

September 2013

Laguna Honda Hospital and SFGH

Squished Together: Misery Visits Company

by Patrick Monette-Shaw



Given San Francisco Department of Public Health's stated budget goal of maximizing revenue in anticipation of implementation of Obamacare, it's probably not too surprising the department decided to squish patients out of its Mental Health Rehabilitation Facility at SFGH, squish them into Laguna Honda Hospital or out-of-county, squish non-ambulatory elderly two-to-a-room into the spaces converted into housing at the MHRF, and squish outpatient dialysis services into Laguna Honda's decrepit old buildings.

Then came the shocker. After all the squishing, Mayor Ed Lee [rewarded the Health Department](#) a budget increase of \$200 million, pushing the department to an almost \$2 *billion*-a-year budget.

MHRF Reconfiguration Dumped Patients Out-of-County

As reported in "[Of Mold and Men](#)" in the *Westside Observer's* July issue, the Department of Public Health's proposal to repurpose its Mental Health Rehabilitation Facility/Behavioral Health Center into mere housing was ostensibly approved by the Board of Supervisors during its June 18 Bielsonson hearing in Board chambers. [The Board didn't actually vote](#) to accept or reject the Bielsonson cuts proposed by DPH, it just closed the hearing, noting in its meeting minutes "No further action was taken," meaning the Bielsonson cuts sailed right through, the Board throwing misery to the wind.

Despite the Supervisors being told by Director of Public Health Barbara Garcia that the 34 patients in the MHRF would be relocated to Laguna Honda Hospital or "placed in the community," it turns out this reporter's concerns that patients would be dumped out of county has, in fact, occurred. The Supervisors never asked what "in the community" meant, so DPH had the green light to dump patients out-of-county, albeit at the City's expense, perhaps to the chagrin of City Attorney Dennis Herrera who is considering suing Nevada for inappropriate patient dumping into San Francisco, but who doesn't appear concerned about The City's own outbound patient dumping.

According to one reliable source who spoke on condition of anonymity, at least one of the MHRF's patients was admitted to a hospice, and 12 were admitted to LHH. Reportedly, the rest (of 36, not 34) "are being housed out of county at the City's expense." A second source independently verified that 12 of the MHRF's patients have been transferred to Laguna Honda. The rest have reportedly either gone to other care facilities like Crestwood Hope and Idlywood, or to non-profits like Loso House (a transitional program for people with serious mental health and substance abuse problems) operated by the Progress Foundation, which holds lucrative City contracts.

About half a dozen of the MHRF's patients reportedly went AWOL (absent without leave) while out on passes, perhaps to avoid being squished into Laguna Honda Hospital, or squished out — dumped out-of-county. Did they join San Francisco's mentally-ill homeless?

Another observer worries about the Health Department's claim that patients would be transferred from the MHRF to other "less-restrictive" settings. Given it's licensure, LHH is not a less-restrictive setting, since it's licensed as a "distinct-part" skilled nursing facility attached to a hospital. This issue is of keen interest to the U.S. Department of Justice's Civil Rights Division, which forced Laguna Honda through a legal settlement into discharging its patients to less-restrictive settings.

Dial "M" for Mayoral Veracity

There may have been no point dialing "M" hoping to obtain the mayor's veracity about whether or not he did restore all of the mental health cuts Director Garcia lured the Board of Supervisors into believing had happened. But here's how dialing "M" for Mayor Lee's public records went down.

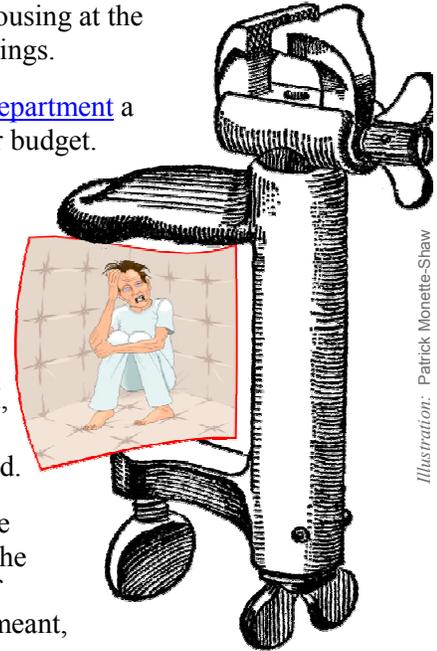


Illustration: Patrick Monette-Shaw

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When Supervisors London Breed and Malia Cohen pushed for information from DPH’s Director Garcia during the Bielsonson hearing in June, they may have been [hoodwinked by Garcia’s claim](#) that the Mayor had restored “all” mental health cuts to his proposed two-year City budget for FY ’13-’14 and FY ’14-’15.

Following the Board of Supervisors Bielsonson hearing on June 18, this reporter placed a [public records request](#) the next day addressed to Director Garcia — with courtesy copies of the records request sent to the Health Commission and DPH’s public information officer, as well as to all 11 members of the Board — requesting a list of all of the mental health services restored by the Mayor.

