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Committed Citizens Changing the World

A Victory for SFGH's Dialysis Patients

by Patrick Monette-Shaw



The new SFGH facility never included outpatient dialysis services, even in space vacated in other buildings on campus that will become available.

American cultural anthropologist Margaret Meade's famous dictum — "Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever does" — played out when citizens sought suspension of an RFP to privatize the Health Department's outpatient dialysis center at SFGH, by outsourcing it to a private company that would be required to build it out in a current "shell" in Laguna Honda Hospital's (LHH) old, and questionably seismically-safe, buildings.

When the suspension of the RFP to outsource DPH's dialysis services occurred unexpectedly during a Board of Supervisors hearing on October 17, it occurred because a small group had testified why outsourcing dialysis to the private sector was a really, really bad idea. Members of the Board of Supervisors opposed to privatization listened, and stopped the proposal, dead in its tracks.

Dialysis Privatization: Dead on Arrival

A small group of 40-plus citizens who attended the Board of Supervisors Neighborhood Services and Safety Committee hearing on October 17 [presented compelling testimony](#) regarding why dialysis services should remain on SFGH's campus, rather than being privatized and outsourced to LHH. The 40 who presented public testimony during the hearing echoed many of the concerns first reported in the *Westside Observer's* [October](#) article "*Department of Public Health's Dialysis Crisis.*"

Their group included family and patient caregivers, SFGH Renal Center staff, dialysis patients themselves, and other patient advocates. No one spoke in support of relocating dialysis services to LHH, other than hospital administrators. The testimony unanimously opposed outsourcing dialysis off of SFGH's campus.

During the hearing called by Supervisor David Campos, SFGH's Chief Operating Officer Roland Pickens asserted that dialysis services were not included in the plans for the replacement acute care hospital building now under construction because it was decided outpatient dialysis wasn't considered an "essential" service. The Health Department appears to have forgotten that dialysis is essential to the continued lives of its dialysis patients. Supervisor Campos asked Pickens who had made that decision; Pickens indicated the decision had been made by the Mayor and Health Commission at the time planning for the SFGH rebuild bond measure was being developed.

In response to a direct question from Campos about whether the RFP to move dialysis had been discussed and voted on by the Health Commission, Pickens stated unequivocally that "Yes, it was" voted on by the Health Commission, which is a complete fabrication, since Pickens was fibbing. Campos pushed harder, and asked again if the Health Commission had voted on an RFP to privatize dialysis services, and Pickens again claimed that from his recollection, it had been voted on. More fibbing.

But as the *Observer* reported last month, the discussion to outsource dialysis to LHH was only discussed in the Health

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Commission’s subcommittee — the SFGH Joint Conference Committee (JCC) — in the Spring of 2012, with only the barest subcommittee “report back” to the full Health Commission. The full Health Commission did not discuss the “report back” in any depth, and the full Health Commission has not scheduled a distinct agenda item regarding outsourcing SFGH’s dialysis services during the past two years of its meetings.

Before Pickens chose to fib, a records request for any vote of the Health Commission had already resulted in a [response](#) that there are no responsive records, indicating the full Health Commission never debated merits of the RFP and took no vote on whether to approve the dialysis privatizing RFP before it was issued.

Admission: Not All Options Were Studied

When Campos asked Pickens whether the \$5 million it will cost to build out dialysis at LHH could be better spent on renovations of SFGH’s campus to keep dialysis there, Pickens openly admitted SFGH had not looked at an option to spend that money on renovating space at SFGH. When Campos asked whether any options had been considered to stay in the current vicinity, if not on the SFGH campus itself, Pickens claimed the City’s Real Estate Division had explored leasing space elsewhere, but none met requirements. When asked if Real Estate had prepared a report about other options, Pickens said he would have to go back and look for that.

As the *Observer* reported last month, Director of Public Health Barbara Garcia had been asked by the Health Commission to submit a report of *all* viable options to keep dialysis services at SFGH. According to a records request, it appears Garcia never provided the Health Commission — let alone the Board of Supervisors — with a report that had investigated *all* possible options to prevent moving dialysis services off of SFGH’s campus.

When the hearing explored the burdens of increased transportation times for vulnerable, sick dialysis patients who would have to travel further to get to LHH, Campos asked Pickens if the patients had been surveyed about the impact to their care. Pickens answered “No, we did not.” When Campos asked “Why would you *not* talk to the [patients] who are going to be . . . the most impacted by moving” dialysis to LHH, Pickens admitted that in hindsight, DPH should have done that, and that it was a mistake they made not surveying patients. Pickens stated DPH will make sure they survey dialysis patients regarding transportation issues. Pickens agreed with Campos that if a survey of patients reveals that moving dialysis to LHH is not the right move, DPH would “absolutely” reconsider its decision to move dialysis to LHH.

Campos noted how disrespectful it was to patients who were not consulted prior to release of the RFP. Near the end of the hearing, Pickens apologized to patients that “we have not had a conversation with you.”

