

AIDS Related Legislation
February 3, 1986

Opinion polls show that the public's alarm over AIDS is emerging as one of the top political issues of the '80s. The measures that were signed into law in 1985 include:

SB 292, Chapter 1519
SB 678, Chapter 871
SB 1251, Chapter 767

AB 403, Chapter 22
AB 488, Chapter 23

The measures directly, or indirectly related to AIDS that you should be aware of for 1986 are:

SB 1327
SB 1328
SB 1478
SB 1513
SB 1518

AB 600
AB 1452
AB 1966

Proposed legislation for 1986 can be introduced until February 21st. Several new bills are currently being discussed, but have not been introduced yet.

Assemblyman John Vasconcellos will introduce a bill aimed at providing incentives for AIDS vaccine development. The bill will establish an AIDS Vaccine Victims Compensation Fund and move liability for medical costs caused by such a vaccine from the manufacturer to the state; establish the AIDS Clinical Trials Testing fund, which appropriates \$6 million to subsidize clinical trials with humans for a FDA approved vaccine; and establish the AIDS Vaccine Guaranteed Purchase Fund to appropriate \$20 million for the State to purchase up to 1 million units of a FDA approved vaccine.

Assemblywoman Doris Allen is considering a bill to mandate that blood units be labeled 'male donor' or 'female donor'. The American Red Cross will be opposing this bill.

Assemblyman Gary Condit is considering a bill to allow patients to specify designated individuals to donate blood for the patient's medical needs under specified criteria.

Assembly Republicans have unfolded an ambitious package of legislation for the 1986 election year called "An Agenda of Opportunity." The 40 page program of 102 measures includes three AIDS-related bills. These measures are not yet in print:

- 1) A proposal to close bathhouses catering to gays to prevent the spread of AIDS;
- 2) prosecution for attempted murder of rapists who know they have AIDS; and

- 3) the establishment of criminal penalties for persons with AIDS that fail to notify their physician or dentist of the condition.

Senator John Doolittle plans to introduce legislation requiring health care professionals to be tested for AIDS when they renew their licenses. Senator Doolittle's staff indicates "We have got to start testing as many segments of society as we can, and then we will start segregating later."

Senator Watson and Senator Marks are working on measures relating to AIDS Related Condition. The intent is to establish presumptive eligibility for Medi-Cal for people with severe ARC.

Senator Hart is considering a bill to strengthen confidentiality protections for all records relating to HTLV-III virus exposure maintained by public health agencies. These measures are being supported by the California Conference of Local Health Officers.

Measures in print include:

SB 1327 (Marks) - Two year bill would require a feasibility study of Medi-Cal or state disability paying for insurance premiums when an individual with catastrophic illness becomes unable to work. PASSED Senate Health Committee on Jan. 15th with no opposition.

SB 1328 (Marks) - Two year bill would increase Medi-Cal monthly income eligibility for persons with catastrophic illness from \$504 per month to \$800 per month. PASSED Senate Health Committee on Jan. 15th with opposition from the Department of Health Services.

SB 1478 (Doolittle) - Would require marriage license applicants to submit to AIDS antibody testing. Will be heard in Senate Health Committee on February 12th.

SB 1513 (Doolittle) - Would require anyone jailed for more than three days in county jails, or persons in state prisons to submit to AIDS antibody testing. Will be heard in Senate Judiciary Committee on February 11th.

SB 1518 (Royce) - Would require that emergency medical technicians, paramedics, nurses, lifeguards, firefighters, peace officers, etc. who come in contact with persons with a contagious disease be notified by the treating health facility. Will be heard in Senate Health Committee on February 12th.

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AB 600 (McAlister) - Would establish a Health Coverage Association to provide for health insurance to residents of California who are not otherwise able to obtain health insurance. Assigned to Senate Insurance, Claims & Corporations Committee.

AB 1452 (Alatorre) - Would establish presumptive eligibility for disability retirement for Los Angeles County safety members, firefighters, law enforcement officers or health officials that contract AIDS. Assigned to Assembly Public Employees & Retirement Committee.

