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CITY OF OAKLAND



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Date: September 15, 2016

To: City Council

From: Councilmember At-Large Rebecca Kaplan, Council President Lynette Gibson McElhaney, Council President Pro Tem Larry Reid and City Attorney Barbara Parker

Re: Resolution (1) Opposing The Closure Of Alta Bates Hospital, (2) Directing The City Administrator To Work With The City's Lobbyist And All Relevant Government Agencies To Ensure A Continuity Of High Quality Medical Services For Oaklanders, And (3) Directing The City Administrator To Consult With The City Attorney And Prepare A Confidential Opinion For City Council With Legal Options To Prevent The Closure.

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

Sutter Health plans to close Alta Bates Medical Center emergency room and inpatient hospital located in Berkeley; and plans to consolidate these acute care services at its Summit campus in Oakland. Closing Alta Bates would result in a loss of jobs and essential area medical services, and place further strain on Oakland's medical facilities and infrastructure.

For these reasons, we have worked to bring forward this Resolution opposing the closure of Alta Bates. The Resolution directs the City Administrator, City Lobbyist, and City Attorney to take necessary steps to prevent and remediate the significant harm that the closure of Alta Bates would have on our community.

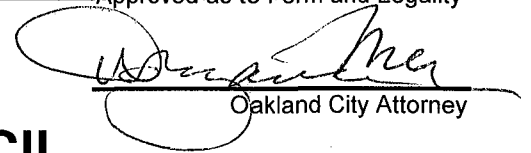
We urge you to support this Resolution, which will be heard at the City Council Meeting on September 20, 2016.

Respectfully submitted,

Councilmember At-Large Rebecca Kaplan, Council President Lynette Gibson McElhaney, Council President Pro Tem Larry Reid and City Attorney Barbara Parker

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Approved as to Form and Legality



Oakland City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember Rebecca Kaplan, Council President
Lynette Gibson McElhaney, Council President Pro Tem Larry Reid
and City Attorney Barbara Parker

RESOLUTION (1) OPPOSING THE CLOSURE OF ALTA BATES HOSPITAL, (2) DIRECTING THE CITY ADMINISTRATOR TO WORK WITH THE CITY'S LOBBYIST AND ALL RELEVANT GOVERNMENT AGENCIES TO ENSURE A CONTINUITY OF HIGH QUALITY MEDICAL SERVICES FOR OAKLANDERS, AND (3) DIRECTING THE CITY ADMINISTRATOR TO CONSULT WITH THE CITY ATTORNEY AND PREPARE A CONFIDENTIAL OPINION FOR CITY COUNCIL WITH LEGAL OPTIONS TO PREVENT THE CLOSURE

WHEREAS, Alta Bates Summit Medical Center has been providing "full service" Acute Care hospital services in Berkeley, the East Bay and in Alameda and other counties for decades; and

WHEREAS, Alta Bates Summit Medical Center is licensed for 944 acute care beds with more than half of them in Berkeley, and 347 of those at the Ashby facility; and

WHEREAS, Alta Bates Summit Medical Center's Ashby facility is crucial for providing timely healthcare services for the people of Berkeley, Oakland and other surrounding cities; and

WHEREAS, from 2002 through 2015, records from CA's Office of Statewide Health Planning and Development, OSHPD, revealed very high utilization of acute care services at Alta Bates' Berkeley facility, including over one million total days that hospital beds were occupied; which consisted in part of the following:

- 559,136 days patients were treated in Medical units;
- 228,498 days babies were treated in Neonatal Intensive Care;
- 103,157 babies delivered;
- 111,946 admissions through the Emergency Departments;
- 73,612 adult Critical Care patients treated; and

WHEREAS, these numbers do not reflect the full scope of the amount of patients treated at the Berkeley facility because census data reported to CA's OSHPD agency does not include patients in "observation" status despite stays of up to 48 hours with "observation" patients; and

WHEREAS, these numbers reflect only the Ashby facility and not the Alta Bates Summit census data at the Oakland Summit site; and

WHEREAS, Sutter Health Corporation has announced its intention to dramatically reduce services by closing the Alta Bates' Berkeley facility in light of SB 1953; and

WHEREAS, the consolidation of hospital services results in loss of services as happened when Alta Bates Hospital merged with Summit Medical Center in 2000, and despite Sutter Health arguing that services would be enhanced, not reduced, when many in the community opposed the merger at that time, Alta Bates Summit afterwards experienced the loss of many services in the past 15 years, overwhelmingly at the Alta Bates and Herrick campuses; and

WHEREAS, the national average for bed capacity per 1000 residents is 2.9 beds according to World Bank statistics. In Alameda County, the bed capacity is at 1.8 beds and neighboring Contra Costa at 1.4 beds, a figure that does not reflect the final phase of the 2015 closure of Doctor's Medical Center in San Pablo; and

WHEREAS, many hospital departments are often at capacity, and all of the local Emergency Departments already have large delays in service, which will only be exacerbated by the merging of the two full-service Acute Care Hospitals with their Emergency Departments to one Oakland location, increasing even further wait and admission times; and

WHEREAS, the East Bay recently suffered the closure of an acute care hospital in San Pablo, and the loss of acute care hospital services as a result, and further, is subject to severe earthquakes, frequent urban interface with wild fires, industrial chemical releases and mass traffic casualties – all of which require emergency services; and

WHEREAS, closures and relocations of corporations on the community impact an array of businesses including family-owned businesses, with losses often doubling or tripling those who either lost jobs or had to relocate; and

WHEREAS, when access to healthcare is made more difficult, patients often delay healthcare but also stop seeking the care that is necessary; and

WHEREAS, the stated mission of corporate Sutter Health is to “enhance the well-being of people in the communities we serve through a not-for-profit commitment to compassion and excellences” in health care services; and

WHEREAS, Sutter Health as a non-profit corporation pays little or no property taxes for operations which are non-profit, such as its non-profit hospitals (as opposed to its for-profit operations) and is a highly profitable healthcare corporation whose total assets in the billions grow substantively each year, as shown:

- 2011: \$11,820,000,000
- 2012: \$12,390,000,000
- 2013: \$14,215,000,000
- 2014: \$14,290,000,000
- 2015: \$14,344,000,000; and

WHEREAS, Sutter Health needs to live up to its stated mission, be held accountable for its actions, and provide the necessary healthcare for residents of Berkeley, Oakland and other surrounding cities, and must not be allowed to put profits before lives; now, therefore be it

RESOLVED: That the Oakland City Council opposes Sutter Health Corporation's plan to close its acute care services at Alta Bates Hospital and calls upon Sutter Health to cease and desist all actions in furtherance of any and all plans to close Alta Bates hospital; and be it

FURTHER RESOLVED That the Oakland City Council directs the City Administrator to work with the City Lobbyist to work with all relevant local, state, and federal officials and agencies to secure their intervention and advocacy to prevent the significant harm to our community that would be caused by this loss of area medical services; and be it

FURTHER RESOLVED: That the Oakland City Council requests that the City Administrator consult with the City Attorney and prepare a confidential opinion for Council that includes all possible legal options the City of Oakland may have to prevent and remediate this harm, including traffic impacts under CEQA, and any other remedies.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, AND PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California