

Angela Alioto sets record straight about \$1 billion tobacco revenue for San Francisco hospitals

by *Patrick Monette Shaw* | SF Hospital Examiner | www.examiner.com

Former San Francisco city supervisor Angela Alioto's legislation in 1996 will secure at least \$1 billion in tobacco settlement revenue for San Francisco hospitals, its health care safety net, and treatment for smoking-related illnesses.

Alioto's book *Straight to the Heart: Political Cantos* corrects Louise Rene's on-going efforts crediting herself, not Alioto, for the lawsuit and its resulting healthcare revenues.

Renne—who attempted to delay the lawsuit by claiming the Board of Supervisors needed to find \$1 million to file it—should realize the mere \$1 million has led to \$1 billion in expected revenue.

Speaker after speaker during Laguna Honda Hospital's (LHH) ribbon-cutting ceremony on June 26 mistakenly credited Renne for the tobacco lawsuit idea. Speakers included Mayor Gavin Newsom, Supervisor Sean Elsbernd, Congresswoman Jackie Speier, and other politicians. Each speaker crediting Renne for initiating the lawsuit engaged in myth-telling. Renne didn't correct them, adding to the myth.

Catherine Bigelow's June 30 *San Francisco Chronicle* article perpetuates the myth Renne proposed a "consumer protection lawsuit against the tobacco industry."

To get around Civil Code 1714.45 that prevents consumer product liability lawsuits in California against tobacco manufacturers, Alioto developed a novel cause of action to sue as an employer of consumers, which Bigelow should have fact-checked.

While Renne may have convinced then-Mayor Willie Brown in 1998 to use funding from the tobacco settlement as part of the LHH rebuild financing, Renne should not be credited for having thought of filing the lawsuit, which Alioto developed in 1996.

Although I recommended to the Health Commission on March 2 that Ms. Alioto should be invited to the ribbon-cutting ceremony, it doesn't appear she was invited to the event to acknowledge her role in securing funding to rebuild LHH.

After Newsom and Renne cut the ribbon, this Examiner approached each of them.

As I shook Newsom's hand, I asked why everyone was giving Renne credit for Alioto's work, reminding him LHH wouldn't have been rebuilt if not for Alioto's legal acumen. Newsom offered a lame answer.

As I shook Renne's hand I cited Alioto's book, asking why she was taking credit for Alioto's work. Renne just laughed nervously in my face.

Just after shaking their hands, Marc Slavin approached me, placed his hands on my shoulder, and told me to leave.

Alioto initiated, authored and passed legislation (Resolution 46996) to sue Big Tobacco. Pages 218 through 221 in her book details how Renne tried to stop Alioto's groundbreaking legislation outlining the lawsuit, which Renne subsequently outsourced to a private law firm.

As of June 2009, San Francisco has already netted \$220.8 million in tobacco settlement revenues (TSR's) and interest as a result of Alioto's efforts, only \$140 million of which has been spent rebuilding LHH.



LHH Foundation president and former City Attorney Louise Rene speaks at podium during June 26, 2010 ribbon-cutting ceremony at LHH.

To her left are Director of Public Health Mitch Katz, State Senator Leland Yee, San Francisco Supervisor Sean Elsbernd, and State Senator Mark Leno.

It is not known how the remaining \$80 million received to date has been spent improving other San Francisco hospitals and clinics, or for improving healthcare in the city.

The City Controller projects San Francisco will receive another \$763.2 million in TSR's between June 2010 and June 2060, but hasn't yet estimated the amount of additional interest that will be earned. Still, this approaches a total of \$1 billion, for which Alioto should be honored.

Renne, now president of the LHH Foundation, engages in revisionist history taking credit for Alioto's work. For this, Renne's name is featured in an artwork installation in the hospital's new main lobby.

Alioto says she stands behind every word in her book. She kindly provided an extended quote on July 4 that's included in the accompanying slide show.

Alioto deserves the credit for her employer-of-consumer's lawsuit strategy now benefitting San Francisco's hospitals and patients.

Renne might want to stop revising history and focus instead on raising the \$25 million her foundation was supposed to raise — but hasn't — for LHH's new furniture, fixtures, and equipment.