

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

August 16, 2022

Joseph R. Biden, President of United States
Office of the President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Re: Board of Supervisors Resolution No. 363-22

Dear President Biden:


On July 26, 2022, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 363-22 (Urging United States Secretary Xavier Becerra and the Department of Health and Human Services to Suspend Requirement to Relocate and Transfer Patients from Laguna Honda Hospital), which was enacted on August 5, 2022.

The Board of Supervisors directs the Clerk of the Board to forward the following document to your attention:

- One copy of Resolution No. 363-22 (File No. 220868)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: board.of.supervisors@sfgov.org.

Sincerely,


Angela Calvillo
Clerk of the Board

ll:bh:ams

- c. Members of the Board of Supervisors, Supervisors Myrna Melgar, Aaron Peskin, Connie Chan, Catherine Stefani, Gordon Mar, Dean Preston, Rafael Mandelman, Matt Dorsey, Hillary Ronen, Ahsha Safai, Shamann Walton
Tom Paulino, Mayor's Liaison to the Board of Supervisors
Eddie McCaffrey, Mayor's Manager of State and Federal Legislative Affairs
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Paul Yoder, Karen Lange, Erica Smith, City Lobbyists - Shaw/Yoder/Antwih Inc.

1 [Urging United States Secretary Xavier Becerra and the Department of Health and Human
2 Services to Suspend Requirement to Relocate and Transfer Patients from Laguna Honda
3 Hospital]

4 **Resolution urging United States Department of Health and Human Services Secretary**
5 **Xavier Becerra to suspend a requirement by the Centers for Medicare and Medicaid**
6 **Services on relocating and transferring vulnerable patients at Laguna Honda Hospital**
7 **and Rehabilitation Center; and to extend coverage of Medicare and Medicaid payments**
8 **until the determination on recertification.**

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10 WHEREAS, Laguna Honda Hospital and Rehabilitation Center for over 150 years
11 served as a critical part of San Francisco’s healthcare safety net system and provided life-
12 saving care as a skilled nursing facility for approximately 700 patients with the highest needs;
13 many of whom are low to extremely low-income and vulnerable; and

14 WHEREAS, On April 14, 2022, the Centers for Medicare and Medicaid Services (CMS)
15 terminated Laguna Honda Hospital and Rehabilitation Center (Laguna Honda Hospital)’s
16 certification in the Medicare/Medicaid Program; and

17 WHEREAS, Laguna Honda Hospital is working diligently with CMS to address findings
18 and improve protocols in order to reapply and to regain Medicare/Medicaid certification; and

19 WHEREAS, While the recertification process is underway, CMS is concurrently
20 requiring Laguna Honda Hospital to start discharging and transferring all 686 patients in order
21 to continue Medicaid and Medicare payments until September 13, 2022; and

22 WHEREAS, In order to comply with CMS’ directive, Laguna Honda Hospital submitted
23 its “Closure and Patient Transfer and Relocation Plan” to CMS and the California Department
24 of Public Health on May 13, 2022, on file with the Clerk of the Board of Supervisors in File No.
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1 220868, which is hereby declared to be a part of this Resolution as if set forth fully herein; and
2 began implementation starting on May 14, 2022; and

3 WHEREAS, Laguna Honda Hospital staff have been working in good faith to follow the
4 Closure and Patient Transfer Plan, but are limited by the dearth of skilled nursing facilities
5 willing to accept patients with Medicare and Medicaid; and

6 WHEREAS, Laguna Honda Hospital is working closely with the State and other local
7 agencies to find appropriate placements for patients that may no longer need the level of care
8 of a skilled nursing facility; and

9 WHEREAS, As of July 18, 2022, Laguna Honda Hospital discharged 16 patients into
10 community settings and transferred 40 patients to other skilled nursing facilities; and

11 WHEREAS, There are grave concerns about the danger of relocating and transferring
12 patients who are elderly, frail, or with complicated medical needs that could be further
13 exacerbated by transfer trauma and the possibility of being transported miles away from their
14 family support systems due to the extreme shortage of skilled nursing beds in the San
15 Francisco Bay Area; and

16 WHEREAS, As of July 20, 2022, there have since been four elderly patients that have
17 died after being transferred from Laguna Honda Hospital to other skilled nursing facilities
18 presumably due to the traumatic experience of being relocated; and

19 WHEREAS, Without the intervention of CMS, Laguna Honda Hospital is required to
20 continue relocating of patients that will likely face dangerous health conditions and possible
21 death despite a recertification assessment anticipated in the coming months; now, therefore,
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3 FURTHER RESOLVED, That the Board of Supervisors urges Secretary Becerra to
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6 assessed; and, be it

7 FURTHER RESOLVED, That the Board of Supervisors directs the Clerk of the Board
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City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
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File Number: 220868

Date Passed: July 26, 2022

Resolution urging United States Department of Health and Human Services Secretary Xavier Becerra to suspend a requirement by the Centers for Medicare and Medicaid Services on relocating and transferring vulnerable patients at Laguna Honda Hospital and Rehabilitation Center; and to extend coverage of Medicare and Medicaid payments until the determination on recertification.

