



COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS

GREG COX
First District

DIANNE JACOB
Second District

KRISTIN GASPAR
Third District

RON ROBERTS
Fourth District

BILL HORN
Fifth District

DATE: November 14, 2017

XX

TO: Board of Supervisors

SUBJECT

ACCEPT TOBACCO TAX FUNDS FROM THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH ORAL HEALTH PROGRAM AND EXTEND TOBACCO CONTROL CONTRACT (DISTRICTS: ALL)

OVERVIEW

The California Oral Health Program (OHP) was established in July 2014. The program's mission is to improve the oral health of all Californians through prevention, education, and organized community efforts. To achieve these goals, the OHP is providing strategic advice and leadership to oral health stakeholders throughout the state, building oral health workforce capacity and infrastructure, and implementing and evaluating evidence-based best practices in oral disease prevention. The annual State Budget, the California Health and Safety Code, and the Revenue and Taxation Code provide OHP with the legislative authority to implement these activities.

Additionally, as a result of the 1988 California voter-approved Proposition 99, the Tobacco Tax Initiative, the County of San Diego (County) has received funding from the State for local tobacco education and prevention activities since 1989. As a result of the 2016 California voter-approved Proposition 56, the California Healthcare, Research and Prevention Tobacco Tax of 2016, which increased the cigarette tax by \$2.00 per pack of cigarettes, the County has received additional funding for local tobacco education and prevention activities in Fiscal Year (FY) 2017-18. The Board approved acceptance of this revenue on July 18, 2017 (9). Subsequent to this action, the State notified the County of additional funding for Oral Health using revenue from Proposition 56.

The County currently contracts with Vista Community Clinic (VCC) to provide tobacco control services. This contract supports County efforts to reduce exposure to secondhand smoke and access to tobacco products by facilitating the establishment of smoke-free outdoor dining and tobacco retailer licensing policy and is scheduled to end on December 31, 2017.

Today's action requests the Board of Supervisors to accept revenue and authorize the Clerk of the Board to sign the Tobacco Tax Health Education Revenue Agreement from the California Department of Public Health for the period of January 1, 2018 through June 30, 2022, to develop

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or expand a Local Oral Health Program (LOHP) as designated by the California Health and Safety Code, using Prop 56 funds that will be awarded through the grant agreement process.

In addition, to avoid a disruption of services, Board approval is requested for a six-month extension to the aforementioned contract with VCC, from January 1, 2018 through June 30, 2018. The County is currently working on procurements for new tobacco control services with a tentative start date of July 1, 2018.

**RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER**

1. Waive Board Policy B-29, Fees, Grants, Revenue Contracts – Department Responsibility for Cost Recovery, which requires prior approval of revenue agreement applications and full cost recovery of grants.
2. Approve and authorize the Clerk of the Board, upon receipt, to sign the Tobacco Tax Health Education Revenue Agreements from the California Department of Public Health to support a Local Oral Health Program in implementing and evaluating evidence-based best practices in oral disease prevention, in an amount not to exceed \$4,206,950 for the period of January 1, 2018 through June 30, 2022.
3. Authorize the Director, Department of Purchasing and Contracting, to enter into negotiations with Vista Community Clinic, and subject to successful negotiations and determination of a fair and reasonable price, extend the term of the contract by six months from January 1, 2018 to June 30, 2018 and up to an additional six months from July 1, 2018 to December 31, 2018 if needed in an amount not to exceed \$50,000 for each six-month term, and to amend the contract as needed to reflect changes to services and funding allocations, subject to the availability of funds and approval of the Director, Health and Human Services Agency. Waive Board Policy A-87, Competitive Procurement.
4. Authorize the Health and Human Services Agency to pursue future funding opportunities to fund efforts for oral health education, disease prevention, linkage to treatment, case management, and surveillance.

FISCAL IMPACT

Funds for the Tobacco Tax Health Education Revenue Agreement are not included in Fiscal Year 2017-19 Operational Plan in the Health and Human Services Agency (HHS). If approved, this request will result in costs of \$910,670 and revenue of \$841,390 in Fiscal Year 2017-18, and costs of \$910,670 and revenue of \$841,390 for each of the four subsequent fiscal years. The funding source is the California Department of Public Health. A waiver of Board Policy B-29 is requested because the funding does not offset all costs. These costs are estimated at \$69,280 for FY 2017-18. The funding source for these costs is Health Realignment. The public benefit for providing these services far outweighs these costs. There will be no change in net General Fund cost and no additional staff years.

