



CALIFORNIA PSYCHIATRIC ASSOCIATION

1029 K STREET, SUITE 28, SACRAMENTO, CA 95814
(916) 442-5196 FAX (916) 442-6515 calpsych@calpsych.org



Sent via facsimile to (510) 622-2743 and email to oakfilings@dgs.ca.gov

April 10, 2014
Judge Yvette Tomkins
Office of Administrative Hearings
1515 Clay Street, Suite 206
Oakland, CA 94612

Re: **CASE NO 2013110565 – Kaiser Foundation Health Plan and Department of Managed Health Care**

Honorable Judge Tomkins,

I write on behalf of the California Psychiatric Association and its 3,500 psychiatric physician members statewide to express opposition to the motion filed by the Kaiser Foundation Health Plan in which Kaiser seeks to preclude public view of proceedings and to seal related documents.

First, this motion on the part of Kaiser does nothing to reassure the public that Kaiser deserves its confidence and trust in the delivery of mental health services to which its beneficiaries are entitled – a matter about which it should be fundamentally concerned, and which is of vital interest to the public.

Second, our view on the matter is that while there may be merit to allowing certain documents to remain confidential, it is neither necessary nor in the public interest to exclude the public from the hearing nor to seal all documents related to the matter. We would argue that the gravity of the violation and its overall public policy implications should take precedence and that the public, policy makers, beneficiaries and mental health advocacy stakeholders deserve to know those facts and supporting documentation upon which Kaiser asserts it ought to be relieved of the \$4 million fine imposed by the Department of Managed Health Care.

We earnestly and urgently entreat you to consider our arguments in the balancing of the various interests in the matter before you.

With respect,

Randall Hagar, Director of Government Relations
California Psychiatric Association