



City of Arts & Innovation

Housing and Homelessness Committee Memorandum

**TO: HOUSING AND HOMELESSNESS
COMMITTEE MEMBERS**

DATE: APRIL 4, 2022

FROM: OFFICE OF HOMELESS SOLUTIONS

WARD: ALL

**SUBJECT: ORDINANCE AMENDING RIVERSIDE MUNICIPAL CODE CHAPTER 9.04 TO
ADD SECTION 9.04.610 REGARDING HOSPITAL; TRANSPORT – DIRECT
SUBMITTAL**

ISSUE:

Conceptually approve the Ordinance amending Riverside Municipal Code Chapter 9.04 to add Section 9.046.610 Regarding Hospital Transport.

RECOMMENDATION:

That the Housing and Homelessness Committee conceptually approve the Ordinance amending Riverside Municipal Code Chapter 9.04 to add Section 9.046.610 Regarding Hospital Transport and forward the Ordinance to City Council for final consideration.

BACKGROUND:

For years, many California health facilities have engaged in the practice known as “homeless patient dumping.” This practice involves health facilities discharging and transporting indigent patients to foreign neighborhoods without the patient’s consent or without the consent of the accepting health facility.

Homeless patient dumping is especially prevalent around the Riverside Emergency Shelter and Riverside Access Center located on Hulen Place and Emergency Treatment Services off County Farm Road. The Riverside City Attorney’s Office investigated several instances of alleged patient dumping near Hulen Place. The City Attorney’s Office met with several organizations related to these alleged incidents and came to an amicable resolution. Although not all incidents were resolved as amicably, the City Attorney’s Office sent out information letters to over fifty surrounding health facilities from Los Angeles and Orange County to San Bernardino and Hemet.

In accordance with Senate Bill No. 1152, Hospital patient discharge process: homeless patients, each health facility in the State of California must have written discharge policies and procedures. State hospitals under the jurisdiction of the State Department of State Hospitals are exempt from this provision. The written discharge policy must require that appropriate arrangement for post-health facility care, including, but not limited to, care at home, in skilled nursing or intermediate care facility, or form of hospice, are made before discharge for those patients who are likely to suffer adverse health consequences upon discharge if there is no adequate discharging plan.

The patient must be informed orally or in writing of the continuing health care requirements following discharge from the health facility. The right to information regarding continuing health care requirements following discharge applies to the person who has a legal responsibility to make decisions regarding medical care on behalf of the patient if the patient is unable to make those decisions for themselves.

Health and Safety Code section 1262.5(n)(4)(A) requires the discharging health facility to provide the potential receiving health facility with written or electronic information about the homeless patient's known posthospital health and behavioral health care needs and shall document the name of the person at the accepting facility who agreed to accept the homeless patient.

If a residence, a location identified by the patient, is given, it should be noted in the discharge paperwork.

Under section 1262.5 (o)(10), the discharging hospital shall offer transportation after discharge to any destination within a maximum travel time of 30 minutes or 30 miles from the hospital.

Existing law also prohibits a health facility from causing the transfer of homeless patients from one county to another county for the purpose of receiving supporting services from a social service agency, health care service provider, or nonprofit social service agency within the other county, without prior written notice and authorization. Current law does not, however, prevent a health facility from transferring a patient from one county or city to another against that patient's wishes.

DISCUSSION:

To address issues with hospital drop-offs in and around Hulen Place, staff is recommending amending Riverside Municipal Code (RMC) Section 9.04 to add Section 9.04.610 that would make it a misdemeanor for health facilities to transport a patient to a location other than the patient's residence without the patient's written consent. It would also be a violation of this Ordinance for a health facility to transport a patient to another health facility within the City of Riverside without first obtaining written consent from the accepting health facility. This Ordinance will hold the driver or carrier for hire liable for transporting a person to a health facility within the City of Riverside when they knew or should have known the accepting health facility has not given written consent to accept the patient. Violations of this section could result in fines up to \$1,000, a term of probation of up to three years, or both.

STRATEGIC PLAN ALIGNMENT:

The Ordinance aligns with **Strategic Priority 2 – Community Well-Being**, and **Goal 2.2** fostering relationships between community members, partner organizations, and public safety professionals to define, prioritize, and address community safety and social service needs.

The Ordinance supports all five of the cross-cutting threads as follows:

1. **Community Trust** – Through amendment of the Ordinance, the City is making a sound policy by seeking involvement of the Commission through presenting timely and reliable information. The intent is to protect public interest and result in greater public good through fostering relationships between stakeholders to uphold public safety and social service needs. The Ordinance will also strengthen neighborhood identities and improve community health city wide.

2. **Equity** – This Ordinance will ensure that individuals discharged from hospitals have prior consent to utilize services in the City of Riverside such as the Hulen Campus and shelter services to support equitability for said individual as well as others experiencing homelessness in the City.
3. **Fiscal Responsibility** – By implementing this ordinance the City is acting in a responsible manner. The Ordinance will mitigate the need for emergency services having a positive impact on the emergency services budget.
4. **Innovation** – Through partnerships and understanding with local and surrounding hospitals, the City is looking to the future to ensure best practices and responsibility in meeting the needs of those experiencing homelessness through intentional discharge.
5. **Sustainability & Resiliency** – In amending the Ordinance, the City is looking toward the future and ensuring capacity to persevere, adapt, and grow through supporting the needs of those experiencing homelessness and providing direct services within the capacity of operations in a responsible way.

FISCAL IMPACT:

There is no fiscal impact associated with the report.

Prepared by: Lorissa Villarreal, Homeless Solutions Officer
Certified as to
Availability of funds: Edward Enriquez, Chief Financial Officer/Treasurer
Approved by: Lea Deesing, Assistant City Manager
Approved as to form: Phaedra A. Norton, City Attorney

Attachment: PPT