



BOARD OF SUPERVISORS

MEMORANDUM

12/15/2023

To: Robin Steiler, Clerk of the Board

From: Supervisor Doug Chaffee, Fourth District
Supervisor Vicente Sarmiento, Second District

Subject: Request to revise resolution attached in Agenda Item No. # 35 for the 12/19/2023 Board meeting.

2023 DEC 15 AM 11:15
CLERK OF THE BOARD
COUNTY OF ORANGE
BOARD OF SUPERVISORS
RECEIVED
Doug Chaffee
Vicente Sarmiento

Supervisor Doug Chaffee and Supervisor Vicente Sarmiento respectfully request the Clerk of the Board to attach the revised resolution in Agenda Item No. 35 – the resolution to “Oppose Kaiser Permanente’s attempt to reduce mental health therapists’ Patient Management Time (PMT)”.

Resolution to “Oppose Kaiser Permanente’s Attempt to Reduce Mental Health Therapists’ Patient Management Time”

By the authority of the Orange County Board of Supervisors, the following resolution is hereby issued:

WHEREAS, Kaiser Permanente is one of the largest private providers of mental health care for Orange County residents, as well as County employees and their families; and

WHEREAS, the California Health Care Foundation reported that nearly 1 in 7 California adults experiences a mental illness, and the American Academy of Child and American Academy of Pediatrics declared a national emergency over a “shocking” rise in families seeking urgent mental help; and

WHEREAS, quality mental healthcare requires that therapists have sufficient time to chart appointments, communicate with social service agencies, or respond to patient correspondence known as Patient Management Time (PMT); and

WHEREAS, Northern Californian therapists at Kaiser Permanente are given seven-hours per week for PMT, and current Southern California therapists are permitted just three- to fourhours to perform the same duties; and

WHEREAS, in other counties in Southern California, Kaiser Permanente is seeking to unilaterally cut the amount of permitted PMT for therapists to as few as two hours per week, which will make it increasingly difficult for Kaiser to comply with SB 221, requiring all health plans to provide follow-up therapy appointments within 10 business days unless the treating therapist determines that a longer wait would not be detrimental; and

WHEREAS, a disparity in protected PMT hours creates inequality between the systems of care in California with Southern California Kaiser patients receiving a relatively lower quality of care compared to their Northern counterparts; and

WHEREAS, non-English proficient speakers who require additional follow-up communication and patients who are children will be most impacted by the reduction in PMT, as their therapists need additional time to communicate with parents, teachers, and social workers; and

WHEREAS, Kaiser Permanente is increasing health plan rates by 10 percent or more for patients in Orange County; and

WHEREAS, on October 12, 2023, Kaiser Permanente entered into a \$200-million settlement agreement with the California Department of Managed Health Care (DMHC), that includes paying a \$50-million fine, pledging \$150-million over 5years to improve its behavioral healthcare services and promises to improve documentation of its patients’ medical records; and

NOW, THEREFORE, BE IT RESOLVED that the Orange County Board of Supervisors:

1. Opposes any unilateral action by Kaiser Permanente that reduces the amount of PMT time for therapists and calls for Kaiser Permanente to provide therapists in Southern California with the same amount of protected PMT that therapists in Northern California receive; and
2. Encourages Kaiser Permanente to spend the \$150 million pledged funds in an equitable manner, especially to correct any behavioral health disparity between Northern and Southern California; and

3. Calls for Kaiser Permanente to provide an annual public accounting of how the \$150 million pledged funds have been spent.

Resolution to “Oppose Kaiser Permanente’s Attempt to Reduce Mental Health Therapists’ Patient Management Time”

By the authority of the Orange County Board of Supervisors, the following resolution is hereby issued:

WHEREAS, Kaiser Permanente is one of the largest private providers of mental health care for Orange County residents, as well as County employees and their families; and

WHEREAS, the California Health Care Foundation reported that nearly 1 in 7 California adults experiences a mental illness, and the American Academy of Child and American Academy of Pediatrics declared a national emergency over a “shocking” rise in families seeking urgent mental help; and

WHEREAS, quality mental healthcare requires that therapists have sufficient time to chart appointments, communicate with social service agencies, or respond to patient correspondence known as Patient Management Time (PMT); and

WHEREAS, Northern Californian therapists at Kaiser Permanente are given seven–hours per week for PMT, and current Southern California therapists are permitted just three- to four-hours to perform the same duties; and

WHEREAS, outside of Orange County in other counties in Southern California, Kaiser Permanente is seeking to unilaterally cut the amount of permitted PMT for therapists to as few as two hours per week, which will make it increasingly difficult for Kaiser to comply with SB 221, requiring all health plans to provide follow-up therapy appointments within 10 business days unless the treating therapist determines that a longer wait would not be detrimental; and

WHEREAS, a reduction-disparity in protected PMT hours will worsen the equity gap in care that Kaiser Permanente mental healthcare patients creates inequality between the systems of care in California in with Southern California Kaiser patients receiving a relatively lower qualitye of care compared to Kaiser Permanente patients in- their Northern Californiacounterparts; and

WHEREAS, non-English proficient speakers who require additional follow-up communication and patients who are children will be most impacted by the reduction in PMT, as their therapists need additional time to communicate with parents, teachers, and social workers; and

WHEREAS, Kaiser Permanente is increasing health plan rates by 10 percent or more for patients in Orange County; and

WHEREAS, on October 12, 2023, Kaiser Permanente entered into a \$200-million settlement agreement with the California Department of Managed Health Care (DMHC), that includes paying a \$50-million fine, pledging \$150–million over 5-years to improve its behavioral healthcare services and promises to improve documentation of its patients’ medical records; and

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2. Encourages Kaiser Permanente to spend the \$150 million pledged funds in an equitable manner, especially to correct any behavioral health disparity between Northern and Southern California; and

4.3. Calls for Kaiser Permanente to provide an annual public accounting of how the \$150 million pledged funds have been spent.