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BUSINESS IMPACT STATEMENT

State Labor Code 6404.5, which was expanded to include bars, taverns, and gaming clubs effective January 1, 1988, requires most places of business to be smoke-free. The Health and Human Services Agency provides information pertaining to the requirements of this law and makes referrals to appropriate agencies.

ADVISORY BOARD STATEMENT

The Health Services Advisory Board voted to support this action at its meeting on October XX, 2017.

BACKGROUND

Acceptance of Proposition 56 Funding for the Local Oral Health Program:

Since 1994, the County has received funding from the State to provide dental education and emergency and preventive services to low-income children and families who have limited access to oral health services called the Dental Health Initiative-Share the Care (DHI-STC) Program.

On August 3, 2017, the California Department of Public Health-Oral Health Program (CDPH/OHP) notified the County of its intent to allocate Proposition 56 funds in an annual amount of \$841,390 beginning January 1, 2018 and similar amounts for the following four fiscal years through June 30, 2022.

The Prop 56 funding will be made available through a grant agreement between CDPH/OHP and the County of San Diego Health and Human Services Agency. The Local Oral Health Program funds will be used to support activities to achieve the California Oral Health Plan (COHP) goals and objectives.

Proposition 56 funding will provide the County of San Diego with an opportunity to enhance and expand the local oral health program. Through collaboration with key stakeholders and partners, the County will support program planning via the following activities:

- Building coalitions: County DHI-STC staff convenes and facilitates the San Diego County Oral Health Coalition which meets quarterly.
- Applying disease prevention strategies: Coordinate an annual sealant varnish that has applied fluoride varnish and sealants to 1,672 kids over the last five years.
- Implementing educational interventions: DHI-STC contract staff has educated 8,676 pregnant women, parents, primary caregivers, PHNs, dental, medical providers over the last five years.
- Improving disease surveillance: During School Year 14-15, 68% of Kindergarteners submitted an Oral Health Assessment form for school entry.
- Linking families to treatment: DHI-STC finds no cost or reduced cost for children and families through a network of pro bono dentists

DHI-STC program outcomes for the last five fiscal years include, but are not limited to:

- Provided oral health screenings to 10,721 children including foster care and homeless youth.

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- Coordination of the fifth San Diego County Oral Health Forum, which convened approximately 150 oral health stakeholders and resulted in identifying future oral health strategies.
- Implementation of a countywide free sealant/varnish Give Kids A Smile event with Community Dental Clinics. This event has resulted in 1,672 youth, 1-18 years of age, receiving preventive services with a net value of \$186,450.00.
- Renewal of a Memorandum of Agreement with San Diego County Office of Education (SDCOE) to partner on the data collection and reporting of the Oral Health Assessment requirement.

The expanded proposed oral health program activities will better address the oral health needs of the community and further improve the health of all San Diegans.

Extension of the Vista Community Clinic tobacco control contract:

The County currently contracts with Vista Community Clinic (VCC) to provide tobacco control services. This contract was awarded to VCC via a competitive procurement in accordance with Board Policy A-87. The purpose of the VCC contract is to reduce exposure to secondhand smoke and reduce access to tobacco products by facilitating the establishment of (1) smoke-free outdoor dining, and (2) tobacco retailer licensing policy, and (3) providing support to the TCRP.

HHS is requesting a six-month extension to the tobacco control contract with VCC in order to prevent a gap in services until new contracts are finalized. This contract with VCC expires on December 31, 2017. Today's action would authorize the extension of this contract for six months until June 30, 2018, and an additional six months if necessary, to allow for the competitive re-procurement of tobacco control services. The six-month extension will ensure a timely process and uninterrupted tobacco control services.

Outcomes:

Key Outcomes achieved by VCC since the start of the contract term (7/1/2014) to current:

- Completion of activities for the objectives related to Smoke-free Outdoor Dining and Tobacco Retailer Licensing in the Health and Human Services Agency's designated North Coastal and East Regions.
 - VCC facilitated the adoption of three (3) policies:
 - 1) Smoke-free Outdoor Dining in the City of Oceanside,
 - 2) Smoke-free Pier and Amphitheater by the City of Oceanside, and
 - 3) Restricting the use of Electronic Smoking Devices by the City of Lemon Grove.
 - Specific activities were to: 1) coordinate and collaborate with community stakeholders, 2) conduct community education presentations, 3) develop educational materials, 4) distribute behavior modification materials, 5) develop and place media materials, 6) perform policy-related services, 7) provide technical

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assistance and participate in trainings, and 8) complete evaluation activities (key informant interviews, public opinion polls, and writing reports).

