

File No. 220526

Committee Item No. 4

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight

Date: July 21, 2022

Board of Supervisors Meeting:

Date: _____

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- Budget and Legislative Analyst Report
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- Introduction Form
- Department/Agency Cover Letter and/or Report
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- Grant Budget
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- Contract / Agreement
- Form 126 – Ethics Commission
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- Application
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OTHER

- Referral Memo 061322 _____
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- _____
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- _____

Prepared by: Jessica Perkinson

Date: July 14, 2022

Prepared by: _____

Date: _____

Prepared by: _____

Date: _____

BOARD of SUPERVISORS



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

MEMORANDUM

TO: Dr. Grant Colfax, Director, Department of Public Health

FROM: Jessica Perkinson, Assistant Committee Clerk, Government Audit and Oversight Committee, Board of Supervisors

DATE: June 13, 2022

SUBJECT: HEARING MATTER INTRODUCED

The Board of Supervisors' Government Audit and Oversight Committee has received the following hearing request, introduced by Supervisor Peskin on May 3, 2022:

File No. 220526

Hearing to receive an update on the City's plan to address "hand hygiene, documentation, contraband and infection prevention and control" deficiencies identified by the Centers for Medicare and Medicaid Services (CMS) resulting in the loss of Laguna Honda Hospital's accreditation and CMS Medicare/Medicaid program funding and to present a clear plan for reinstatement of these critical programs by the federal deadline; and requesting the Department of Public Health to report.

You are receiving this referral since your department is being requested to present and report when this matter is agendized for a hearing.

If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Greg Wagner, Department of Public Health
Dr. Naveena Bobba Department of Public Health
Sneha Patil, Department of Public Health
Ana Validzic, Department of Public Health

From: [Teresa Palmer](#)
To: [Perkinson, Jessica \(BOS\)](#)
Cc: [Major, Erica \(BOS\)](#)
Subject: Fwd: Request for advice on Laguna Honda Hospital to help the families and patients
Date: Wednesday, June 29, 2022 12:55:14 PM
Attachments: [Supervisor Melgar - Laguna Honda - XBecerra 4.16.2022.pdf](#)

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Ms; Perkinson: I am told Government Audit and Oversight committee is to have a hearing on Laguna Honda Hospital, which has not been scheduled yet. COuld you add this to the correspondence file?

Also can you notify me what the file # is and when the hearing will be scheduled?
Thankyou,

Teresa Palmer M.D.
Family Medicine/Geriatrics
1845 Hayes St.
San Francisco, California 94117
Phone:415-260-8446
Fax: 415-292-7738

Email: Teresapalmer2014@gmail.com

----- Forwarded message -----

From: **Teresa Palmer** <teresapalmer2014@gmail.com>
Date: Wed, Jun 29, 2022 at 11:33 AM
Subject: Fwd: Request for advice on Laguna Honda Hospital to help the families and patients
To: Myrna Melgar <MelgarStaff@sfgov.org>, Jennifer (BOS) <jennifer.fieber@sfgov.org>

Myrna and Jennifer:

I thought I would take a shot at getting Wendell Primus attention (Nancy Pelosi's chief health policy person); I have spoken to him personally recently about another issue I am working on (HR 3733/Essential Caregivers in nursing homes during lockdowns), and he is curious and very concerned about Laguna Honda.

I absolutely agree that the discharges of SNF eligible people from Laguna Honda should stop, and I thank you for your care and concern. I hope this helps.

Patrick Monette-Shaw tells me that GAO Committee at Board of Supes, per Peskin request (Mandelman/Preston/Chan) are to have a hearing on this, which is not yet scheduled. **I am Preston's constituent so I am ccing this to his staff.**

I agree that the question must be strongly asked: WHY ISN'T LAGUNA HONDA NEGOTIATING WITH CMS TO HOLD THE DISCHARGES WHILE THEY ARE WORKING ON RECERTIFYING? This SFBOS/GAO hearing should be scheduled soon, as time is of the essence.

I am leading another zoom discussion on July 12 at 6 pm (San Francisco Gray Panthers) -we are finalizing the zoom links etc today and tomorrow:

SAVING LAGUNA HONDA: PART 2
How Do We Demand Honest Problem Solving

Instead of Political Posturing?

-July 12st 6-7:30 PM Pacific Time-

we will leave much time for questions and discussion

Teresa Palmer M.D.
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Phone:415-260-8446
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Email: Teresapalmer2014@gmail.com

----- Forwarded message -----

From: **Teresa Palmer** <teresapalmer2014@gmail.com>

Date: Wed, Jun 29, 2022 at 10:51 AM

Subject: Request for advice on Laguna Honda Hospital to help the families and patients

To: Primus, Wendell <wendell.primus@mail.house.gov>

Cc: Myrna Melgar <MelgarStaff@sfgov.org>, Jennifer (BOS) <jennifer.fieber@sfgov.org>

Dr. Primus:

Attached is a letter from Supervisor Melgar, Laguna Honda is in her district in San Francisco to Mr. Becerra.