AB 1966 (Klehs) - Would prohibit discriminatory practices based on age, sex, health condition, race, color, creed, national origin, marital status, disability, religion, or occupation with respect to disability insurance and health care service plans. Assigned to Assembly Finance and Insurance Committee.

STATE FUNDING FOR AIDS PROGRAMS

	<u>Appropriated 1984-85</u>	<u>Appropriated 1985-86</u>	<u>Proposed 1986-87</u>
<u>Department of Health Services</u>			
1. Administration/Personnel	\$40,000	\$550,000	\$550,000
2. Prevention/Education Grants	\$960,000	\$4,670,000	\$4,550,000
3. Program Evaluation	--	\$150,000	\$150,000
4. In-Home Health/Support Service Demonstration Projects	--	\$1,000,000	\$1,500,000
5. IV Drug Users Pilot Project	--	\$400,000	--
6. Cost of Care Study	--	\$200,000	\$200,000
7. Computerized AIDS Information Network Staff Support	--	\$60,000	--
8. HTLV-III Antibody Testing Program	--	\$5,000,000	--
	<u>\$1,000,000</u>	<u>\$12,030,000</u>	<u>\$6,950,000</u>
<u>Department of Mental Health</u>			
9. Needs Assessment & Professional Education	--	\$600,000	--
<u>University of California</u>			
10. Research	<u>\$2,900,000</u>	<u>\$7,200,000</u>	<u>\$7,200,000</u>
TOTAL	\$3,900,000	\$19,830,000	\$14,150,000

Please see attached comments.

The preceding page reflects the full amount of appropriations outside of the 1985/86 Budget Act. The appropriation bills were AB 488 (three year appropriation of \$5 million for alternative test sites) and SB 1251 (\$4.96 million budget override bill.)

The Governor indicates that existing programs may be augmented and new programs may be initiated in the spring when the final recommendations of the California AIDS Strategic Planning Committee are available. The \$14,150,000 proposed in the budget will likely be increased before the Legislature returns the budget to the Governor in June.

Comments:

1. The AIDS Section in the Department of Health Services cannot function effectively until it is fully staffed. As AIDS programs increase in scope, additional departmental staff positions may be necessary.
2. In 1985 nearly \$6 million in requests were received by the state for prevention/education activities. A recent L.A. Times poll showed 20% of those polled still believed AIDS could be contracted by donating blood. Clearly there is a greater need for education activities.
3. Evaluation is a component built in to each education contract issued by the state. I am not sure if \$150,000 is adequate.
4. Hospice/In Home Health Care support services - The \$1 million in SB 1251 will fund programs in San Francisco, Los Angeles, Alameda, San Diego and Orange Counties beginning in March 1986. A multi-county project may also be funded. In December 1985 the Department received 29 proposals requesting \$5,298,190 for these activities. I believe this item should be increased.
5. IV Drug Users Program - Legislative intent was to fund pilot residential detoxification and outpatient detoxification and educational programs for IV drug users. The Governor has characterized this as a "one-time" appropriation. The \$400,000 from SB 1251 will go to San Francisco County. These types of programs will be needed in other parts of the state. Augmentations for these programs should be pursued through the Department of Alcohol & Drug Programs rather than through the Department of Health Services.
6. Cost of Care Study - This item appeared exactly as it should have.

7. Computerized AIDS Information Network - SB 1251 contained \$60,000 for staff positions in the AIDS Section to enter information on CAIN. I believe these positions remain vacant. Additional support for CAIN is contained in the Prevention/Education budget.
8. HTLV-III Testing - Of the \$5 million appropriated for alternate test sites, the Department estimates they will spend about \$400,000 by June 1986. Some funding for testing has come from the Centers for Disease Control, but it is unclear whether federal funding will continue. SB 1251 authorized an additional use of this money, using the alternate test sites as a point of preventive education, but DHS has not yet begun using funds for this purpose. While \$5 million was appropriated in 1985, much of this funding will carry over to 1986 and 1987.
9. The Department of Mental Health has formed a Task Force to implement the needs assessment, professional training and media campaign required by SB 1251. The initial meeting of the department's advisory group was on Jan. 8th. I believe that the funding for Department of Mental Health should be increased.
10. The research budget for UC is very generous. My main concerns in this area are: a) prioritizing research needs within California; b) public/private efforts toward vaccine development and c) access to experimental treatment.

