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

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

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

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

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

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

WHEREAS, Mental health care and substance use disorder treatment is urgent and necessary, and people should have timely access to it before they go into crisis in the first place and their situations escalate; and
WHEREAS, Recent science indicates that, without timely access to follow-up mental health treatment or appointments, patients can suffer longer recovery times and worse outcomes including a more chronic course of their disorders; and
WHEREAS, Delays in accessing appropriate treatment can lead to increased morbidity and mortality rates, increased time away from work, increased strain on families, increased risk of decompensation, and accelerating crises to a point that requires more costly and intensive care; and
WHEREAS, According to a December 2020 survey, 88% of the mental health therapists at California's largest HMO reported that weekly individual psychotherapy treatment is unavailable for patients who need it and 51% of therapists reported that their patients wait more than 4 weeks, on average, for a follow-up appointment; and
WHEREAS, In the California Health Care Foundation's most recent survey of Californians' health care priorities, 52% of those who tried to make a mental health appointment believe they waited longer than was reasonable to get one; and
WHEREAS, COVID-19 has only exacerbated an already dire mental health and substance use crisis facing our country, making timely access to mental health care all the more important; and
WHEREAS, National survey data shows that the rate of anxiety and depression has tripled over the previous year, and a recent Center for Disease Control study found that one in four people age 18 to 24 had seriously considered taking their life in the past 30 days; and
WHEREAS, Substance use and overdose deaths are on the rise nationally since the beginning of the pandemic, and San Francisco has seen an unprecedented number of overdose deaths which have outpaced COVID-19 deaths by a margin of three to one; and
WHEREAS, California Senate Bill 221, introduced by Senator Scott Wiener of San Francisco, would establish clear timely access standards for HMOs who operate under
Department of Managed Health Care (DMHC) and health insurers who fall under the 
jurisdiction of the California Department of Insurance (CDI), requiring them to provide follow-
up appointments and other forms of care within ten business days, unless a provider believes 
a longer gap is appropriate; and

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

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

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

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

FURTHER RESOLVED, That the Clerk of the Board of Supervisors of the City and 
County of San Francisco distribute this Resolution to San Francisco’s State Legislative 
Delegation and to California Governor Gavin Newsom.
Resolution supporting California State Senate Bill No. 221, introduced on January 14, 2021, by Senator Scott Wiener (SD-11), which would require health plans and insurers to provide patients with timely follow-up care for mental health issues and substance use disorders.

February 02, 2021 Board of Supervisors - ADOPTED
Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

I hereby certify that the foregoing Resolution was ADOPTED on 2/2/2021 by the Board of Supervisors of the City and County of San Francisco.

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Angela Calvillo               Clerk of the Board

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Unsigned                     2/12/21                      Date Approved
Mayor

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

_______________________________  02/12/2021
Angela Calvillo               Date
Clerk of the Board