

KAISER FOUNDATION HEALTH PLAN, INC.

**NUHW Behavioral Health Clinician Strike
Southern California Region**

Exhibit E-1 - CONFIDENTIAL

AMENDMENT

Kaiser Foundation Health Plan, Inc. (the “Plan”) is submitting this Amendment to the Department of Managed Health Care (the “Department”) to notify the Department of a potential strike in the Plan’s Southern California region and provide information on our strike contingency plans.

Background

On October 10, 2024, Kaiser Permanente (“KP”) received notice from the National Union Healthcare Workers (“NUHW”) of its intent to conduct an open-ended strike in the Plan’s Southern California region. NUHW represents nearly 2,400 Southern California KP mental health professionals in the Psych-Social Chapter, which includes psychologists, social workers, counselors, therapists, case managers, and psychiatric nurses. KP’s Inpatient Behavioral Health Care will be unaffected by this work stoppage.

KP respects the rights of employees to work with and support the work of their representative unions. We also believe the best way to reach agreement is through discussion and meaningful engagement at the bargaining table.

KP is proud of our long history of having a highly unionized workforce. In fact, we employ more union employees than any other health care organization in the country. We are also committed to providing an excellent work environment for our mental health and addiction medicine health care professionals, including continuing to provide competitive wages and benefits that are at or above market averages. We will continue to bargain in good faith with NUHW and look forward to reaching a new mutually beneficial agreement.

Strike Contingency Planning

The Plan has comprehensive plans in place to minimize potential disruptions should an NUHW strike occur. KP hospitals, emergency departments, and medical offices will remain open and operate as usual during the strike. KP will continue to provide mental health care during the work stoppage as our goal is to ensure timely mental health care for all our members who need it. Members will have the opportunity to be seen by another mental health professional in the Plan’s extensive behavioral health provider network if their specific provider participates in the strike.

The contingency plan focuses on three key objectives: communication, prompt appointment rescheduling and availability, and a uniform reporting structure for Plan oversight. Please see below for a description of this reporting structure.

Communication

- Members will be informed of how to access behavioral health care during the strike via KP's Member Services department through the following mechanisms: a dedicated line for issues and resolutions, kp.org, Appointment & Advice Call Center, and local KP behavioral health clinics.
- Affected members with scheduled appointments in behavioral health will be sent direct messages about the anticipated strike in advance of their appointments. Direct messages will be sent via text, email, and kp.org alerts to notify members that their appointments will need to be rescheduled.
- Talking points are being developed and will be given to psychiatrists and therapists to assist with member questions.
- Additionally, Member Services FAQs have been developed to assist our Appointment and Advice Call Center with fielding member questions pertaining to the strike.

Prompt Appointment Rescheduling and Availability

- Affected members will receive a phone call from a KP staff member in advance of their currently scheduled appointment to assist with rescheduling appointments. When an appointment cannot be offered within the timeliness standard, the member will receive a warm transfer to a KP crisis therapist for further assessment and/or escalation to clinical managers for clinically appropriate follow-up care. For members who cannot be reached after multiple attempts, letters and/or emails via kp.org will be sent and tracked for follow-up.

Uniform Reporting Structure for Plan Oversight

- The Plan's Southern California Quality Department ("Quality") will obtain a report of all impacted members detailing the status of the member communication (ex. was the member left a message if they could not be reached, whether a rescheduled appointment within the timeliness standard was offered, or if an appointment was offered out of the timeliness standard).
 - If the member was not reached, Quality will confirm that three (3) member outreach attempts were made.
 - If the member prefers to wait to be seen by their clinician who is on strike, the member will be scheduled for their appointment after the strike ends, as long as the duration of the strike is less than two (2) weeks. If the strike is longer than 2 weeks, a risk assessment will be performed to determine if the member's clinical needs warrant an appointment with a different behavioral health clinician even if the member prefers to await the return of their behavioral health provider.
 - If the member accepts a rescheduled appointment, Quality will confirm that the appointment is offered within the timeliness standard and that the member was given appropriate information.
 - If the member was offered an appointment outside of the timeliness standard, Quality will confirm that risk indicators are escalated.
- Member Relations ("MR") will review daily work stoppage grievance data report to identify cases received.
- An Investigative Review ("IR") will be sent to the appropriate designee to assist with resolving issue and a resolution letter will be sent to the member. The Chief of the local medical office,

or their designee, where the member receives their behavioral health services, will receive IR for complaints and grievances for additional review. IR review will assist effectuation requests made by the member (appointment scheduling, referral, etc.). MR will effectuate issue requests and will collaborate with the Plan's Southern California Medical Group for assistance when needed.

- A committee with behavioral health specialty expertise will review IRs. Behavioral health physicians will render decisions related to medical necessity issues.

The Plan anticipates that it will amend this Amendment filing the week of October 21st with more real time information.