SAN FRANCISCO AIDS LEGAL SERVICES REFERRAL LIST

American Civil Liberties Union of Northern California (ACLU-NC)

The ACLU-NC Complaint Desk offers informal advice and referrals for individuals encountering AIDS discrimination problems, Monday-Friday, 10:00 a.m.-3:00 p.m. Neither the ACLU-NC nor the Gay Rights Chapter expects to be able to provide direct legal assistance to complainants; however, the ACLU will consider taking legal action if necessary or appropriate to resolve some important issue or to achieve some significant impact on civil liberties issues. ACLU-NC is also monitoring AIDS discrimination issues, and producing and distributing the Gay Rights Chapter's "Medical Decisions" flyer, discussing health care and medical decision-making issues gay men and lesbians are likely to encounter in the event of their incapacity.

Fee: None
Phone Number: 621-2488 for the Complaint Desk, and 621-2493 for ACLU-NC office
Address: 1663 Mission St., Suite 460, 94103
Contact People: Dorothy Ehrlich--Executive Director,
Douglas Warner--Gay Rights Chapter President

Bar Association of San Francisco, Lawyer Referral Service (LRS)

LRS can help individuals determine if they actually need an attorney, and if so refer them to an appropriate one, or refer people to other community resources when necessary. Working with the Bar's Volunteer Legal Services Program, the LRS also offers the Legal Advice and Referral Clinic for free legal consultations and referrals to attorneys or appropriate agencies. The Clinic takes place the second Saturday of each month between 10:30 a.m. and Noon at the San Francisco Public Library and is open to any San Francisco Resident, regardless of income. No appointment is necessary.

Fee: LRS provides one-half hour of consultation with a lawyer for \$25.00. In cases of need, the consultation fee can be delayed or waived. The Saturday Legal Advice and Referral Clinics are free.
Phone Number: 391-6102
Address: 220 Bush St., 21st Floor, 94104
Contact Person: Carol Woods

Bar Association of San Francisco, Volunteer Legal Services Program (VLSP)

VLSP has hundreds of volunteer attorneys available to provide free legal services to poor and low-income San Francisco residents. The services available that may assist those with AIDS related issues include legal representation, consultation, a landlord/tenant clinic and mediation services. The mediation services are appropriate for those who wish to attempt to resolve their dispute with another party, if both parties are willing, without going to court.

Fee: Services are free for low-income individuals who fit VLSP financial requirements.
Phone Number: 391-6102
Address: 220 Bush St., 21st Floor, 94104
Contact Person: Bill Martinez

Bay Area Lawyers for Individual Freedom (BALIF)

BALIF has numerous volunteer attorneys who are available to take any type of case dealing with AIDS, including those involving wills, power of attorney, and discrimination. They also offer educational materials for attorneys on AIDS legal issues.

Fee: Generally no fee, but varies case to case
Phone Number: 982-9211
Address: 350 California St., Suite 2290, 94104
Contact Person: Gary Woods

Department of Fair Employment and Housing (DFEH)

DFEH is a state agency that will take cases of individuals who have been discriminated against in employment or housing and are protected under the physical disability law, which covers those who have AIDS or are perceived as having AIDS. An officer of the day is on duty Monday and Wednesday to do intakes, and messages will be taken at other times.

Fee: None
Phone Number: 557-2005
Address: 30 Van Ness, 3rd Floor, 94102

Employment Law Center (ELC)

ELC has one full-time and one part-time attorney available to work on cases and issues involving employment rights of handicapped or disabled workers, with the goal of testing and furthering the rights of workers. ELC also provides some support services to other attorneys on these issues.