I do absolutely agree with her that the rush to discharge patients who truly need skilled nursing home care is WRONG AND ALL PARTIES INVOLVED NEED TO NEGOTIATE A HALT.

While I feel that Laguna Honda management and the San Francisco Department of Public Health has publically minimized the very good reasons for CMS to be concerned about Laguna Honda, and is being less than transparent about what is really going on, the burden of this process should not fall on the most vulnerable at this time.

As long as Laguna Honda management is making a good faith effort to meet the requirements for recertification, it makes no sense to me that the most vulnerable people and their families should suffer like this.

Can you assist Supervisor Melgar and her staff in getting a response from Mr. Becerra? Thank you so much for any advice you can give Supervisor Melgar to get the ear of Mr. Becerra.

Teresa Palmer M.D.
Family Medicine/Geriatrics
1845 Hayes St.
San Francisco, California 94117
Phone:415-260-8446
Fax: 415-292-7738

Email: Teresapalmer2014@gmail.com



MYRNA MELGAR

June 16, 2022

The Honorable Xavier Becerra
Secretary of Health and Human Services
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Secretary Becerra,

I am writing to ask for your assistance to save Laguna Honda Hospital, a critical institution in San Francisco's District 7, which I represent on the City and County Board of Supervisors. As you may be aware, findings stemming from a compliance process led to CMS's decision to terminate the hospital's ability to participate in Medicare and Medicaid Reimbursement Programs. San Francisco's Department of Public Health has been working closely with CMS to go through the recertification process, which I am confident will be successful. I am asking for your help to reverse or postpone the concurrent requirement that we relocate the nearly 800 residents of Laguna Honda by September 15, 2022—a very difficult requirement given the dire shortage of Medicare/Medicaid-eligible skilled nursing beds in California. Most importantly, this requirement puts the health and safety of these very vulnerable and fragile residents, my constituents, at great risk.

For over 150 years, Laguna Honda Hospital has been a refuge for people of all walks of life to receive life-saving health care, particularly for those with extraordinary circumstances and complicated health issues. Laguna Honda Hospital and Rehabilitation Center is a 62-acre campus located in the district I represent. The prized institution serves all of San Francisco and is the largest skilled nursing facilities in the country. It is also the only publicly owned facility in California. Laguna Honda provides 34% of all the skilled nursing beds in San Francisco.

While the hospital is taking CMS's findings very seriously and has urgent efforts afoot to honor the recertification requirement to relocate its 800 residents, anyone familiar with the medical system knows how difficult it is to place patients in facilities that accept Medicare or Medicaid. CMS has made a near impossible demand to find nearby beds that accept these programs, so patients will likely be relocated far away from their families and friends in San Francisco. Twenty percent of the hospital's residents have mental

health issues along with other disabilities. This disruption will be traumatizing and perhaps catastrophic for some residents who have grown comfortable with their surroundings and skilled and dedicated nursing team that has helped stabilize them over the years.

As the Board of Supervisors representative of the district, I am thankful to have this compassionate institution that offers life-saving care for my constituents by skilled doctors, nurses, and other healthcare professionals, whose jobs will also be affected by closure. As the only Latina on the Board of Supervisors, and the only one elected in San Francisco in 25 years, I am especially proud that Laguna Honda offers unique linguistic and culturally appropriate services: a Spanish ward, and a Cantonese ward, where monolingual residents get services and care in their own language.

I would very much like to meet with you to further discuss this important institution and remedies to this situation.

Sincerely,

A handwritten signature in blue ink, appearing to read 'M. Melgar', written in a cursive style.

