

ACA & Ryan White Programs



Presentation to SF HIV Community Planning Council

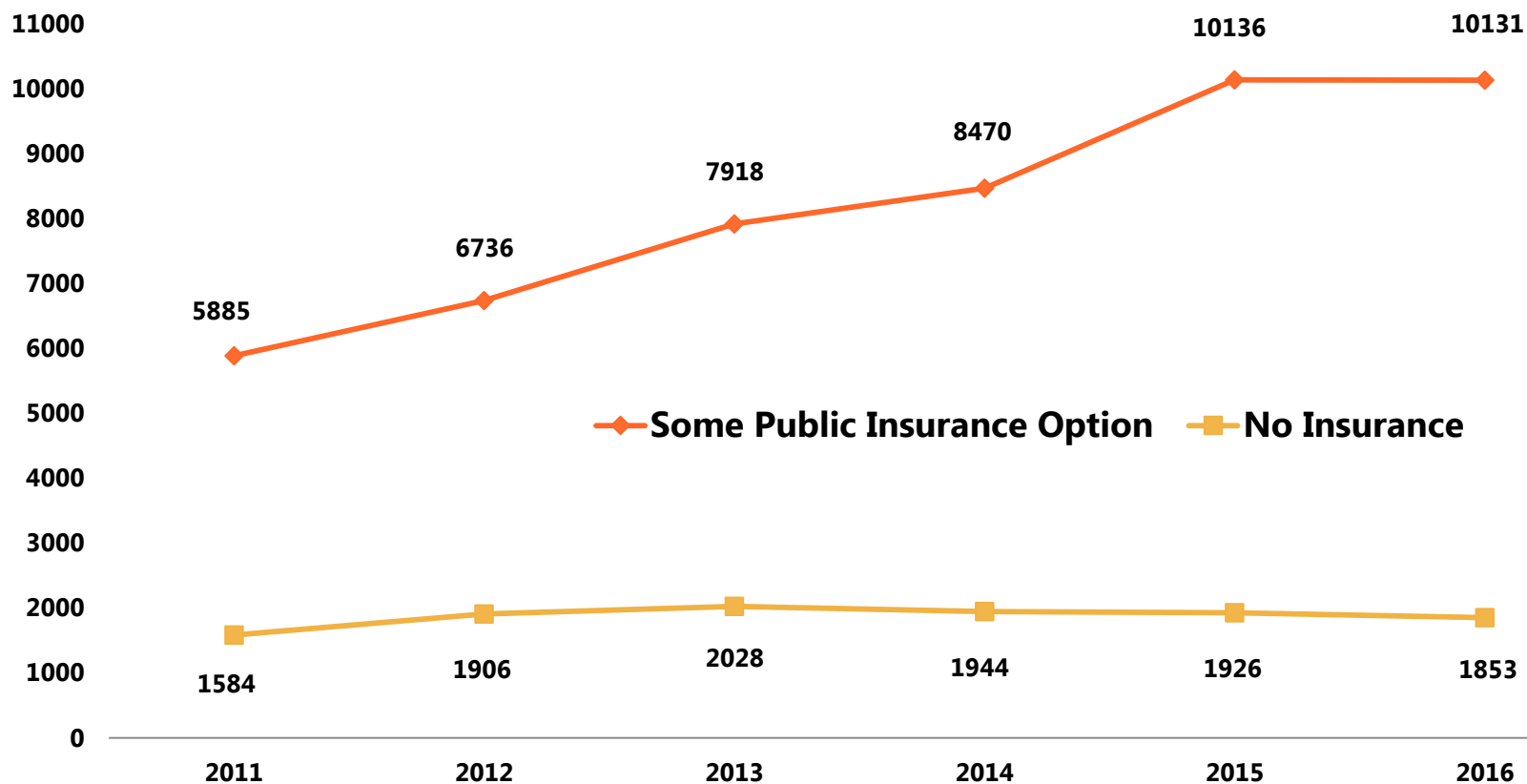
April 24, 2017

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Director of HIV Health Services

By conclusion of presentation SF HIV CPC will have an increased understanding in the following State and Local topical areas related to RWP Funding:

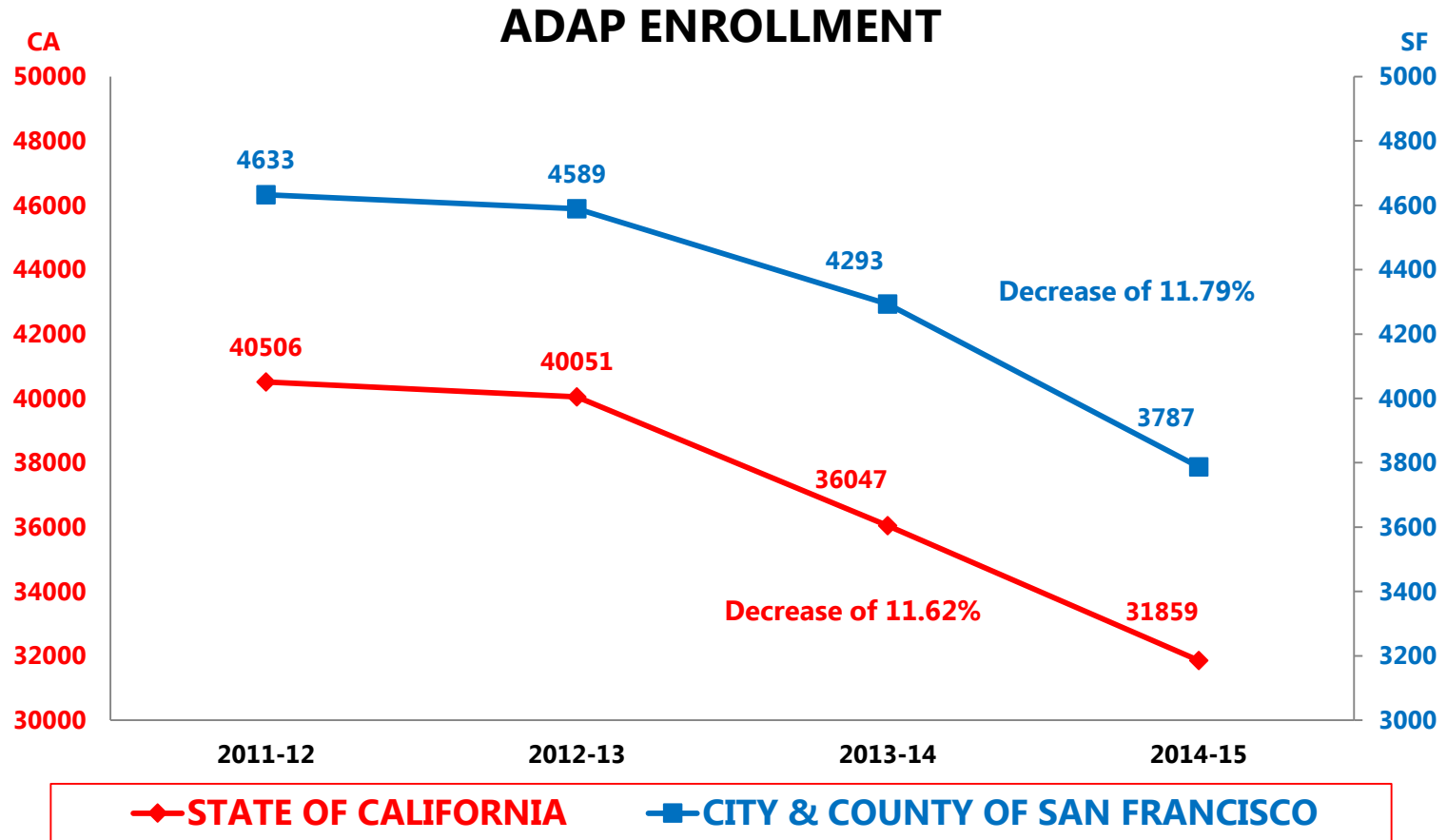
- I. Statistics and Shifting patterns of insurance coverage for HIV+ in CA, SF and SF EMA.
- II. Health Care Reform at State Level and potential impact on insurance coverage for all Californians.
- III. SF Response Plan to uncertainties of Federal Funding
- IV. SF DPH Participation in Health Care Exchange.
- V. Healthy San Francisco Waiver.
- VI. San Francisco and Sanctuary City Status.

SF EMA ARIES DATA INSURANCE STATUS - ACA ROLLOUT



"Some Public Insurance Option" includes Medi-Cal, Medicaid, and Other Public - Data from ARIES 4/2017
Health San Francisco (HSF) is **not** considered insurance

Annual Change in number of ADAP Clients in SF and CA



“Skinny Budget” aka “Hard Power Budget”

President Trump pushing for **\$54B** cuts on non-defense discretionary budget.

Won't touch **entitlement budgets** (2/3 of total federal budget).

Total US Federal Budget for 2016 is **\$3.9Trillion**.

Discretionary spending **\$1.2 Trillion** (\$584B is defense related)

The proposed reduction for Health and Human Services is from **\$77.7B** to **\$66.5B** for a reduction of **\$12.6B** (16%).

Tom Cochran (R-MS), Chair of Appropriations Committee, is pushing for cuts of **\$12-34B**.

Proposed presidential budget will likely change substantially as it moves through the House & Senate.

California Health Care Exchange

With the **failed repeal** of the **Affordable Care Act**, California will continue to offer the **CA Health Care Exchange**.

Individual mandate and subsidies **remain in place**.