ELC has applied for a grant to do back up AIDS discrimination work, to do trainings for attorneys on AIDS and employment legal issues, and to produce employee rights pamphlets for employees with AIDS or those in high risk groups for the disease.

Fee: None
Phone Number: 864-8848
Address: 1663 Mission St., Suite 400, 94103
Contact People: Jean Freestone--Research Specialist
Chris Redburn--Attorney

Gay Legal Referral Service (GLRS)

GLRS has attorneys available to handle the various legal needs of the Lesbian and Gay communities, including AIDS related issues. An intake worker helps individuals determine if they actually need an attorney, and if so refers them to an appropriate one.

Fee: \$20.00 for one half-hour consultation. This fee can be delayed, reduced or waived according to need.
Phone Number: 621-3900
Address: 220 Bush St., 21st Floor, 94104
Contact Person: Michael Music

Human Rights Commission of San Francisco (HRC)

HRC is a city funded agency that provides nondiscrimination services to residents of the City and County of San Francisco. The staff provides investigation and mediation of individual cases of sexual orientation and AIDS discrimination in the areas of employment, housing and public accommodation, as well as technical assistance and referrals. Working with the Lesbian/Gay Advisory Committee, the staff also takes up and acts upon issues of concern in the Gay and Lesbian communities and advises city government about these concerns.

Fee: None
Phone Number: 558-4901
Address: 1095 Market St., Suite 501, 94103
Contact People: Eileen Gillis and Jackie Winnow

National Gay Rights Advocates (NGRA)

NGRA has one full-time attorney available to handle AIDS discrimination cases. Their focus is on precedent setting cases, the consequences of which will benefit the larger community. They will screen cases carefully and have the funding to take cases that may need the extra time and work involved in an appeal. All clients with NGRA must be willing to have their names used publicly.

Fee: None
Phone Number: 863-3624
Address: 540 Castro St., 94114
Contact Person: Ben Schatz

San Francisco Public Defenders Office

The Public Defenders Office has attorneys available to handle criminal law issues, such as traffic problems, for low-income people with AIDS.

Fee: None
Phone Number: 553-1671
Address: 850 Bryant St., Room 205, 94103
Contact People: Ron Albers and Gordon Armstrong



SAN FRANCISCO AIDS FOUNDATION

333 VALENCIA STREET
FOURTH FLOOR
SAN FRANCISCO
CALIFORNIA
94103

415/864-4376

MEMO FROM

NANCY STOLLER SHAW, PH.D.
Education Department

*For minority business
Kevin Williams - HR lists comm.
558-4091*



SAN FRANCISCO AIDS FOUNDATION
333 VALENCIA STREET
FOURTH FLOOR
SAN FRANCISCO
CALIFORNIA
94103
415/864-4376

Aug

Brad,
Please make
another copy. I
want to give one
to Tim W.

Mary Gin Starkweather
Representative
San Francisco Human Rights Commission
1095 Market Street
Room 501
San Francisco
California 94103

Dear Ms. Starkweather:

Last Spring, as part of our research on services to women with drug abuse problems who might be exposed to the AIDS virus, the San Francisco AIDS Foundation conducted a survey of residential treatment programs which accept women as clients.

The enclosed memorandum, "Rehabilitation Resources for Women with I.V. Drug Dependencies", indicates that none of the programs surveyed accepted pregnant women throughout pregnancy or women who would be accompanied by children. Since the survey, one program, the Women's Alcoholism Center, has opened the Pomeroy House which accepts pregnant women and women with children.

I am writing the Commission because we see the problem of access partly as a human rights issue; women's pregnancies and their maternal connections to young children are social and biological aspects of being female. 'No Pregnancy' and 'No Children' policies lead to the exclusion of many women who could benefit greatly from substance abuse programs.

We are also aware that many of these agencies hold contracts with the city.