July 26, 2022 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

July 26, 2022 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 220868

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 7/26/2022 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board

Unsigned

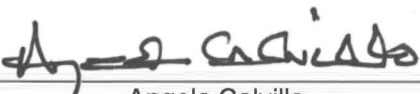
London N. Breed
Mayor

8/5/2022

Date Approved

File No. 220868

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Angela Calvillo
Clerk of the Board

08/05/2022

Date

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August 16, 2022

The Honorable Vice President Kamala Harris
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Re: Board of Supervisors Resolution No. 363-22

Dear Vice President Harris:

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22 WHEREAS, In order to comply with CMS’ directive, Laguna Honda Hospital submitted
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9 WHEREAS, As of July 18, 2022, Laguna Honda Hospital discharged 16 patients into
10 community settings and transferred 40 patients to other skilled nursing facilities; and

11 WHEREAS, There are grave concerns about the danger of relocating and transferring
12 patients who are elderly, frail, or with complicated medical needs that could be further
13 exacerbated by transfer trauma and the possibility of being transported miles away from their
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Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
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File Number: 220868

Date Passed: July 26, 2022

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File No. 220868

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Angela Calvillo
Clerk of the Board

Unsigned


London N. Breed
Mayor

8/5/2022

Date Approved

File No. 220868

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Clerk of the Board

08/05/2022

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August 16, 2022

The Honorable Nancy Pelosi
Speaker of the United States House of Representatives
1236 Longworth House Office Building
Washington, DC 20515

Re: Board of Supervisors Resolution No. 363-22

Dear Madam Speaker Pelosi:

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Clerk of the Board

Unsigned

London N. Breed
Mayor

8/5/2022

Date Approved

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August 16, 2022

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United States House of Representatives
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Washington, DC 20515

Re: Board of Supervisors Resolution No. 363-22

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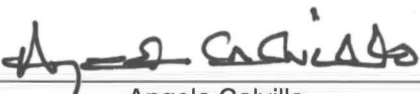
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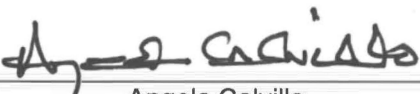
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08/05/2022

Date

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

August 16, 2022

The Honorable Dianne Feinstein
United States Senator
331 Hart Senate Office Building
Washington, DC 20510

Re: Board of Supervisors Resolution No. 363-22

Dear Senator Feinstein:

On July 26, 2022, the Board of Supervisors of the City and County of San Francisco adopted Resolution No. 363-22 (Urging United States Secretary Xavier Becerra and the Department of Health and Human Services to Suspend Requirement to Relocate and Transfer Patients from Laguna Honda Hospital), which was enacted on August 5, 2022.

The Board of Supervisors directs the Clerk of the Board to forward the following document to your attention:

- One copy of Resolution No. 363-22 (File No. 220868)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: board.of.supervisors@sfgov.org.

Sincerely,

A handwritten signature in blue ink that reads "Angela Calvillo".

Angela Calvillo
Clerk of the Board

ll:bh:ams

- c. Members of the Board of Supervisors, Supervisors Myrna Melgar, Aaron Peskin, Connie Chan, Catherine Stefani, Gordon Mar, Dean Preston, Rafael Mandelman, Matt Dorsey, Hillary Ronen, Ahsha Safai, Shamann Walton
Tom Paulino, Mayor's Liaison to the Board of Supervisors
Eddie McCaffrey, Mayor's Manager of State and Federal Legislative Affairs
Andres Power, Mayor's Policy Director
Susanna Conine-Nakano, Mayor's Office
Paul Yoder, Karen Lange, Erica Smith, City Lobbyists - Shaw/Yoder/Antwih Inc.

