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## FOR IMMEDIATE RELEASE:

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\*Interviews Available

## Appeals Court Upholds San Francisco Universal Health Care Program; Rules Against Golden Gate Restaurant Association *Workers and consumers will benefit from court ruling upholding San Francisco's pioneering health care program.*

San Francisco, CA -- Today the Ninth Circuit Court of Appeals released its decision on the Golden Gate Restaurant Association's challenge to San Francisco's universal health care program, Healthy San Francisco. The court ruled in favor of the City and County of San Francisco and against the Golden Gate Restaurant Association. Specifically, the Ninth Circuit ruled that the San Francisco Healthcare Ordinance is not preempted because it permits employers to fulfill the healthcare spending requirement either through the federal Employee Retirement Income Security Act (ERISA) plan or by paying the City.

"This opinion is a huge win for hard-working men and women in San Francisco who are currently without access to healthcare," stated Tim Paulson, Executive Director of the San Francisco Labor Council. "We need more healthcare in San Francisco, not less."

To date, Healthy San Francisco has benefitted 30,000 of the 80,000 uninsured people in San Francisco. The vast majority of the beneficiaries are people who work in low-wage service, restaurant and retail jobs whose employers do not provide them with health care and who cannot afford primary and preventive care on their own. More than 950 businesses have already joined in support of Healthy San Francisco and begun paying into the city program, but the Golden Gate Restaurant Association has sued to stop the program's employer health spending requirement.

The San Francisco Labor Council, a defendant-intervenor in the case, worked side by side with Supervisor Tom Ammiano, author of the legislation, on its passage. The Healthcare Security ordinance was adopted unanimously by the Board of Supervisors and signed into law by Mayor Gavin Newsom with tremendous public support. The ordinance requires a minimum spending requirement of medium and large businesses in San Francisco in order to help fund the program, which will provide comprehensive healthcare access to the tens of thousands of uninsured San Franciscans. The plan provides primary preventive care, prescription drug benefits, inpatient and outpatient hospital treatment, diagnostic treatment and mental health treatment.

"The San Francisco Healthcare Ordinance creates a level playing field for employers. It gives credit to employers who already offer healthcare to their employees and also allows other employers to comply without disrupting ERISA plans," stated Tim Paulson. "The Healthcare Ordinance is sound business policy as well as a win for San Franciscans."

Health care experts say that the employer health spending requirement is vital for San Francisco's universal healthcare plan. Without it, employers would have an incentive to drop health coverage and have their workers go onto the city's health plan, which would explode the program's cost.

To view the Ninth Circuit Court of Appeals decision, go to:

[http://www.ca9.uscourts.gov/ca9/newopinions.nsf/7247887E88BB6AE7882574D3007D1157/\\$file/0717370.pdf?openelement](http://www.ca9.uscourts.gov/ca9/newopinions.nsf/7247887E88BB6AE7882574D3007D1157/$file/0717370.pdf?openelement)

*The San Francisco Labor Council is an organization representing over 150 local unions with a membership of over 100,000 working men and women in San Francisco.*

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