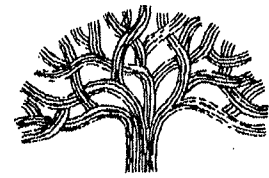


19 APR 11 PM 2:36

CITY OF OAKLAND



CITY HALL • 1 FRANK H. OGAWA PLAZA • OAKLAND, CALIFORNIA 94612

REBECCA KAPLAN
Council President
atlarge@oaklandnet.com

(510) 238-7008
FAX: (510) 238-6910
TDD: (510) 839-6451

Date: April 11, 2019

To: Members of City Council and Members of the Public
From: Council President Kaplan, Councilmember Bas, and Councilmember Kalb
Re: A Resolution In Support of Full Parity For Mental Health Patients and Clinicians At Kaiser Permanente

Dear Colleagues on the City Council and Members of the Public,

Nearly 1 in 6 adults in California experience a form of mental illness, and 1 in 13 children has an emotional disturbance that impedes major life activities and yet 2/3rds of adults and adolescents with "major depressive episodes do not get treatment."¹

Kaiser is one of the biggest providers of health services to Californians with 12.2 million health plan members², many in the Bay Area. Kaiser is a leader in health care, an anchor industry employing hundreds of Oakland residents, and a partner to our city. We urge Kaiser and its unions to come to terms with each other in a fair manner as to provide the best care possible for Oakland residents and their mental health needs.

For the last few months, we've heard concerns from constituents who are patients and from clinicians around parity. This Resolution declares that the Oakland City Council strongly supports the establishment of full parity for mental health patients and clinicians at Kaiser Permanente with three critical steps:

1. boost clinician staffing to levels sufficient to ensure timely access to appropriate care;
2. strictly limit and ultimately phase out the outsourcing of mental health services; and
3. provide Kaiser's mental health clinicians with the same raises and benefits enjoyed by all other members of Kaiser's unionized workforce throughout the State of California, as required to address staff shortages and recruit and retain a stable and experienced workforce.

Sincerely,

A handwritten signature in black ink, appearing to read "Rebecca Kaplan".

Rebecca Kaplan
Oakland City Councilmember At Large


¹ Holt, Wendy, *Mental Health in California*. (March 2018) Retrieved from <https://www.chcf.org/publication/2018-edition-mental-health-ca-for-too-many-care-not-there/>

² Wikipedia contributors. "Kaiser Permanente" *Wikipedia, The Free Encyclopedia*. (April 11, 2019) Retrieved from https://en.wikipedia.org/wiki/Kaiser_Permanente

FILED
OFFICE OF THE CITY CLERK
OAKLAND

19 APR 11 PM 2:36

Approved as to Form and Legality


City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY COUNCIL PRESIDENT KAPLAN, PRESIDENT PRO TEM KALB
AND COUNCILMEMBER FORTUNATO BAS

RESOLUTION OF THE OAKLAND CITY COUNCIL IN SUPPORT OF FULL PARITY FOR MENTAL HEALTH PATIENTS AND CLINICIANS AT KAISER PERMANENTE

WHEREAS, mental illness is among the most common health problems faced by Californians, with nearly 1 in 6 California adults experiencing a mental illness of some kind, 1 in 24 adults having a serious mental illness that makes it difficult to carry out major life activities, and 1 in 13 children having an emotional disturbance that limits their participation in daily activities; and

WHEREAS, more than half of Californians believe that most people suffering with mental health conditions do not get the help they need, and believe that their communities do not have enough mental health providers, with Black, Latino, and low-income residents most likely to say so; and

WHEREAS, the Kennedy Forum, a leading mental health watchdog, has given California's mental health parity statutes an "F" grade, and Milliman, a leading actuarial firm, has found that California patients seeking mental health and addiction services are more than seven times as likely to get treatment out-of-network than patients seeking medical or surgical care; and

WHEREAS, according to a recent California Health Care Foundation / Kaiser Family Foundation Poll, Californians' top health policy priority is to make sure people with mental health problems can get treatment, with 88 percent of respondents saying it is extremely or very important; and

WHEREAS, Kaiser Permanente (Kaiser) is California's largest health insurer and provider of health care services, with more than 8.8 million covered lives statewide, and as such plays a leading role in driving standards of mental health care for California patients and caregivers; and

WHEREAS, Kaiser was fined \$4 million by the California Department Health Care in 2013 for violations of California's Mental Health Parity Act and standards for timely access to care; and

WHEREAS, Kaiser has since failed two more state mental health surveys in 2015 and 2017, and will remain under state-ordered outside monitoring of its mental health services until 2020; and

WHEREAS, over this period, there also have been multiple class action lawsuits filed over Kaiser's mental health care deficiencies and hundreds of press stories reporting on Kaiser's poor delivery of mental health care and its damaging results – including a number of suicides associated with patients allegedly experiencing delays in timely access to appropriate mental health services; and

WHEREAS, despite these failures of care and its repeated claims to the contrary, Kaiser has barely increased its ratio of 1 full-time mental health clinician to every 3,000 plan members; and

~~**WHEREAS**, understaffing remains so severe that more than 60,000 California Kaiser patients are being referred to outside therapists, who do not have sufficient appointments available, who cannot access their Kaiser charts, and who cannot coordinate their care with other Kaiser health professionals, denying them the integration of health care services that Kaiser promises; and~~

WHEREAS, just as Kaiser's mental health patients have been denied parity with other Kaiser patients, Kaiser's mental health clinicians have been denied parity with other Kaiser caregivers, losing their pension for new hires in Southern California and enduring past wage freezes; and

WHEREAS, these clinicians are currently voting to authorize an open-ended strike in defense of their patients, their families, and themselves if they cannot settle the fair contract they deserve; now, therefore, be it

RESOLVED: That that the Oakland City Council strongly supports the establishment of full parity for mental health patients and clinicians at Kaiser Permanente; and be it

FURTHER RESOLVED: That the first critical step to establish mental health parity at Kaiser is to boost clinician staffing to levels sufficient to ensure timely access to appropriate care, with caseloads of no more than one new intake visit for every five return appointments, patient wait times of no more than ten business days for return appointments unless directed by the treating clinician, and third-party resolution of disputes regarding staffing standards; and be it

FURTHER RESOLVED: That the second critical step to establish mental health parity at Kaiser is to strictly limit and ultimately phase out the outsourcing of mental health services as to ensure that Kaiser's mental health patients receive the full benefits of

reliable, accountable, integrated mental and physical health care across the full spectrum of their treatment; and be it

FURTHER RESOLVED: That the third critical step to establish mental health parity at Kaiser is to provide Kaiser's mental health clinicians with the same raises and benefits enjoyed by all other members of Kaiser's unionized workforce throughout the State of California, as required to address staff shortages and recruit and retain a stable and experienced workforce.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND
PRESIDENT KAPLAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LATONDA SIMMONS