Myrna Melgar
Supervisor, District 7
San Francisco Board of Supervisors

From: [pmonette-shaw](#)
To: [Preston, Dean \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#)
Cc: [Stefani, Catherine \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Ronen, Hillary](#); [Walton, Shamann \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Perkinson, Jessica \(BOS\)](#); [Yu, Angelina \(BOS\)](#); [Parsons, Winston \(BOS\)](#); [Hsieh, Frances \(BOS\)](#); [Groth, Kelly \(BOS\)](#); [Donovan, Dominica \(BOS\)](#); [Abraham, Emily \(BOS\)](#); [Mullan, Andrew \(BOS\)](#); [Falzon, Frankie \(BOS\)](#); [Angulo, Sunny \(BOS\)](#); [Yan, Calvin \(BOS\)](#); [Souza, Sarah \(BOS\)](#); [Wong, Alan \(BOS\)](#); [Wright, Edward \(BOS\)](#); [Lovett, Li \(BOS\)](#); [Snyder, Jen \(BOS\)](#); [Smeallie, Kyle \(BOS\)](#); [Kilgore, Preston \(BOS\)](#); [Yu, Avery \(BOS\)](#); [Chuck.Obermeyer@sfgov.org](#); [Madison.Tam@sfgov.org](#); [Low, Jen \(BOS\)](#); [Fieber, Jennifer \(BOS\)](#); [Imperial, Megan \(BOS\)](#); [Carrillo, Lila \(BOS\)](#); [Bintliff, Jacob \(BOS\)](#); [Thornhill, Jackie \(BOS\)](#); [Prager, Jackie \(BOS\)](#); [Green, Ross \(BOS\)](#); [Lerma, Santiago \(BOS\)](#); [Saini, Nikita \(BOS\)](#); [Herrera, Ana \(BOS\)](#); [Ferrigno, Jennifer \(BOS\)](#); [Burch, Percy \(BOS\)](#); [Gallardo, Tracy \(BOS\)](#); [Gee, Natalie \(BOS\)](#); [Evans, Abe \(BOS\)](#); [Chung, Lauren \(BOS\)](#); [Barnes, Bill \(BOS\)](#); [Jones, Ernest \(BOS\)](#); [Berenson, Samuel \(BOS\)](#)
Subject: GAO Chair Preston: LHH Is Not a Supervisorial "Territorial and Jurisdictional" Facility; It's a Citywide Facility — Schedule a GOA Hearing Rapidly!
Date: Wednesday, June 29, 2022 5:40:47 PM
Attachments: [Testimony to GAO Committee File 220526 22-06-29.pdf](#)

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Patrick Monette-Shaw

975 Sutter Street, Apt. 6
San Francisco, CA 94109
Phone: (415) 292-6969 • e-mail:
pmonette-shaw@earthlink.net

Rafael Mandelman, Member

1 Dr. Carlton B. Goodlett Place

San Francisco, CA 94102
Accreditation Update

Re: **GAO File # 220526 Hearing — LHH**

Dear Chair Preston and Members of the GAO Committee,

I believe the GOA Committee should rapidly schedule a hearing requested by Supervisor Aaron Peskin before the end of July on the situation at Laguna Honda Hospital. After Peskin submitted his hearing request (file # 220526) on May 3, it was then assigned to the GAO Committee. On June 13, the hearing request was then referred to SFDPH the day before the June 14 *Committee of the Whole* hearing. Any 30-day waiting period prior to holding a GAO hearing is now over.

It is important to note that LHH is a citywide hospital that theoretically accepts patients from each of San Francisco's 11 supervisorial Districts. It is not a facility that is the province of a single District — District 7 — and that District should not be allowed to treat LHH as it's own "territorial" turf, nor should D-7 be allowed to thwart a holding a second hearing about LHH's fate before the GAO Committee.

Although DPH's weekly [Dashboard](#) update as of Monday, June 27 has now begun reporting that 25 patients have been discharged (combining community discharges and discharges to

facilities) and shows how many of those discharges were to San Francisco and out-of-county discharges, the Dashboard provides no information what types of locations 9 of the 25 were discharged to what types of “community” settings the 9 were discharged to. Were they to shelters, navigation centers, or another community location? Indeed, the Dashboard reports the types of locations for just 5 of the 9 patients presumably discharged to community locations (as opposed to a type of facilities).

The Dashboard numbers don’t add up, and clearly don’t reflect what happened to all of the 67 patients reduced from the hospital’s census at the time CDPH performed its initial survey of LHH on October 14, 2021. DPH is not being as transparent with the public as it could be, even after DPH claims it “*has nothing to hide.*”

Rather than waiting until September 13 for another CoW hearing on LHH, potential topics for the focus of a GAO hearing before the end of July might include:

1. The full Board of Supers authoring a letter to CMS specifically seeking a variance to the relocation plan in order to stop discharge and relocation of LHH’s residents during the pendency of completing CMS recertification. Such a letter should not be done simply by individual members of the Board of Supervisors. It should include a letter on behalf of the full Board.
2. Urging Mayor Breed to separately author and submit a request to both CMS and the U.S. DHHS seeking a variance to halt discharge of patients until LHH obtains re-certification.
3. Expanding reporting on the Dashboard to report patient demographics, including data on the gender, race/ethnicity, and age ranges of patients being discharged, and most importantly how many of the discharges are so-called “behavioral health patients, vs. long-term care SNF patients.

I urge the GAO Committee to rapidly schedule a hearing rapidly before the end of July to address these issues and not wait another 10 weeks for a second *Committee of the Whole* hearing.

Respectfully submitted,

Patrick Monette-Shaw

Columnist

Westside Observer Newspaper

cc: The Honorable Catherine Stefani, Supervisor, District 2
The Honorable Aaron Peskin, Supervisor, District 3
The Honorable Gordon Mar, District 4
The Honorable Matt Dorsey, Supervisor, District 6
The Honorable Myrna Melgar, District 7
The Honorable Hillary Ronen, Supervisor, District 9
The Honorable Shamann Walton, Supervisor, District 10
The Honorable Ahsha Safai, Supervisor, District 11
Angela Calvillo, Clerk of the Board
Jessica Perkinson, Clerk of the GAO Committee