This reporter received return receipts from Garcia’s public information officer Eileen Shields, the Health Commission’s Executive Secretary Mark Morewitz, four of the Board of Supervisors — including Supervisors David Campos, Mark Farrell, Scott Wiener, and Eric Mar, but not Supervisors Malia Cohen or London Breed — and from the Clerk of the Board, presumably Angela Calvillo. A return receipt was also received from Health Director Garcia. Eight people had opened and apparently read the records request. But the three principles — Garcia, Morewitz, and Shields — never bothered responding to the records request at all, which in and of itself is a violation of San Francisco’s Sunshine ordinance. Never heard a peep out of any of them for a list of the mental health services restored by the Mayor. So much for veracity.

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So this reporter tried again, placing a second immediate-disclosure records request on July 6 to the Mayor’s [Budget Director Kate Howard](#) and Lee’s spokesperson, Christine Flavey, asking for a list of each and all mental health services restored by Mayor Ed Lee, sending electronic courtesy copies to Supervisors Breed and Cohen. Once again, this reporter received return e-mail receipts indicating that Ms. Howard, Ms. Falvey, and Supervisor Breed — but not Supervisor Cohen — had opened and ostensibly read the second records request.

Ten days later on July 16 — again in violation of the Sunshine Ordinance’s immediacy-of-response provisions — this reporter finally heard back, not from the Mayor’s Budget Director, but from [Kirsten Macaulay](#) in the Mayor’s Office of Communications, that the Mayor’s office had “no responsive records” to my request. Macaulay directed me to (of all places) the Department of Public Health, which hadn’t previously responded, and which hadn’t created a list of whatever it was that the Mayor had reportedly restored.

On August 3, this tenacious reporter tried again, sending a [third records request](#) to Deputy City Controller Monique Zmuda asking for any records that the Controller’s Office may have showing which mental health services the Mayor restored *prior to* the June 17 Bielsonson hearing between his proposed budget submission in May and his final budget submission in June.

Six days later, Zmuda [indicated on August 9](#) that she had spoken with Ms. Howard, who assured her that Howard’s office doesn’t maintain records “on programs not reduced or added back by the Mayor, only of services reduced.” Does anyone really believe that the Mayor’s Office of Communications or his Budget Director *doesn’t* track programs added back by the Mayor in order to crank out media publicity about his accomplishments?

Nonetheless, Zmuda indicated she would have her budget staff “run some reports that show [the Mayor’s] submitted budget and [the] Mayor’s approved budget and we should have those next week.” She indicated any such Controller’s Office report would contain only dollar amounts, not program descriptions affected. Zmuda indicated DPH’s Bielsonson list would provide information on the original cut list, and that her office “may be able to annotate this with the health dept’s staffs’ help.”

Also on August 9, one of the Controller’s employees responded separately, saying the records request was a more “extensive and demanding request,” and that the Controller may need to consult with another City agency, invoking an extension permitted by San Francisco Sunshine Ordinance.

When this reporter then e-mailed Zmuda the next day on August 10 noting that if Controller’s Office was invoking an extension, it should be dated to start on Monday, August 5 (the first business day after first filing the request on

Saturday, August 3), not on August 9, the next response from Zmuda was when [she clammed up on August 10](#), saying that “We [the Controller’s Office] have no documents that are responsive to your request.”

Another door slammed shut. So much for City Hall’s claims that it will openly provide data concerning City government on its new “open data” web site.

Squishing Replacement Patients Into the MHRF

When the MHRF beds on its second floor officially closed on Thursday, August 15, DPH’s plan was to turn it into a Residential Care Facility for the Elderly (RCFE), and cram 59 indigent, non-ambulatory seniors two to a room, in the roughly 10-foot by 16-foot rooms. There, they will face living together squished into “housing” not much larger than a prison cell, with no in-house services or “therapeutic” activities. How non-ambulatory elderly residents will care for themselves without in-house services or activities has not been explained.

But they’ll be on an unlocked floor upstairs from an Adult Residential Facility (ARF) on the first floor that is also unlocked, which houses residents who have basically been banned from regular board-and-care facilities due to their behavioral issues. The first and second floor residents will share the nearest Muni bus stop with patients of a methadone program that is also located on SFGH’s campus, which may be bad news for future residents. Some worry about what might possibly go wrong.

Soon, the City will lose a total of about 72 long-term mental health beds at the MHRF once its third floor turns half of its beds into respite beds. All in all, most observers believe that the “re-purposing” of the \$40 million MHRF into essentially “housing” that has occurred since 2003 is scandalous. But a compliant Board of Supervisors has quietly gone along with the MHRF’s reconfiguration, fully cognizant of the loss of long-term mental health beds at public- and private-sector hospitals throughout San Francisco.

More Squishing: Dial “D” for Dialysis

After Katie Worth [published](#) her article “Dialysis shortage creates expensive problem for city,” in the *San Francisco Examiner* on July 20, 2010, this reporter wrote two stories on [July 22, 2010](#), and [August 4, 2010](#) about the crisis with dialysis services at SFGH and Laguna Honda Hospital, while then the “San Francisco Hospital Examiner” for the *Examiner’s* on-line web site (paid just mere pennies based on web page “hits”). My reporting noted three years ago that LHH and SFGH had both failed to include space for dialysis patients in both of their rebuild projects.

