Director of the Health and Human Services Agency shall be notified by the Board Chair. Vacancies shall be filled by nomination as set forth in Section 861.1. (Exception: Board of Supervisors' appointees may not be removed without the approval of the appointing authority.)

If a vacancy occurs, a new appointee shall serve for the unexpired term of the member being replaced.

SEC. 861.5. ORGANIZATION.

(a) Officers. The Board shall select from its membership a Chair and a Chair-Elect to serve for a two-year term. The maximum length of a given office shall be two consecutive terms.

(b) Rules. The Board shall prepare and adopt the necessary rules and regulations for the conduct of its business.

(c) Quorum. A majority of members currently appointed to the Board shall constitute a quorum. A majority of members in attendance shall be required to take action.

(d) Minutes. The Board shall keep written minutes of its meetings, a copy of which shall be filed with the Clerk of the Board of Supervisors and posted on the HSAB webpage.

(e) Meetings. The Board shall establish a regular meeting schedule and shall give public notice of the time and place of meetings in compliance with the requirements of the Brown Act. All meetings of the Board shall be open and public and all persons shall be permitted to attend any meetings of the Board.

(f) Staff Requests. County citizen committees are charged with advising the Board of Supervisors on the policies the Board establishes to guide the various functions of the County, and on the established procedures by which such functions are performed. Unless specifically designated in their establishing authority, the advisory committees are not charged with advising the Chief Administrative Officer regarding his or her function and responsibility to carry out the Board's policy decisions. Recognizing that this delineation of administrative authority has been established in County Charter section 501.9-Non-interference, Board Policy A-98, and Board Policy A-72, requests from advisory committees which will involve response from County management staff should informally be in writing and signed by the Chair of the advisory committee. Staff response requiring less than four (4) hours to research, prepare and submit an answer to specific requests readily obtainable should be responded to in an expeditious manner by the office or department to which addressed or assigned. More involved requests shall be discussed by the Chief Administrative Officer with the Chair of the Board of Supervisors and if necessary the requestor, and docketed with the Board for its direction. If the Board directs the Chief Administrative Officer to respond to the request, the Chief Administrative Officer will assign the matter to the appropriate staff within the County organization and monitor its progress to assure complete, coordinated and timely response.

(g) Government Code section 1098: County Citizen Committees shall be subject to the provisions of Government Code section 1098-Confidential information; use or disclosure for pecuniary gain.

SEC. 861.6. ESTABLISHMENT OF SUB-COMMITTEES.

(a) Standing Sub-committees. The Board will appoint Standing Sub-committees in accordance with its by-laws. Any committee that functions regularly and whose membership is appointed annually shall be a Standing Sub-committee.

(b) Ad Hoc Sub-Committees. The Board may appoint sub-committees for the purpose of carrying out the functions and duties of the Board. Any sub-committee appointed shall consist of not fewer than three members, including at least one voting Board member. The actions and recommendations of sub-committees shall not be deemed the action of the Board or its members.

(c) Volunteer and Consultant Services. The Board shall engage the services of volunteer workers and consultants without salary as it may find necessary from time to time. Service of an individual as a volunteer worker or as a consultant shall not be considered as service for or employment by the County.

SEC. 861.7. COMPENSATION AND EXPENSES.

Members of the Board shall serve without compensation. Board members shall be reimbursed for expenses incurred in performing their duties under this article, including mileage reimbursement in accordance with applicable County Administrative Code provisions.

SEC. 861.8. DUTIES AND RESPONSIBILITIES.

The Board shall have the following duties and responsibilities:

- 1) To review and make recommendations on new policies and programs within the Health and Human Services Agency. Any policy or program advice by the Committee which impacts the administration of the County will be referred to the Chief Administrative Officer for his or her review and comment.
- 2) To review the Health and Human Services Agency's annual budget and provide written comments and recommendations to the Board of Supervisors and the Director of the Health and Human Services Agency.
- 3) To examine the variables which impact access to health care and to develop an integrated set of recommendations aimed at an improved health care delivery system. Develop recommendations which enhance coordination of the local health care system.
- 4) To review current and proposed health-related legislation and recommend support, opposition or propose change to the Board of Supervisors, and the Director of the Health and Human Services Agency to pursue further action through appropriate legislative channels.
- 5) To solicit and provide a forum for public input, advice, and proposed solutions and alternatives on critical health issues and problems in the community and faced by the County government.
- 6) To serve as the designated nominating authority for membership on designated advisory committees and forward these nominations to the Board of Supervisors for appointment.
- 7) To assist the Director of the Health and Human Services Agency in assessing those community issues which could result in a fiscal impact on the County government, and making recommendations regarding such impacts.
- 8) To perform such other duties as may be assigned by the Board of Supervisors.

SEC. 861.9. REPORTS.

The Board shall make available to the Board of Supervisors, the Chief Administrative Officer and the Health and Human Services Agency its findings and recommendations on issues presented to them, and submit an annual written report of its activities to the Board of Supervisors and the Director of the Health and Human Services Agency.

SEC. 861.10. STAFF ASSISTANCE.

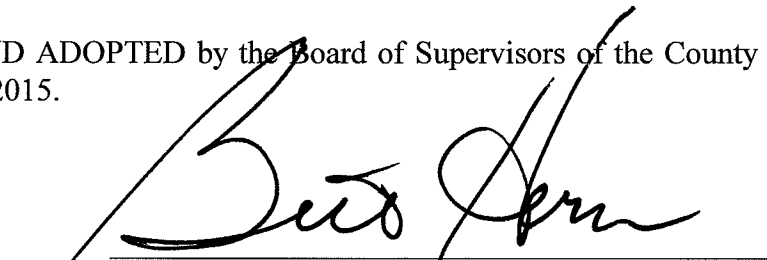
The Director of the Health and Human Services Agency shall ensure the provision of the necessary staff assistance to the Health Services Advisory Board.

SEC. 861.11. SUNSET.

This Article shall be reviewed as a part of the regularly scheduled sunset review process.

Section 3. This ordinance shall take effect and be in force thirty (30) days after its passage, and before the expiration of fifteen (15) days after its passage, a summary hereof shall be published once with the names of the members of this Board voting for and against it in the San Diego Commerce, a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 27th day of January, 2015.

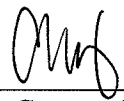

BILL HORN
Chairman, Board of Supervisors
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

ATTEST my hand and the seal of the Board of Supervisors this 27th day of January, 2015.

DAVID HALL
Clerk of the Board of Supervisors

By 
Christina Gomez, Deputy



Ordinance No. 10371 (N.S.)

01/27/15 (5)