1 [Urging United States Secretary Xavier Becerra and the Department of Health and Human
2 Services to Suspend Requirement to Relocate and Transfer Patients from Laguna Honda
3 Hospital]

4 **Resolution urging United States Department of Health and Human Services Secretary**
5 **Xavier Becerra to suspend a requirement by the Centers for Medicare and Medicaid**
6 **Services on relocating and transferring vulnerable patients at Laguna Honda Hospital**
7 **and Rehabilitation Center; and to extend coverage of Medicare and Medicaid payments**
8 **until the determination on recertification.**

9
10 WHEREAS, Laguna Honda Hospital and Rehabilitation Center for over 150 years
11 served as a critical part of San Francisco’s healthcare safety net system and provided life-
12 saving care as a skilled nursing facility for approximately 700 patients with the highest needs;
13 many of whom are low to extremely low-income and vulnerable; and

14 WHEREAS, On April 14, 2022, the Centers for Medicare and Medicaid Services (CMS)
15 terminated Laguna Honda Hospital and Rehabilitation Center (Laguna Honda Hospital)’s
16 certification in the Medicare/Medicaid Program; and

17 WHEREAS, Laguna Honda Hospital is working diligently with CMS to address findings
18 and improve protocols in order to reapply and to regain Medicare/Medicaid certification; and

19 WHEREAS, While the recertification process is underway, CMS is concurrently
20 requiring Laguna Honda Hospital to start discharging and transferring all 686 patients in order
21 to continue Medicaid and Medicare payments until September 13, 2022; and

22 WHEREAS, In order to comply with CMS’ directive, Laguna Honda Hospital submitted
23 its “Closure and Patient Transfer and Relocation Plan” to CMS and the California Department
24 of Public Health on May 13, 2022, on file with the Clerk of the Board of Supervisors in File No.
25

1 220868, which is hereby declared to be a part of this Resolution as if set forth fully herein; and
2 began implementation starting on May 14, 2022; and

3 WHEREAS, Laguna Honda Hospital staff have been working in good faith to follow the
4 Closure and Patient Transfer Plan, but are limited by the dearth of skilled nursing facilities
5 willing to accept patients with Medicare and Medicaid; and

6 WHEREAS, Laguna Honda Hospital is working closely with the State and other local
7 agencies to find appropriate placements for patients that may no longer need the level of care
8 of a skilled nursing facility; and

9 WHEREAS, As of July 18, 2022, Laguna Honda Hospital discharged 16 patients into
10 community settings and transferred 40 patients to other skilled nursing facilities; and

11 WHEREAS, There are grave concerns about the danger of relocating and transferring
12 patients who are elderly, frail, or with complicated medical needs that could be further
13 exacerbated by transfer trauma and the possibility of being transported miles away from their
14 family support systems due to the extreme shortage of skilled nursing beds in the San
15 Francisco Bay Area; and

16 WHEREAS, As of July 20, 2022, there have since been four elderly patients that have
17 died after being transferred from Laguna Honda Hospital to other skilled nursing facilities
18 presumably due to the traumatic experience of being relocated; and

19 WHEREAS, Without the intervention of CMS, Laguna Honda Hospital is required to
20 continue relocating of patients that will likely face dangerous health conditions and possible
21 death despite a recertification assessment anticipated in the coming months; now, therefore,
22 be it

23 RESOLVED, That the San Francisco Board of Supervisors urges United States
24 Secretary Xavier Becerra of the Department of Health and Human Services to suspend the
25

1 requirement to relocate and transfer vulnerable patients at Laguna Honda Hospital while it is
2 trying to regain certification; and, be it

3 FURTHER RESOLVED, That the Board of Supervisors urges Secretary Becerra to
4 consider the extension of Medicare and Medicaid payments to ensure that Laguna Honda
5 Hospital is able to sustain care for its remaining patients while recertification is being
6 assessed; and, be it

7 FURTHER RESOLVED, That the Board of Supervisors directs the Clerk of the Board
8 to transmit copies of this Resolution to the Office of Secretary Becerra; the Offices of
9 President Joseph Biden and Vice President Kamala Harris; the Office of Speaker of the
10 House Nancy Pelosi, the Office of Congressman Jackie Speier; and the Offices of United
11 States Senators Diane Feinstein and Alex Padilla.



City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 220868

Date Passed: July 26, 2022

Resolution urging United States Department of Health and Human Services Secretary Xavier Becerra to suspend a requirement by the Centers for Medicare and Medicaid Services on relocating and transferring vulnerable patients at Laguna Honda Hospital and Rehabilitation Center; and to extend coverage of Medicare and Medicaid payments until the determination on recertification.

July 26, 2022 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

July 26, 2022 Board of Supervisors - ADOPTED AS AMENDED

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 220868

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 7/26/2022 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board

Unsigned

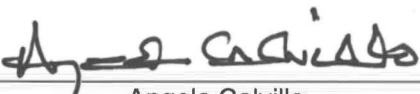
London N. Breed
Mayor

8/5/2022

Date Approved

File No. 220868

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.



