

September 23, 2022

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

RE: Kaiser Permanente Mental Health Care Workers' Strike

Dear members of the San Francisco Board of Supervisors:

We are writing in response to your request that Kaiser Permanente leaders appear before the San Francisco Board of Supervisors on Tuesday, September 27, 2022, for a public hearing on the effects on city workers and other San Franciscans of National Union of Health Workers' ("NUHW's") mental health care workers' strike at Kaiser Permanente.

Longstanding labor negotiations protocols and practices established by the National Labor Relations Board affirm the bargaining table as the appropriate venue for discussion of labor issues between parties. Out of concern for the sensitive nature of mental health care negotiations and in deference to patient privacy and dignity, we respectfully decline the invitation to appear at the Sept. 27 hearing. Additionally, since the beginning of the strike we have been working with the Department of Managed Health Care to provide data and other information related to our mental health care services.

We deeply value our partnership with the city and county of San Francisco and the Board of Supervisors and we would like to ensure that we remain accessible to you. To that end, we have reached out to your office to schedule time to meet with you individually in the coming days.

Leaders from Kaiser Permanente San Francisco look forward to updating you on the status of the NUHW strike and responding to your questions or concerns at that time, as we are committed to meeting the needs of our San Francisco community. We look forward to personal conversations that will help us develop collaborative solutions to the pervasive mental health care challenges that exist within the city of San Francisco, and across the United States.

Background and current status of the NUHW strike

As you know, it has been more than five weeks since NUHW called on Kaiser Permanente therapists to go out on strike.

In our bargaining sessions over the past two weeks there was a sense of optimism on both sides that we were again close to reaching agreement. We came prepared to close out the final issues. We asked the union last week to send our proposal to its membership for a vote, to hear their voices.

The last remaining items in bargaining are around the amount of time therapists have to do work other than seeing patients.



Our proposals demonstrate that we've listened to therapists and recognize their need for more time for duties other than seeing patients and more support, and we are balancing this with the needs of our patients.

Therapists currently have about 9 hours a week of their time allocated to do work other than direct patient care. Our proposal for indirect patient care time gives therapists 10 hours each week for a typical full-time therapist – 25% of their time – without seeing patients. This is as far as we can go without endangering access for our members seeking mental health care. Yet, the union is demanding the total go to 11 hours of time away from patients, along with a reduction in the number of new patients that therapists see. For context, every hour a week less in patient care per therapist means about 1,500 fewer mental health care appointments, every week. Even with the aggressive recruitment and hiring we are doing, the union's proposals take us in the opposite direction of what we are all trying to accomplish, which is meeting the ever-increasing demand for mental health care. In short, NUHW's demands would lead to less care being available to Kaiser Permanente's members.

We have a framework in place that will provide practice support to our therapists. This will allow our therapists to practice at their highest level and allow us to invest in staff to perform many of the administrative duties that therapists are performing now, but do not require licensure.

All our compromises have been intended to prevent or end this labor strike, for the sake of patients and therapists. We have been asking NUHW to take our contract proposal to its membership and let them have a say in the matter. We have been told NUHW's leadership intends to do so, although they have decided to push for a 'no' vote so as to extend the strike. A no vote will not automatically change either party's bargaining position but will only prolong a strike that has already harmed all parties.

Mental health care during the NUHW strike

We are doing all we can to mitigate the impact of the ongoing strike on patients in need of mental health care, using every available resource. We continue to reach out to patients whose appointment with an internal provider is affected, to offer them rescheduled appointments. Half of our patients already receive their care from mental health providers who are not on strike. For all patients whose appointments are affected and choose not to reschedule, we have a clinical quality review process in place to ensure they receive the care they need.

We know that every appointment is important and matters to each patient. We have a dedicated phone line (1-800-390-3503) that our members can use if they experience any difficulty getting mental health appointments.

We sincerely appreciate the nearly 60% of our therapists -- several hundred Kaiser Permanente mental health professionals -- who have chosen to come to return to work for their patients as the strike continues. In addition, our Kaiser Permanente psychiatrists, clinical managers, and other licensed clinicians have stepped in to address the care needs of our patients. We are on our way to reaching agreements with hundreds of community-based mental health providers to expand their schedules and treat our patients. We are grateful to them and look forward to an ongoing relationship in light of the NUHW's open-ended strike.

Together, all these dedicated professionals are helping ensure our members' mental health care needs are being met. We have the deepest appreciation and gratitude for our mental health professionals and the extraordinary care they provide to our members. It saddens us that the current strike is putting many of our therapists through unnecessary stress and sacrifice and disrupting care for patients – while doing nothing to help reach an agreement.

We hope NUHW will consider the situation carefully – not as a conflict to win or lose, but as a chance to end the disruption that has occurred for our members and patients over the last month. We encourage NUHW to start to move towards solutions and working collaboratively with us to address the undeniable challenges in mental health care in America. We have a strong history of working collaboratively with many labor partners / unions cross our health care system with a shared track record of success centered on the patient. We hope NUHW will join this shared effort.

Advancement of community health in partnership with the city and county of San Francisco

Lastly, we highly value our strong partnership with the city and county of San Francisco and San Francisco Health Service System in addressing the changing needs and significant priorities impacting our community. From the inception of the pandemic through today, our joint efforts to make COVID-19 vaccination accessible throughout the SF community have been recognized as some of the most effective in the country. As a leading provider of health care for the LGBTQ+ community, our ongoing partnership with the city and county of San Francisco in response to the evolving MPX challenge has been meaningful and continues to demonstrate impact.

Our community health investments underscore our commitment to improving mental health access and outcomes for the most vulnerable members of the San Francisco community. In 2021, we provided over \$600,000 in mental health grants to the San Francisco nonprofit community to increase access to mental health care, reduce stigma associated with mental health issues, and identify and address the effects of trauma and adverse child experiences known as ACEs.

Some examples of our recent mental health partnerships and support are:

- Grant funding to Safe & Sound to build the capacity of family-serving organizations in the San Francisco Family Support Network to integrate trauma-informed practices into their programs and services (\$105,000 over the past three years).
- A partnership with Access Institute for Psychological Services to provide on-site mental health support and therapy and focus on social-emotional skill building for students at John Muir Elementary School (a \$140,000 two-year grant).
- Grant funding to Rafiki Coalition for Health and Wellness to provide a variety of culturally responsive free healing spaces and mental health services/therapy that are community-centered and focus on the specific vulnerabilities of the Black/African American population due to impact of perpetual systemic anti-Black racism and the resulting multiple barriers to mental healthcare access (a \$95,000 grant).
- Grant funding to Community Youth Center of San Francisco to foster healing among Asian and Pacific Islander, African American, and Latinx communities in the Bayview through weekly

trauma-sensitive outreach, education and advocacy activities, and community events (a \$100K two-year grant).

- Partnership with Friendship House Association of American Indians to address intergenerational trauma and adverse childhood experiences that are well-documented within urban American Indian and Alaska Native community as determinants of poor health outcomes relating to mental health and substance use disorder (75,000 over the past 3 years).
- Clinical training programs and placements in mental health and behavioral health services via our post--masters fellowship, Doctoral Intern, and Post-Doctoral Residency students in San Francisco.

We take our responsibility seriously and are committed to lead and facilitate ongoing efforts with all our community partners to improve mental health care for everyone who needs it throughout San Francisco.

Thank you for our enduring partnership and for your confidence in Kaiser Permanente for delivery of care to the employees and residents of the city and county of San Francisco.

Sincerely,



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