

## **FACT SHEET: MENTAL HEALTH STRIKE AT KAISER PERMANENTE HAWAII**

### **Who are the mental health clinicians?**

They are 48 full-time, part-time and per diem licensed mental health clinicians including psychologists, licensed clinical social workers, and licensed mental health counselors. Additionally, six inpatient medical social workers and three nurses, who work at Kaiser's hospital in Honolulu, also will be striking. All are members of NUHW, a democratic, worker-led union dedicated to improving the lives of caregivers and patients.

### **Why are mental health therapists conducting a strike?**

Kaiser currently staffs approximately 1 mental clinician for every 5,500 patients in Hawai'i. While Kaiser has acknowledged that its mental health services are understaffed, it has refused to take steps in bargaining to address the issue. Consequently, many patients wait months to receive basic diagnostic and treatment services, which can put their health and safety at risk. Kaiser, rather than improving its recruitment and retention of mental health clinicians, is proposing steps that would exacerbate the crisis for therapists and their patients. Specifically, Kaiser proposes a wage freeze for a majority of mental health clinicians as well as cuts to their retirement benefits, including the elimination of pensions for new hires. This is in sharp contrast to Kaiser's treatment of its non-mental health unionized employees, who recently received substantial raises and no reductions in benefits, including their pension plan.

### **What improvements do therapists seek?**

During their ongoing contract negotiations, mental health clinicians have asked Kaiser to do the following to improve access to mental health care: (1) improve the recruitment and retention of therapists by providing therapists with the same wage increases and benefits received by nearly 2,000 other unionized Kaiser workers in Hawai'i and (2) boost staffing so Kaiser can provide timely appointments to mental health patients.

### **What's the status of therapists' contract negotiations with Kaiser?**

Since 2018, when therapists first formed their union, Kaiser has repeatedly put negotiations on hold resulting in no contract having been reached.

### **Are Kaiser's behavioral health services still accredited by national quality oversight organizations?**

In May, the National Committee for Quality Assurance (NCQA) in Washington, DC downgraded Kaiser's status by placing it [under "corrective action"](#) due to its violation of national behavioral health standards. Investigators concluded that the "lack of access to (behavioral health care) for Kaiser members poses a potential patient safety risk" and that "Kaiser's prior efforts to improve access... have largely been ineffective." Currently, Kaiser is the only health plan in Hawai'i under corrective action. Kaiser will undergo a follow-up investigation within six months to determine whether it has corrected its violations.

### **What's the status of the state's investigation into Kaiser's mental health services?**

On November 3, 2021, NUHW filed [a complaint](#) with Hawai'i's Department of Commerce and Consumer Affairs Insurance Division after Kaiser failed to address serious patient-care problems presented by

clinicians. The complaint alleges that Kaiser is committing multiple, severe violations of state and federal laws by forcing patients to wait months to receive basic mental health services. For example, internal records presented in the complaint show how Kaiser's patients wait five times longer for initial mental health appointments than the maximum wait times required by national standards. In Kaiser's [formal response](#) to the state agency, the HMO did not deny or refute any of the complaint's allegations. Today, more than nine months after receiving the complaint, the agency has not completed its investigation or issued its findings.

### **What about Kaiser's claims about a workforce shortage among mental health therapists?**

Although Kaiser acknowledges its members must wait months for mental health appointments, the HMO attempts to escape responsibility by blaming the problem on a workforce shortage. There are multiple problems with Kaiser's position. First, even if Kaiser's claims were accurate, a workforce shortage doesn't relieve Kaiser of its responsibility to provide timely and appropriate care to its members, who are paying monthly premiums for Kaiser's care. Secondly, there are many private-practice therapists in Hawai'i whom Kaiser could hire, especially on Oahu. However, many are reluctant to take jobs at Kaiser due to its poor working conditions and unsatisfactory compensation. Thirdly, many tried-and-tested tools are available to Kaiser to address its recruitment and retention problem. For example, just as Kaiser did during the RN shortage, Kaiser can offer hiring bonuses, improve working conditions, boost wages and benefits, and incentivize more people to join the field. Unfortunately, Kaiser has done the exact opposite with its mental health therapist workforce. For example, it's trying to cut therapists' benefits while insisting on paying wages that far fall below what Kaiser pays its therapists in California. In fact, Kaiser's proposed benefit cuts would leave its mental health therapists as the most poorly compensated among Kaiser's entire healthcare workforce in Hawai'i.

### **Can Kaiser afford to improve its mental health services?**

Yes. Kaiser — which is one of the largest HMOs in the nation with 12.6 million members — reported [\\$8.1 billion](#) in profits during 2021. As of March 31, 2021, Kaiser held [\\$55 billion in cash and investments](#). In 2020, Kaiser boosted its CEO's annual pay to \$17.3 million.

### **Is Kaiser increasing staffing levels at its mental health facilities?**

In December 2021, [Kaiser responded to NUHW's complaint](#) with Hawai'i's Department of Commerce and Consumer Affairs by stating that it planned to add 44 mental health clinicians over the next four years. However, eight months later the number of full-time clinicians has actually decreased from 51 to 48.

### **Is the strike in Hawai'i connected to the Kaiser Mental Health Strike in California?**

Kaiser mental health clinicians in California and Hawai'i are both represented by the National Union of Healthcare Workers. In both states, Kaiser understaffs its mental health clinics, forcing patients to wait months for mental health therapy sessions in violation of state laws and clinical standards. NUHW members in Northern California began an open-ended strike on Aug. 15 to protest Kaiser's chronic understaffing and access problems. That strike is still ongoing.