



San Francisco Health Care Security Ordinance

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City & County of San Francisco

2010 Updates



Legislative Intent of the HCSO

To ensure that all individuals who live or work in San Francisco have access to affordable health care by mandating:

- the DPH to create a comprehensive health care reform program called the Health Access Program (HAP)/*Healthy San Francisco*, as an option for uninsured San Franciscans
- the OLSE to ensure that covered employers understand and fulfill the “Employer Spending Requirement” under the HCSO.



Effective Dates

- The “Employer Spending Requirement” of the HCISO took effect for all employers with 50 or more employees on January 9, 2008.
- The effective date for for-profit employers with 20 or more employees was April 1, 2008.
- NOTE: The GGRA litigation delayed implementation by only 9 days in 2008 – the ESR has been in effect since then!



What is the Employer Spending Requirement?

“Covered Employers” must make

- quarterly “health care expenditures”
- meeting a minimum “expenditure rate”
- to their “covered employees” or for the benefit of their “covered employees”
- for “health care services”



2009 Updates

- ❑ hours worked requirement for covered employees – *updated in 2009 only*
- ❑ 2009 HCE rate – *updated annually*
- ❑ 2009 annual salary figure for managers, supervisors, and confidential employees – *updated annually*
- ❑ revisions to the Annual Reporting Form & Instructions/Worksheet



Hours Worked Requirement for Covered Employees

An “Covered Employee” is any person who

- has been employed for at least 90 calendar days, and
 - performs at least 8 hours of work per week within San Francisco,
 - including those who work on a part-time or temporary basis
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- *The 2008 hours requirement was 10 hours/week.*
 - *This is a one-time change that was written into the Ordinance.*

2010 Health Care Expenditure Rate

HCSO Health Care Expenditure Rates				
Business Size (company-wide)		2008	2009	2010
Large (	100+ employees	\$1.76 / hour	\$1.85 / hour	\$1.96 / hour
Medium (	20-99 employees	\$1.17 / hour	\$1.23 / hour	\$1.31 / hour
Small (	1-19 employees	not applicable; exempt from coverage		

**Non-profits with fewer than 50 employees are exempt from the Employer Spending Requirement.*



2010 annual salary figure for managers, supervisors, and confidential employees

The Controller's Office has determined that the annual salary exemption for 2010 will stay the same as for 2009: \$80,397 or \$38.65/hour.



Mandatory Annual Reporting Form (ARF)

- **Mandatory, beginning 2008**
- **must be returned to OLSE on or before due April 30, 2010.**
- **will be mailed to registered businesses that may be covered by the HCSO;**
- **available online as a fillable PDF.**



Reminders: Annual Reporting Form

- *Failure to complete the ARF may result in penalties and other corrective action.*
- *Only one ARF is required.* If you complete and return the fillable PDF, do not return the ARF mailed to you.
- *Incomplete forms cannot be processed* If you use the fillable PDF, you must include your Business Certificate Number, Ownership Name, and Mailing Address. The ARF cannot be processed without this information.
- *Return the ARF to the P.O. Box listed at the top of the form.* Do not return the form to OLSE's City Hall address.



Resources

- ❑ Office of Labor Standards Enforcement
 - www.sfgov.org/olse/hcso
 - (415) 554-7892
 - HCSO@sfgov.org

- ❑ Department of Public Health/San Francisco Health Plan
 - www.HealthySanFrancisco.org
 - (415) 615-4500 general inquiries
 - (415) 615-4567 employer services line
 - info@sfhp.org

- ❑ Office of Small Business/Small Business Assistance Center
 - www.sfgov.org/sbc
 - (415) 554-6134

- ❑ Treasurer/Tax Collector
 - www.sfgov.org/treasurer
 - Taxpayer Assistance (415) 554-4400



SF Office of Labor Standards Enforcement

City Hall, Room 430
1 Dr Carlton B Goodlett Place
San Francisco, CA 94102

Health Care Accountability Ordinance

HCAO@sfgov.org

(415) 554-6292

Health Care Security Ordinance

HCSO@sfgov.org

(415) 554-7892

Minimum Compensation Ordinance

MCO@sfgov.org

(415) 554-6292

Minimum Wage Ordinance

MWO@sfgov.org

(415) 554-6292

Paid Sick Leave Ordinance

PSL@sfgov.org

(415) 554-6271

Prevailing Wage Unit

(415) 554-6235

Sweatfree Ordinance

(415) 554-6235