Dialysis is a blood-filtration technique used on patients with kidney failure. Ms. Worth noted fully three years ago that dialysis centers in the City “increasingly exceed capacity, requiring some patients to be hospitalized for days or weeks — often on the public dime — while they wait for a spot at an outpatient clinic to receive the life-saving treatment. When patients need dialysis but there’s no room in the outpatient center, they can end up being hospitalized. Hospitalizing a patient for dialysis can cost taxpayers thousands of dollars a day, whereas receiving the three-hour blood-cleansing treatment costs just hundreds of dollars, according to hospital officials.”

Out of the blue on August 12, and now fully three years later, DPH just got around to issuing a [Request for Proposals](#) (RFP) seeking to outsource, build out, and squish a 30-chair outpatient dialysis center into Laguna Honda Hospital to serve all of DPH’s dialysis patients. It will take another 16 months before any successful bidder on the RFP will actually open dialysis services at LHH, nearly five years after the Health Commission faced Worth’s scathing reporting in the *Examiner*.

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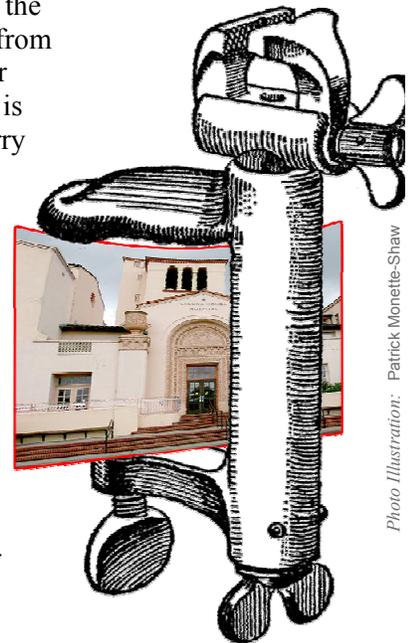


Photo Illustration: Patrick Monette-Shaw

“ A compliant Board of Supervisors has quietly gone along with the MHRF’s reconfiguration, fully cognizant of the loss of long-term mental health beds throughout San Francisco.”

Prior to the release of the RFP, it is thought there were no public meetings, and no public dialogue, about whether LHH is even the right location at which to place dialysis services. Why weren't there any public meetings and public dialogue? Oh! I forgot: DPH doesn't believe there's any need for it to consult publicly with the community about LHH.

Potential bidders will have until October 21 to submit proposals, top vendors will be chosen on December 2, and the Health Commission and Board of Supervisors are tentatively scheduled to approve issuing a contract in January 2014. The "start date" of the 10-year dialysis contract award is expected for March 2014, with the build-out and opening of the dialysis center by the end of December 2014.

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A number of concerns about placing outpatient dialysis services at LHH will be explored in the *Westside Observer's* October issue. For now, San Franciscans may want to question the wisdom of moving dialysis services from SFGH's Building 100 (an admittedly unsafe building), to an area in Laguna Honda that may also be seismically unsafe.

One knowledgeable source with an amazing memory recalls there was never a plan to seismically retrofit portions of LHH's old main building where the proposed outpatient dialysis center at LHH will be placed. Officials knew that seismically bracing the old administrative wings was way too costly and there would be too much lost floor space. And LHH wanted out of further Office of Statewide Health Planning and Development (OSHPD) oversight and control.

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A second knowledgeable and high-level source confirmed that the LHH's replacement remodel plans had never intended to "bring the old buildings into seismic compliance, but rather mitigate some known vulnerabilities, such as removal of hollow, clay-tile walls and replace them with new concrete walls, and generally improve the life safety quotient for occupants of the old buildings."

That's it? Just mitigate? Replacing an unknown number of hollow-clay walls with some concrete walls? How many isn't known, since Laguna Honda referred this reporter to the Department of Public Works, who then suggested that OSHPD might not let drawings and specifications be released.

For all of DPH's squishing, Mayor Lee rewarded it a budget increase of \$200 million, pushing DPH's budget to approximately \$1.9 billion, reported in the Health Commission's [August 6, 2013](#) meeting minutes.

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When you're sitting in a dialysis chair at LHH due to kidney failure when the next Big One hits, will your relatives be notified you've been squished in a seismically-unsafe building?

Or will the City simply assert it has no statistics, deny negligence, and claim misery was just visiting company?

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Postscript: More Squishing of Mental Health Patients

Amy Yannello [published](#) a story in the September 4 issue of the *San Francisco Bay Guardian* noting the San Francisco Physicians' Organizing Committee reported that as of August 2013, "San Francisco General Hospital had dropped to 19 emergency psychiatric beds, down from 88 [such beds] two years ago. For people who need it, the beds need to be there, and there's barely any left in the city." That may be in *addition to* the loss of beds at the MHRF. Where's City Attorney Dennis Herrera's concern for the squishing out of people needing urgent psych beds?