SAN FRANCISCO AIDS FOUNDATION
333 VALENCIA STREET
FOURTH FLOOR
SAN FRANCISCO
CALIFORNIA
94103
415/864-4376

August 20, 1985

Mary Gin Starkweather
Representative
San Francisco Human Rights Commission
1095 Market Street
Room 501
San Francisco
California 94103

Dear Ms. Starkweather:

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I am writing the Commission because we see the problem of access partly as a human rights issue; women's pregnancies and their maternal connections to young children are social and biological aspects of being female. 'No Pregnancy' and 'No Children' policies lead to the exclusion of many women who could benefit greatly from substance abuse programs.

We are also aware that many of these agencies hold contracts with the city.

We would like the Human Rights Commission to initiate a process with us and others to identify the needs and to develop the appropriate services for pregnant women and mothers who need residential programs for substance abuse treatment. I have also included a report, "California Models for Women's AIDS Education and Services", which indicates the need for substance abuse programs to limit the spread of AIDS among women.

Thank you for your concern.

Sincerely,

Nancy Shaw, PhD
Women's Program Coordinator
San Francisco AIDS Foundation

cc: Geri Brown, San Francisco Department of Public Health
cc: Jacquie Hale, Commission on the Status of Women

NS/bgs

encls: "Rehabilitation Resources for Women with I.V.
Drug Dependencies"
"California Models for Women's AIDS Education
and Services"



SAN FRANCISCO AIDS FOUNDATION
54 TENTH STREET
SAN FRANCISCO
CALIFORNIA
94103-1360
415/864-4376

MEMORANDUM

TO: AIDS FOUNDATION STAFF
FROM: Nancy Shaw
DATE: February 1, 1985
RE: Rehabilitation Resources for Women with I.V. Drug Dependencies

A. RESIDENTIAL PROGRAMS

Name: The Group (415) 653-8786
6330 Shattuck Avenue
Oakland, CA Contact person: Jan

Special Info: 18 and over
Must be an Oakland resident
Free
Can detox on a 21-day program

Pregnancy/Kids: No pregnant women
No children but Saturday visiting

AIDS Info: Have not had any AIDS patients; will consider

Name: Serenity, Inc. (415) 368-3992
P.O. Box 5070
Redwood City, CA 94063 Contact Person:

Special Info: Must be clean on arrival
Free; G.A., unemployment, disability

Pregnancy/Kids: Pregnancy okay up to 21 weeks
No children -- visiting after 21 days (3 hours per week)

AIDS Info: Will call back

Name: Pacific Recovery Center (415) 921-6171
Garden Sullivan Hospital
 2750 Geary Blvd.
 San Francisco, CA
 Contact person:

Special Info: Costs money, but Medi-Care available if the person has a serious illness and/or has failed in an outpatient program
 Detox, education, counseling, 12-step program
 Alcohol or drug problem

Pregnancy/Kids: No children allowed -- visiting available

AIDS Info: AIDS diagnosed person must be well enough to participate in the rehabilitation program. Also must have a referral by a physician. Otherwise, no problem.

Name: Walden House (415) 552-6440
 815 Buena Vista
 San Francisco, CA
 Contact person: John Rios
 Alphonso
 Acampora

Special Info: San Francisco residents
 100 spaces
 Financing, via G.A., etc.

Pregnancy/Kids: No pregnant women
 No children -- visiting after 30 to 60 days, beginning 1x week

AIDS Info: Have had AIDS patients; but now (1/25) they are developing a new "protocol."

Name: Brandon House (408) 258-6146
 San Jose, CA
 Contact person: Barbara DuPre

Special Info: Serves women on pre-release work furlough from federal and state prison.
 Parole officer must make arrangements (18 beds)
 Also has an emergency shelter (32 beds) for up to 14 days stay.
 Special mother-infant program for federal and state prisoners -- residential.
 Can take women on methadone maintenance
 Not particularly focussed on drug rehabilitation

Pregnancy/Kids: Yes to both

AIDS Info: Have had no AIDS cases. Would handle on a case by case basis.