Even though Health Commissioners David Sanchez and Edward Chow had indicated in 2012 that transportation would be addressed in the RFP, Pickens admitted to Campos that transportation had not been addressed in the RFP, but that DPH “can go back and make [transportation] a part of the [RFP] process.”

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Campos appeared incredulous that DPH had not performed any analysis of a potential decrease in revenue from other medical services if patients outsourced for dialysis then choose to receive other services — for example, vascular surgery, radiology, etc. — by obtaining those services from other providers, rather than returning to SFGH to obtain other primary- and specialty-care services. DPH is fully aware that it will be “competing” in the managed care arena for patients, so why it didn’t perform a cost-benefit analysis of potential unintended consequences of losing additional revenue is rather shocking. In addition to the millions of dollars in lost dialysis revenue that benefits SFGH, DPH would also run the risk of losing additional millions from other medical services, but this appears never to have been studied.

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Sadly, given DPH’s many highly-paid bean counters, it’s even more shocking that it didn’t occur to any of DPH’s or SFGH’s administrators and hospital administrators that they should ask the bean counters to run a lost-revenue “what if” scenario to estimate how much potentially-lost revenue might be at stake.

The “Fib” LHH Is Seismically Safe

Pickens also testified that DPH considers the space where dialysis would have been placed in LHH as seismically safe, despite the fact that the only seismic remodeling of LHH’s old buildings included replacing an unknown number of hollow-clay walls with concrete walls, but no lateral bracing for lateral shift during an earthquake.

When the hearing was opened for public testimony, the first speaker was Vivian Imperiale, a 10-plus-year former employee at Laguna Honda Hospital, who rhetorically asked who had decided that LHH was a suitable place for dialysis patients, given that voters were told much of the old buildings would be demolished as being seismically unsafe. She noted a lawsuit may be waiting to happen if a patient receiving dialysis turns out to be a “sitting duck” injured (or killed) in LHH’s old buildings during an earthquake. Speaking against moving dialysis services to LHH, Ms. Imperiale testified “Let us remember that change is not synonymous with improvement.”

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Following testimony from a staff member of the Dialysis Center that showed life-safety regulations for fire sprinkler’s were relaxed in 2012, grandfathering buildings built before January 2008 to operate without them, Campos inquired whether that permitted DPH more flexibility. Mr. Pickens replied that if that proves to be the case, SFGH might pursue it as an option to keep the facility right where it is currently located at SFGH.

In effect, should Mr. Pickens find that this proves to be the case, the inescapable conclusion is that DPH didn’t consider, Barbara Garcia didn’t “explore” or report back on this potential option, and the Health Commission may not even have known of this option, given Garcia’s non-existent report back concerning “all” options.

It was clear by the end of the hearing that Pickens understood that the Board of Supervisors wants to keep dialysis services on SFGH’s campus. It also appeared clear that Pickens got the message that the Supervisors do not want DPH to come back with a replacement RFP now or anytime soon to move dialysis elsewhere.

Campos noted that the proposal to move dialysis to LHH appeared to conflict with the Health Services Master Plan that the City just adopted, noting that Master Plan Recommendation 1.1 meant to address social and environmental factors that impede or prevent access to optimal care, as the increased burden of transportation surely would. Campos also noted that the RFP appeared to violate Master Plan Recommendation 3.1 meant to increase access to appropriate care for San Francisco’s most vulnerable patients.

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At the end of the hearing, Supervisor Campos summed up by asking Mr. Pickens that “In terms of clarity, does it mean that right now, the dialysis services will stay at the current center until a decision is made otherwise,” to which Pickens responded “Yes, we will suspend the [current] RFP process.”

For further clarity, Campos then asked “So the process is suspended and you will not be making a decision to privatize [dialysis] services at this point?,” to which Pickens replied, “That is correct.” Campos then asked whether a decision is made in the future to go down the route of privatization, whether there would be a separate and new RFP process, to which Pickens responded, “This is correct, absolutely.”

[**Editor’s Note:** On October 22, shortly before the *Observer* was going to press for its November edition, DPH’s Contracts Office responded to a records request, announcing the dialysis outsourcing RFP was [suspended](#) as of October 22.]

Patient advocates, and patients, would feel more comfortable if DPH’s announcement had indicated the RFP had been “cancelled” completely, not just “suspended.”

Ms. Imperiale commends Supervisor Campos’ and Mar’s decision not to outsource and relocate the SFGH dialysis center off campus. “The conduct of both Supervisors during the hearing demonstrated their ability to analyze proposals, ask very relevant questions, truly listen to impassioned testimony, and respect those who came forward to give public comment,” Imperiale says.

“Their professionalism, concern, and sound judgment were the epitome of what we like to expect from our elected officials,” she adds.

It was clear as the hearing was formally “filed” before adjourning, that any dialysis relocation plans have been put on hold and that the current RFP to move dialysis to LHH was completely dead on arrival.

At that point, a cheer went up in Board Chambers from the small group of 40 thoughtful, committed citizens who had just changed the world of dialysis patients treated at SFGH.

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