2018 Insurers need to let **Covered California** know whether they will participate in the **Health Care Exchange**.

Two California Initiatives to provide health care coverage for all California Residents:

Senate Bill SB1005 Health for All Act (Lara and Atkins) would expand insurance coverage to those **excluded** from **Medi-Cal Expansion** or from the health Care exchange would effectively create a single payer bill (universal health care and eliminate all private plans in the health care exchange).

- Doesn't include undocumented immigrants
- **San Francisco Board of Supervisors** adopted resolution **170304** supporting bill SB-1005 on April 11, 2017

Lieutenant Governor Gavin Newsom has also developed a plan and is advocating for universal access and coverage through combining various funding sources together including private, public and other fees.

- Includes undocumented immigrants

- Citywide, led by **Office of the Mayor**, there are efforts to consider an overall reserve budget to serve as a contingency plan due to a number of unknowns **including HUD cuts**.
- **SFDPH** has a **Policy and Planning Unit** that actively tracks pending legislation.
- **SFDPH** conducts **allowable advocacy** at federal level including a lobbyist.
- **SFDPH** is an active member of the following advocacy groups focused on health care:
 - The Big Cities Health Coalition
 - America's Essential Hospitals
 - National Association of Community Health Centers

- **City of San Francisco** receives approximately **\$1.2B of \$8.4B** (13% of total City budget) in federal funds annually including multi-year grants for capital and infrastructure. **\$1B (84%)** of this is for **providing or administering programs**.
 - **\$0.8B (65%)** for **health related programs**
 - **\$0.3B (27%)** for **human services**
- **Individual and Non-City Agencies** also receive **approximately \$1B** in federal funds.

- **SFHN (San Francisco Health Network):**
 - Hired a consultant to develop a strategy and a road map for participation including associated financial risk and evaluation of organizational structure and resources to participate in Covered California.
 - Planning to participate in the health care exchange likely with an enhanced PPO product starting in January 2019.

The HSF waiver continues to be extended indefinitely.

- **No changes** are being contemplated this year for either eligibility or coverage
- **Below 500% of Federal Poverty Level** and health insurance is not affordable elsewhere
- Must be **resident of San Francisco**
- Currently around **14,000 active enrollees**
- Approximately **320 of this 14,000** are thought to be **HIV-positive**
- If eligible for Medi-Cal, **liable for the tax penalties**
- For Tax Year 2016, those with annual incomes over **\$10,500**, this penalty will be either **2.5% of yearly income** or **\$695** (whichever is greater)

Healthy SF is not considered insurance coverage (funded by San Francisco General Fund) so HIV-positive patients enrolled in Healthy SF are eligible for Ryan White services if they are contracted to provide services



San Francisco Sanctuary City Policy

In 1989, **San Francisco** passed the "**City and County of Refuge**" Ordinance (also known as the **Sanctuary Ordinance**).

The **Sanctuary Ordinance** generally prohibits City employees from using City funds or resources to assist **Immigration and Customs Enforcement (ICE)** in the enforcement of Federal immigration law unless such assistance is required by federal or state law.

In 2013, **San Francisco** passed the "**Due Process for All**" Ordinance.

This ordinance **limits when City law enforcement officers may give ICE advance notice of a person's release from local jail.**

It also prohibits **cooperation with ICE detainer requests**, sometimes referred to as "ICE holds."

These **ordinances** were last amended in **July of 2016**. Under current law, City employees may not use City resources to:

- Assist or cooperate with any **ICE investigation, detention, or arrest** relating to alleged violations of the civil provisions of federal immigration law.
- **Ask about immigration status** on any application for City benefits, services, or opportunities, except as required by federal or state statute, regulation, or court decision.
- **Limit City services or benefits** based on immigration status, unless required by federal or state statute or regulation, public assistance criteria, or court decision.
- **Provide information** about the release status or personal information of any individual, except in limited circumstances when law enforcement may respond to ICE requests for notification about when an individual will be released from custody.
- **Detain an individual** on the basis of a civil immigration detainer after that individual becomes eligible for release from custody.

Policy is administered through San Francisco Office of Civic Engagement and Community Affairs

- **California State Senate** passed **Sanctuary State Bill SB-54** (De Leon)
 - Strengthens the sanctuary state policy
 - Set to move through State Assembly.
- **City Attorney Dennis Herrera** filed suit and a preliminary injunctive relief order against Trump's executive order (1/25/17) to withhold federal funds from Sanctuary Cities. Herrera announced on April 14, 2017 that Trump attorneys admitted that withholding federal funding from local jurisdiction over immigration policy differences is likely non-enforceable.
- Final circuit court of appeals ruling is still pending.
- **Carecen**, a community-based organization funded by SFDPH, educates and unites other community based organizations on how to deal with Immigration & Customs Enforcement (ICE) through tool kits and a hot line.