



Edwin M. Lee
Mayor

Health Commission

September 20, 2013

Dear Sunshine Ordinance Taskforce Members,

This is in response to amended complaint number 13021.

1. Mr. Monette-Shaw and Dr. Rivero's complaint alleges that the April 2, 2013 full San Francisco Health Commission agenda item, "LHH Update" lacked sufficient detail to alert members of the public what would be discussed for that item. They also complained that the agenda did not use standard hypertext markup language formatting to provide a visible hyperlink.

Regarding the level of detail of the April 2, 2013 full Health Commission agenda item, this type of agenda title (name of facility and update) has been the usual and customary method of identifying agenda items for the San Francisco Health Commission meetings for many years. At the April 2 meeting as part of the update the Chief Administrator of Laguna Honda Hospital read language agreed to by parties in the settlement of the litigation involving Dr. Derek Kerr. In the future, updates that reference a settlement in this fashion could be described with more specificity. Of course, actual settlements would continue to be heard in closed session.

Here, the terms of the lawsuit settlement included, the Chief Administrator of Laguna Honda Hospital reading a letter before the Health Commission signed by the Laguna Honda Hospital Medical Director and Chief of Staff stating that Dr. Kerr was respected by his colleagues at Laguna Honda Hospital and that when he retired from his position at Laguna Honda Hospital, his medical privileges expired by operation of the LHH Medical Staff By-Laws and not for reasons related to the quality of care he provided as a physician. Another term provided that the wording of a plaque to be placed on the wall at Laguna Honda Hospital acknowledging Dr. Kerr's work at Laguna Honda Hospital would be reported out at the meeting.

If the Task Force finds that discussions of actions taken to fulfill a settlement agreement involving a particular facility warrant a separate item on the agenda or greater detail, then the Commission is willing to modify future agendas accordingly.

2. Upon receiving the complaint that the San Francisco Health Commission did not use standard hypertext markup language to provide a visible hyperlink, the Health Commission directed our Executive Secretary to provide clearer instructions to the public regarding access of San Francisco Health Commission meeting materials posted online. Within several weeks of receipt of this complaint, the DPH website Health Commission "Next Meeting" page was

revised to include a statement which reads, ***"To access information for the Health Commission meetings listed below, you may click on the bolded items in blue font to view documents associated with a specific meeting agenda item."***

On the Friday before every Health Commission meeting, the San Francisco Health Commission Executive Secretary sends an email to interested parties which includes the agenda of the upcoming meeting and the draft unapproved minutes of the previous meeting. Included in the email is a link to the DPH website Health Commission "Next Meeting" page which lists all the Health Commission meeting items and provides links to available meeting documents.

We appreciate Mr. Monette-Shaw and Dr. Rivero's calling these issues to our attention so that we can better serve the public.

Sincerely,

A handwritten signature in black ink, appearing to read "Sonia Melara". The signature is fluid and cursive, with a large initial "S" and "M".

Sonia Melara, MSW
San Francisco Health Commission President