



Kate Harrison
Councilmember District 4

CONSENT CALENDAR
May 28th, 2019

To: Honorable Mayor and Members of the City Council
From: Councilmembers Harrison, Davila, Mayor Arreguin, and Councilmember Robinson
Subject: Resolution in Support of Full Parity for Mental Health Patients and Clinicians at Kaiser Permanente

RECOMMENDATION

Adopt a resolution calling for full parity for mental health patients and clinicians at Kaiser Permanente and supporting the mental health clinicians in their contract negotiations.

BACKGROUND

Mental health care at Kaiser Permanente is severely understaffed, which leads to poor health outcomes for patients. More than 60,000¹ California Kaiser patients are referred to outside therapists who do not have sufficient appointments available, cannot access their patients' Kaiser charts, and cannot coordinator their care with other Kaiser health professionals, denying them the integration of health care services that Kaiser promises. In 2013, Kaiser Permanente was fined \$4 million² by the California Department of Health Care for violating the California Mental Health Parity Act, because mental health services were found to have dangerously long wait times and duplicate sets of records with contradictory information. Kaiser has since failed two more state mental health surveys in 2015 and 2017, and will remain under state-ordered monitoring of its mental health services until 2020³.

The mental health clinicians represented by the National Union of Healthcare Workers (NUHW) have led the fight to fully fund mental health care at Kaiser and provide the quality care all Californians deserve. In December 2018, NUHW clinicians held a five-day statewide strike⁴ to put pressure on Kaiser to address its failures. This strike sent a powerful message that Kaiser must finally work with clinicians to bring staffing up to needed levels and provide patients with appropriate care, but a fair contract has not yet

¹ <https://calmatters.org/articles/californians-struggle-to-get-mental-health-care/>

² <https://www.sacbee.com/news/local/health-and-medicine/healthy-choices/article2609176.html>

³ <https://nuhw.org/press-release-therapists-to-strike-kaiser-mental-health-clinic-where-patients-wait-up-to-4-months-for-appointments/>

⁴ <https://nuhw.org/news-and-press/kaiser/>

been ratified. Until then, NUHW continues to hold rallies and organize for a contract that will protect clinicians and patients alike.

May 2019 has been proclaimed Mental Health Month in Berkeley per Resolution No. 68,847—N.S. Quality mental health care requires well-paid union mental health clinicians with manageable caseloads. In honor of Mental Health Month, Berkeley must stand with NUHW clinicians and support appropriate funding and case levels.

FINANCIAL IMPLICATIONS

None.

ENVIRONMENTAL SUSTAINABILITY

None.

CONTACT PERSON

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RESOLUTION NO. ##,###-N.S.
RESOLUTION IN SUPPORT OF FULL PARITY FOR MENTAL HEALTH PATIENTS
AND CLINICIANS AT KAISER PERMANENTE

WHEREAS, nearly 1 in 6 California adults experience a mental illness of some kind and 1 in 13 children have experienced an emotional disturbance that limits their participation in daily activities; and

WHEREAS, more than half of Californians believe that most people suffering with mental health conditions do not get the help they need, and believe that their communities do not have enough mental health providers; and\

WHEREAS, Berkeley has proclaimed May 2019 as Mental Health Month per Resolution No. 68,847-N.S.; and

WHEREAS, the Kennedy Forum, a leading mental health watchdog, has given California's mental health parity statutes an "F" grade, and Milliman, a leading actuarial firm, has found that California patients seeking mental health and addiction services are more than seven times as likely to get treatment out-of-network than patients seeking medical or surgical care; and

WHEREAS, Kaiser Permanente (Kaiser) is California's largest health insurer and provider of health care services, with more than 8.8 million covered lives statewide, and plays a leading role in driving standards of health care for California patients and caregivers; and

WHEREAS, Kaiser was fined \$4 million by the California Department of Health Care in 2013 for violations of California's Mental Health Parity Act and standards for timely access to care; and

WHEREAS, Kaiser has since failed two more state mental health surveys in 2015 and 2017, and will remain under state-ordered outside monitoring of its mental health services until 2020; and

WHEREAS, there have been multiple class action lawsuits filed over Kaiser's mental health care deficiencies and hundreds of press stories reporting on Kaiser's poor delivery of mental health care and its damaging results – including a number of suicides associated with patients allegedly experiencing delays in timely access to appropriate mental health services; and

WHEREAS, Kaiser has barely increased its ratio of 1 full-time mental health clinician to every 3,000 Kaiser Plan members; and

WHEREAS, understaffing remains so severe that more than 60,000 California Kaiser patients are being referred to outside therapists who do not have sufficient appointments available, cannot access their Kaiser charts, and cannot coordinate their care with other Kaiser health professionals, denying them the integration of health care services that Kaiser promises; and

WHEREAS, Kaiser's mental health clinicians have been denied parity with other Kaiser caregivers, losing their pension for new hires in Southern California and enduring past wage freezes; and

WHEREAS, Kaiser's \$14.4 billion in net income since 2014 and \$41.5 billion in cash and reserves as of December 2018 give it more than enough financial resources to accept and afford the implementation of reasonable proposals necessary for the benefit of its patients, including boosting staffing levels, phasing out all outsourcing of care, and providing raises to all Kaiser mental health staff; and

WHEREAS, mental health clinicians are currently voting to authorize an open-ended strike in defense of their patients, their families, and themselves if they cannot settle the fair contract they deserve;

NOW, THEREFORE BE IT RESOLVED that the Berkeley City Council strongly supports the establishment of full parity for mental health patients and clinicians at Kaiser Permanente; and

BE IT FURTHER RESOLVED that the Berkeley City Council stands in solidarity with the mental health clinicians at Kaiser represented by the National Union of Healthcare Workers in their fight to settle a fair contract.