Outcomes expected to achieve during the requested 6-month extension period:

- Complete activities related to Smoke-free Outdoor Dining and Tobacco Retailer Licensing in the Health and Human Services Agency’s designated North Coastal and East Regions.
 - Specific activities are to: 1) coordinate and collaborate with community stakeholders, 2) conduct community education presentations, 3) develop/update educational materials, 4) distribute behavior modification materials, 5) develop and place media materials, 6) perform policy-related services, 7) provide technical assistance to policy makers and law enforcement, and participate in trainings, and 8) complete evaluation activities (key informant interviews, public opinion polls, compliance monitoring and writing reports) to facilitate the adoption of Smoke-free Outdoor Dining and Tobacco Retailer Licensing policies by cities in those regions. The expected outcome is a Smoke-free Outdoor Dining policy in La Mesa or Escondido, and a Tobacco Retailer Licensing policy in Lemon Grove.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today’s proposed actions support the Healthy Families Initiative of the County of San Diego’s 2017-2022 Strategic Plan, as well as the *Live Well San Diego* vision, by supporting tobacco education, prevention, cessation activities, and by supporting oral health activities to address the burden of oral disease, increase access to oral health services for high-risk populations, and improve the oral health status of all San Diego County residents. Today’s proposed actions further support *Live Well San Diego* Indicators of Life Expectancy, Quality of Life, Physical Environment, and Vulnerable Populations.

Respectfully submitted,

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HELEN N. ROBBINS-MEYER
Chief Administrative Officer

ATTACHMENT(S)

N/A

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AGENDA ITEM INFORMATION SHEET

REQUIRES FOUR VOTES: Yes No

WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED

Yes No

PREVIOUS RELEVANT BOARD ACTIONS:

July 18, 2017 (9), Accept Tobacco tax funds from CDPH; authorize the Clerk of the Board to sign agreements; and authorize competitive solicitations; May 6, 2014 (6) and May 20, 2014 (10), Add electronic smoking devices to the County Administrative and Regulatory Codes; March 11, 2014 (7), Updates to County Board Policy A-99 and directed the Chief Administrative Officer to return to the Board with proposed regulatory language for the Board to review for regulatory controls in which County policies for electronic smoking devices follow those of conventional cigarettes; November 5, 2013 (24), Review County Board Policy A-99 and return to the Board with language to address all electronic vapor devices; November 5, 2013 (10), Tobacco Tax Health Education Revenue Agreement for the period July 1, 2013 – June 30, 2017; December 8, 2009 (14), Comprehensive Tobacco Control Plan and Tobacco Tax Health Education Revenue Agreement for Fiscal Years 2010-11 through 2012-13; April 20, 2004 (8), Comprehensive Tobacco Control Plan and Tobacco Tax Health Education Revenue Agreement for Fiscal Years 2004-05 through 2006-07; January 9, 1996 (1), Dental Health Initiative.

BOARD POLICIES APPLICABLE:

Board Policy A-99 – Tobacco Use, Prevention and Cessation, and Electronic Smoking Devices
Board Policy B-29 – Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery

BOARD POLICY STATEMENTS:

Waiver of Board Policy is requested because California Department of Public Health funding does not offset all costs. Costs to be waived are estimated at \$69,280 for FY 17-18. The funding source for these costs in Health Realignment. The public benefit for providing these services far outweigh these costs. The services funded by this grant provide support for tobacco prevention, education, cessation, and enforcement. The Health and Human Services Agency certifies that these services would be worthy of County support if outside funding were not available.

MANDATORY COMPLIANCE:

N/A

ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION NUMBER(S):

Proposition 99 Oracle Award Number: 104624 Proposition 56 Oracle Award Number: TBD
Contract Number: 548818 – Vista Community Clinic

ORIGINATING DEPARTMENT: Health and Human Services Agency

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OTHER CONCURRENCE(S): Department of Purchasing and Contracting

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