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Government Cites Kaiser Permanente for Providing Inadequate Mental Health Care to California Patients

SACRAMENTO — The California Department of Managed Health Care (DMHC) issued a [report](#) yesterday affirming the findings of an exhaustive [complaint](#) filed by Kaiser Permanente's frontline mental health clinicians, who are represented by the National Union of Healthcare Workers (NUHW). The DMHC cited Kaiser for multiple violations that have now been referred to the agency's Office of Enforcement, which is responsible for imposing legal and financial penalties on HMOs.

Among other findings, the DMHC found that:

- Kaiser committed "systemic access deficiencies" by failing to provide its members with timely access to mental health services. Instead, large numbers of Kaiser's patients were required to endure lengthy waits for appointments in violation of California's "timely access" regulations.
- Kaiser's internal record-keeping system contained numerous problems – including a parallel set of "paper" appointment records that differed from the HMO's electronic records – that hid patients' lengthy wait times from government inspectors.
- Kaiser failed to adequately monitor and correct its violations of state law. Records show that Kaiser was aware of its violations, but failed to take action to correct the problems.
- Kaiser provided "inaccurate educational materials" to its members that had the effect of dissuading them from pursuing medically necessary care and violated state and federal mental health parity laws.

In addition, the DMHC took Kaiser to task for its failure to prepare an adequate "corrective action plan" to fix the violations identified by frontline caregivers and state regulators. The DMHC formally informed Kaiser of its findings in August of 2012. The agency released its report to the public on March 18, 2013.

The impact of Kaiser's violations are massive. With more than 7 million enrollees, Kaiser is the largest HMO in California and is the largest private-sector provider of mental health services in the state. It delivers care to patients with conditions that range from depression, anxiety disorders and autism to bi-polar disorder, schizophrenia and suicidal ideation.

Kaiser's failure to meet state standards results in significant and unnecessary suffering by patients, many of whom are coping with serious trauma, are in severe emotional distress and are in acute need of timely care. According to the DMHC's report, "If the Plan [Kaiser] does not effectively monitor wait times and ensure that enrollees are not waiting excessively for an initial appointment or between appointments with their provider, significant numbers of enrollees with untreated or prolonged health conditions may suffer harm." (p. 10)

"This report confirms what every Kaiser clinician knows," said Dr. Andris Skuja, PhD, a psychologist. "Kaiser doesn't take mental health care for its patients seriously. Our patients have serious needs. The last thing they need is for their care to be illegally curtailed by an HMO that's already making billions in profits, just so Kaiser can make a few more pennies on the dollar at patients' expense."

Read the DMHC's report [here](#).

Read the complaint from Kaiser mental health clinicians [here](#).

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