Angela Calvillo
Clerk of the Board

08/05/2022

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August 16, 2022

The Honorable Alex Padilla
United States Senator
112 Hart Senate Office Building
Washington, DC 20510

Re: Board of Supervisors Resolution No. 363-22

Dear Senator Padilla:


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Sincerely,


Angela Calvillo
Clerk of the Board

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- c. Members of the Board of Supervisors, Supervisors Myrna Melgar, Aaron Peskin, Connie Chan, Catherine Stefani, Gordon Mar, Dean Preston, Rafael Mandelman, Matt Dorsey, Hillary Ronen, Ahsha Safai, Shamann Walton
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2 Services to Suspend Requirement to Relocate and Transfer Patients from Laguna Honda
3 Hospital]

4 **Resolution urging United States Department of Health and Human Services Secretary**
5 **Xavier Becerra to suspend a requirement by the Centers for Medicare and Medicaid**
6 **Services on relocating and transferring vulnerable patients at Laguna Honda Hospital**
7 **and Rehabilitation Center; and to extend coverage of Medicare and Medicaid payments**
8 **until the determination on recertification.**

9
10 WHEREAS, Laguna Honda Hospital and Rehabilitation Center for over 150 years
11 served as a critical part of San Francisco’s healthcare safety net system and provided life-
12 saving care as a skilled nursing facility for approximately 700 patients with the highest needs;
13 many of whom are low to extremely low-income and vulnerable; and

14 WHEREAS, On April 14, 2022, the Centers for Medicare and Medicaid Services (CMS)
15 terminated Laguna Honda Hospital and Rehabilitation Center (Laguna Honda Hospital)’s
16 certification in the Medicare/Medicaid Program; and

17 WHEREAS, Laguna Honda Hospital is working diligently with CMS to address findings
18 and improve protocols in order to reapply and to regain Medicare/Medicaid certification; and

19 WHEREAS, While the recertification process is underway, CMS is concurrently
20 requiring Laguna Honda Hospital to start discharging and transferring all 686 patients in order
21 to continue Medicaid and Medicare payments until September 13, 2022; and

22 WHEREAS, In order to comply with CMS’ directive, Laguna Honda Hospital submitted
23 its “Closure and Patient Transfer and Relocation Plan” to CMS and the California Department
24 of Public Health on May 13, 2022, on file with the Clerk of the Board of Supervisors in File No.
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1 220868, which is hereby declared to be a part of this Resolution as if set forth fully herein; and
2 began implementation starting on May 14, 2022; and

3 WHEREAS, Laguna Honda Hospital staff have been working in good faith to follow the
4 Closure and Patient Transfer Plan, but are limited by the dearth of skilled nursing facilities
5 willing to accept patients with Medicare and Medicaid; and

6 WHEREAS, Laguna Honda Hospital is working closely with the State and other local
7 agencies to find appropriate placements for patients that may no longer need the level of care
8 of a skilled nursing facility; and

9 WHEREAS, As of July 18, 2022, Laguna Honda Hospital discharged 16 patients into
10 community settings and transferred 40 patients to other skilled nursing facilities; and

11 WHEREAS, There are grave concerns about the danger of relocating and transferring
12 patients who are elderly, frail, or with complicated medical needs that could be further
13 exacerbated by transfer trauma and the possibility of being transported miles away from their
14 family support systems due to the extreme shortage of skilled nursing beds in the San
15 Francisco Bay Area; and

16 WHEREAS, As of July 20, 2022, there have since been four elderly patients that have
17 died after being transferred from Laguna Honda Hospital to other skilled nursing facilities
18 presumably due to the traumatic experience of being relocated; and

19 WHEREAS, Without the intervention of CMS, Laguna Honda Hospital is required to
20 continue relocating of patients that will likely face dangerous health conditions and possible
21 death despite a recertification assessment anticipated in the coming months; now, therefore,
22 be it

23 RESOLVED, That the San Francisco Board of Supervisors urges United States
24 Secretary Xavier Becerra of the Department of Health and Human Services to suspend the
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1 requirement to relocate and transfer vulnerable patients at Laguna Honda Hospital while it is
2 trying to regain certification; and, be it

3 FURTHER RESOLVED, That the Board of Supervisors urges Secretary Becerra to
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5 Hospital is able to sustain care for its remaining patients while recertification is being
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Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 220868

Date Passed: July 26, 2022

Resolution urging United States Department of Health and Human Services Secretary Xavier Becerra to suspend a requirement by the Centers for Medicare and Medicaid Services on relocating and transferring vulnerable patients at Laguna Honda Hospital and Rehabilitation Center; and to extend coverage of Medicare and Medicaid payments until the determination on recertification.

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Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

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File No. 220868

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Angela Calvillo
Clerk of the Board

Unsigned


London N. Breed
Mayor

8/5/2022

Date Approved

File No. 220868

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Secretary of the U.S. Department of Health and Human Services
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Washington, DC 20201

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July 26, 2022 Board of Supervisors - ADOPTED AS AMENDED

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File No. 220868

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Angela Calvillo
Clerk of the Board

Unsigned


London N. Breed
Mayor

8/5/2022

Date Approved

File No. 220868

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