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# Assembly California Legislature



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April 9, 2018

All Honorable Members  
Joint Legislative Audit Committee  
Legislative Office Building  
1020 N Street, Room 107  
Sacramento, CA 95814

Honorable Joint Legislative Audit Committee Members:

RE: Hepatitis A outbreak

I respectfully request the Joint Legislative Audit Committee recommend an audit of the County of San Diego (County) and the City of San Diego (City) to determine whether both the County and City identified, contained, and treated the recent Hepatitis A virus (HAV) outbreak in accordance with statutory requirements and recommended procedures.

Our office requests this audit for several reasons. First, the invasive nature of this outbreak – an otherwise entirely preventable disease – resulted in the nation's largest HAV outbreak since the vaccine became available in 1996. On September 1, 2017, the County declared a public health emergency in response to the HAV outbreak. As of March 29, 2018, the County reported 587 cases, 402 hospitalizations, and 20 deaths related to the HAV outbreak. Those numbers continued to rise at a remarkable rate for the greater part of 2017, until recently tapering off. The County ended its public health emergency on January 23, 2018. The County has made clear, however, that no longer renewing the public health emergency declaration does not also mean that the HAV outbreak is over.

Second, this particular strain of HAV originated in San Diego and ultimately spread to other parts of the state, including Los Angeles, Orange, and Santa Cruz counties. In June 2017, Santa Cruz County health officials declared an HAV outbreak after nine homeless individuals were diagnosed with the same strain of HAV found in San Diego County. Santa Cruz County officials reported 76 cases, 33 hospitalizations, and 1 death related to the HAV outbreak as of March 23, 2018. On September 19, 2017, Los Angeles County declared an HAV outbreak after reporting 10 people were infected as part of the outbreak in San Diego. As of March 29, 2018, Los Angeles County officials reported 41 cases, 22 hospitalizations, and 0 deaths. The California Department of Public Health reported 703 cases, 460 hospitalizations, and 21 deaths all across California as of March 23, 2018. In fact, state intervention became so desperately needed as a result of the HAV outbreak originating in the County, Governor Brown issued an emergency proclamation on



October 13, 2017, allowing the state to increase its supply of HAV vaccines in order to control the outbreak.

Finally, media reports relating to the management of the public health emergency suggest that a further review of actions taken by the County and City are needed. For example, one local publication reported on October 5, 2017, that it was unclear whether the County had detailed location data on cases or deaths related to HAV; and, if that data did exist, why the County was not releasing that information in a manner that maintained confidentiality<sup>1</sup>. Rather, the County was providing maps highlighting clusters of HAV and, reportedly, believed the provided information to be adequate for cities to conduct sanitation efforts. Yet, Santa Cruz County officials had already released location data detailing cases by zip code. Two weeks later, the County released HAV data broken down by zip codes.<sup>2</sup>

Reportedly, that data would be useful for the City, Chula Vista, and El Cajon to help maximize sanitation efforts. According to an article published on October 10, 2017, the City was concerned about costs associated with managing the HAV outbreak and how much of those costs could be shared with the County, the lead agency responding to the outbreak.<sup>3</sup> However, on March 11, 2017, a different publication reported on pressure-washing contracts approved by the City.<sup>4</sup> According to the article, the City awarded a contract to Clean Harbors, an environmental cleanup company, to send crews from Los Angeles to San Diego. The company was compensated for travel to and from San Diego, along with, reportedly, a \$179 per diem. In addition to other expenses, the purchase order for the power-washing services was worth up to \$1.3 million. These actions by the County and the City are just two examples that deserve further assessment of the management of the HAV outbreak.

This audit should seek to answer, “Were the actions taken by the County and the City consistent with statutory requirements and recommended procedures in managing an infectious disease outbreak?”

Specifically, the audit should seek to answer the following questions:

- Did the County first identify the HAV outbreak in a manner consistent with its statutory obligation to promptly identify, prevent and control infectious diseases that pose a threat to public health?
- Which criteria were used to determine the increased number of HAV cases was, in fact, an outbreak? Subsequently, which criteria were used to determine the HAV outbreak was a public health emergency?

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<sup>1</sup> Halverstadt, Lisa. “County Won’t Share Many Details on Where Hepatitis A Cases and Deaths Are Happening.” Voice of San Diego. 5 Oct. 2017

<sup>2</sup> Schroeder, Lauryn. “San Diego County releases new data listing hepatitis A cases by ZIP code.” The San Diego Union Tribune. 17 Oct. 2017.

<sup>3</sup> Halverstadt, Lisa. “As Hep A Bills Pile Up, City Looks to County for Help.” Voice of San Diego. 10 Oct. 2017.

<sup>4</sup> McDonald, Jeff. “San Diego used out-of-town workers to spray sidewalks, paid for drive time to and from L.A., plus \$179 ‘per diem.’” The San Diego Union Tribune. 11 Mar. 2017.

- Were the efforts in identifying, containing, and treating the HAV outbreak between that first notification and when the County officially declared a public health emergency in September 2017, consistent with standard protocols for managing an infectious disease outbreak, including the release of location data and communication between the medical directors of local municipalities?
- Were the actions taken by the City in identifying, containing, and treating the HAV outbreak consistent with standards protocols for a municipality experiencing an infectious disease outbreak?
- What is the City's policy for approving public works contracts in response to declared emergencies? Is there a distinction between those awarded during a declared emergency and those awarded any other time?
- Was the County or City aware of the potential for an infectious disease outbreak amongst a particular population before March 2017?
- If so, did the County and City have the resources to prevent an infectious disease outbreak of this magnitude?
- What steps have the County and City taken to prevent another infectious disease outbreak and how are those steps helpful for other jurisdictions?

It is for the reasons articulated above, along with the memory of those 21 individuals who died, that I respectfully request the Joint Legislative Audit Committee recommend an audit of the County and City to determine if the public health of all Californians was sufficiently protected.

Thank you,



TODD GLORIA  
Assemblymember, 78<sup>th</sup> District  
TG:jr