

Agenda Report

May 3, 2021

TO: Honorable Mayor and City Council

THROUGH: Legislative Policy Committee (April 27, 2021)

FROM: Public Health Department

**SUBJECT: AMENDMENT OF 2021 STATE LEGISLATIVE PLATFORM
REGARDING THE QUALITY OF HEALTH CARE PROVIDED BY
SKILLED NURSING FACILITIES**

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the proposed action is categorically not subject to the California Environmental Quality Act (CEQA) pursuant to Section 21065 of CEQA and Sections 15060 (c)(2), 15060 (c)(3), and 15378 of the State CEQA Guidelines and, as such, no environmental document pursuant to CEQA is required; and
2. Amend the 2021 state legislative platform to include support for legislation which assures the quality of health care provided by skilled nursing facility operators.

LEGISLATIVE POLICY COMMITTEE RECOMMENDATION:

The Legislative Policy Committee recommended the City Council approve these recommendations at its April 27, 2021, meeting with additional language. The following statement was added to both the report and the attached amendment, "As such, the City is committed to exploring ways to hold federal and state regulatory agencies accountable to fulfilling their regulatory roles, as well as identifying local mechanisms to support healthcare quality."

BACKGROUND:

The City prepares a legislative platform each year to serve as the foundation for a focused advocacy strategy. The platform outlines the City's position on a broad range of

current issues providing staff and lobbyists with direction to pursue advocacy on these issues. Among the many issues included in this year's platform are priorities for health care delivery. Staff recommends the City Council amend the state legislative platform to include support for legislation which assures that the quality of health care provided by skilled nursing facility operators meets or exceeds state and federal (US Centers for Medicare and Medicaid) regulatory standards and is delivered ethically, responsibly, and equitably.

The City of Pasadena does not license, regulate, or operate skilled nursing facilities (SNF), but the quality of care provided by these privately-owned facilities regulated by the state is a key factor for quality of life for these Pasadena residents. As such, the City is committed to exploring ways to hold federal and state regulatory agencies accountable to fulfilling their regulatory roles, as well as identifying local mechanisms to support health care quality. Pasadena is home to 15 skilled nursing facilities with a combined 1,201 licensed beds. The health and safety of this medically frail population is entirely dependent on the quality of health care provided by for-profit facility operators and their staff, and the ability of the California Department of Public Health to license, inspect, cite, and regulate them.

The recommended amendment will support enhancement of state mechanisms to ensure skilled nursing facility accountability, increase state capacity to investigate complaints, and improve state capability to respond to crises. The recommended amendment adds a new section titled "Skilled Nursing Facilities" (in Part II – Legislative Priorities) expressing City support for state policy reform that better protects SNF residents, and improves the working environments for individuals who care for them, by:

- Enhancing resident and family education about their legal rights
- Providing adequate medical oversight at facilities
- Expanding professional qualifications for operating facilities
- Strengthening State regulatory authority
- Improving accountability through fines and penalties for violations
- Increasing liability for poor quality of care
- Improving State capacity to investigate complaints and capability to respond to crises

COUNCIL POLICY CONSIDERATION:

Approval of the recommendation represents an amendment to the state legislative platform that guides advocacy strategies for regional, legislative, and funding request priorities supported by the City of Pasadena. Inclusion of support for legislation which insures skilled nursing facility accountability, increases state capacity to investigate complaints, and improves state capability to respond to crises will support the City Council goals of promoting public safety and quality of life.

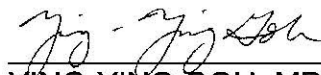
ENVIRONMENTAL ANALYSIS:

The action proposed herein is not a project subject to CEQA, pursuant to CEQA Section 21065 and State CEQA Guidelines Sections 15060 (c)(2), 15060 (c)(3), and 15378. The approval of a legislative platform to support a focused advocacy strategy does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment. Therefore, the proposed action is not a "project" subject to CEQA, as defined in Section 21065 of CEQA and Section 15378 of the State CEQA Guidelines. Since the action is not a project subject to CEQA, no environmental document is required.

FISCAL IMPACT:

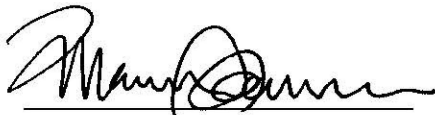
Funds for the City's legislative advocate Emanuels Jones and Associates are included in the City Council's operating budget.

Respectfully submitted,



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Director of Public Health & Health Officer
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Approved by:



STEVE MERMELL
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