Name: St. Mary's Hospital (415) 750-5457
 F-South Contact Person: Marilyn Blake,
 450 Stanyan Street head nurse
 San Francisco, CA 94117

Special Info: Drug and alcohol rehabilitation
 Based on AA steps
 Detox and rehab services
 Financing: private insurance; Medi-Care under limited services

Prenancy/Kids: No information on pregnancy
 No children

AIDS Info: Yes, take AIDS cases

Name: Raleigh Hills (415) 368-4134
 160 Gordon Street Contact: Jeff Winters
 Redwood City, CA

Special Info: A detox program for I.V. drug users
 Doctor costs -- \$4,900
 Hospital costs -- \$8,900
 Medi-Care available under special circumstances
 A licensed hospital

Pregnancy/Kids: No children

AIDS Info: Will take AIDS cases

Name: Women's Alcoholism Center (415) 282-8700
 3380 26th Street Contact: Lee Woodward
 San Francisco, CA 94110

Special Info: Women and Children's Program
 Residential and outpatient
 Alcohol and drug program
 Open in mid-April, 1985
 Free to start

Pregnancy/Kids: Pregnancy okay in residence
 MUST have kids or be pregnant to use residence

AIDS Info: No policy on AIDS yet; in-service education will be done by AIDS
 Foundation Women's program prior to policy decision

Name: Via Asanta Halfway House (213) 897-2609
LOS ANGELES AREA
11643 Glenoaks Blvd.
Pacoima, CA 91331
Contact:

Special Info: Highly recommended by Wingspread (Santa Cruz)

Pregnancy/Kids: Yes to both

AIDS Info: Not known

Name: Genesis House (408) 899-2436
1152 Somona Avenue
Seaside, CA 93955
Contact: Michael Pritchard

Special Info: Require clean for 24 hours on arrival
Methadone detox available
Sliding scale; disability
A phased program

Pregnancy/Kids: No pregnant women
Children can come to stay after the mother has been in program
for 6-7 months

AIDS Info: No information on policy; sounds like they need education; director
anticipates program participant fear re persons with AIDS

B. NON-RESIDENTIAL PROGRAMS

for women with rehabilitation and drug-free life
as a goal

Name: F.A.C.E.T. (415) 928-7800
1040 Geary Contact:
San Francisco, CA

Special Info: Not a rehabilitation program per se, but a methadone maintenance program. However, this program is specifically for PREGNANT WOMEN, to assist them through their pregnancy. Could be used for transition to a rehabilitation program after pregnancy. Detox during pregnancy can cause miscarriage unless handled very carefully.

Pregnancy/Kids: See above -- pregnant women only

AIDS Info: AIDS patients accepted

Name: Wingspread Health Services for Women (408) 425-5525
1025 Center Street Contact: Alice Silverstein
Santa Cruz, CA 95060 or Nita

Special Info: Outpatient care for chemically dependent and alcoholic women
Multi-drug abuse a specialty
Special services for lesbians
Referrals to in-patient services also

AIDS Info: AIDS patients accepted

Name: Women's Alcoholism Center (415) 282-8900
3380 26th Street Contact: Lee Woodward
San Francisco, CA 94110

Special Info: Special programs for women and children
Day care programs
Outpatient and inpatient

Pregnancy/Kids: Pregnancy okay in residence
MUST have kids or be pregnant to use residence

AIDS Info: AIDS patients accepted for outpatient services.

Name: Iris Project 415-864-CEMH
Center for Education and Mental Health 864-2364
264 Valencia St. Contact:
S.F. , CA 94103 Christy Shepard

Special Info: Serves women with single and poly drug abuse , including
I.V. drugs and alcohol.Provides clinical , medical ,and
other support services.Multiracial staff;Multilingual
(English , Japenese , Cantonese , Spanish)Special groups
for lesbians.

Fees: Sliding scale.

A.I.D.S. info Accepts A.I.D.S. patients;A.I.D.S. sensitive staff