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Proposition D

A measure to stop senior abuse and the relocation of our frail elderly & disabled residents

Laguna Honda Hospital Special Use District

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We support Measure D because it adopts a policy of **zero tolerance for abuse** and restores Laguna Honda as a place where low-income, older women and disabled people can be provided safe, high-quality, long-term nursing care.

National Organization of Women, SF Chapter



**Naomi Gray, Former Health Commissioner
Current Resident, Laguna Honda Hospital**

“I know there’s a severe shortage of safe, skilled nursing beds for elderly and disabled San Franciscans. That’s why I fully support Prop D.

“Director of Public Health Mitch Katz’s assertion Alzheimer’s patients would be discharged from LHH is a red-herring. Title 42 §483.12(a)(1)–(7) provides due-process protections against involuntary transfers. California’s Department of Health Services would never permit the involuntary transfer of elderly persons with Alzheimer or Parkinson-related dementias.

“Mayor Newsom should have known this before writing the Opponent argument. Ignore both men’s propaganda! Vote Yes on Prop D!”

**Sister Miriam Walsh, Director of Pastoral Care
Laguna Honda Hospital, 1981 Present**

“The silent crisis of our era is the elderly San Franciscans unable to live independently in the community and unable to afford the help they require. I believe we have a moral obligation to care for our elders.

“Infirmities and ailments of old age are often serious and chronic, requiring skilled long-term care. By mixing younger, able-bodied patients with elderly, disabled patients, neither receives the care they deserve.

“City leaders must meet both needs, but in different facilities. We must not abandon senior and disabled San Franciscans. Selling us LHH as a safety-net for ‘Old Friends,’ then changing LHH’s mission is a double injustice — to voters and our vulnerable elders.”





Robert Neil, President, Laguna Honda Residents Council, and Member, Mayor's Disability Council

“Some claim Proposition D unlawfully discriminates against people with psychiatric disabilities. Proposition D doesn't discriminate!

“Laguna currently provides some psychiatric treatment; Proposition D permits this to continue if the person doesn't threaten safety and can be adequately cared for. But Laguna doesn't have a psychiatric license, and can't accept patients whose only or primary diagnosis is psychiatric. Under Proposition D, elderly, frail and physically disabled people who also have psychiatric disabilities would be eligible for long-term care, assisted living and short-term programs ...”

Teresa Palmer, MD, Geriatrician, Laguna Honda Hospital for 15 Years, With Her Mother Berenice Palmer

“In a 30-bed ward filled with patients who have various kinds of brain damage and mobility problems, it only takes one patient with uncontrollable behavior to cause havoc.

“In my last years there, my daily work at Laguna Honda was compromised by street-wise, able-bodied bullies, who, despite the incredible teamwork of Laguna Honda staff, could not be safely handled. I could not continue to work in this ethically and legally dangerous environment. I could not return every morning to find out who got beat up, robbed, or terrorized.

“Staff decisions about who cannot be cared for MUST be honored. That's why I support Prop D and urge you to vote for it.”



Virginia Leishman, RN, Director of Nursing, Laguna Honda Hospital, 1953 1997

“It is a shame. In my 44 years at Laguna Honda I have never seen anything like this.

“Admitting able-bodied patients with addictions, psychiatric disorders, and criminal histories, for which Laguna Honda is not licensed, has resulted in violence, citations, and fines from OSHA.

“The alarming recently-released State Deficiency Report gave Laguna Honda its worst rating in history. And, in spite of City Hall's denial and cover-up, the state report is proof that the patient abuse continues today.”

**René K.A. Thomas, MD, Staff Psychiatrist,
Laguna Honda Hospital, 1992 2005**

“Dumping patients with substance abuse, mental illnesses, and criminal histories into Laguna Honda is endangering the frail elderly and severely disabled people who live there.

“This policy also harms people with severe psychiatric problems and addictions, because they cannot receive the care they need in a skilled nursing facility.

“Proposition D will put and end to this inhumane situation, restore safety to Laguna Honda, and force the Health Department to provide all patients with the care they need in the appropriate setting.”



**Howard Chabner, JD, Family Member of
Laguna Honda Hospital Resident, 1995 Present**

“Last year we learned of two assaults by a resident on our relative’s ward against another resident. To our knowledge, nothing like this had ever happened in the ward in her many years there. The perpetrator was new to the ward, able-bodied, powerfully built, and much younger than the other residents, frail ladies in their 70’s, 80’s, and 90’s. The victim was a gentle lady in her 70’s with cancer; she died several months later.

“Some claim Prop D would permit privately owned nursing homes on public land throughout San Francisco. This is incorrect, and an attempt to divert attention from the dangerous admissions at Laguna. Laguna’s site is the only public land to which Prop D applies. Importantly, the State independent nursing home ombudsman has said it’s not economically feasible to build and operate new nursing homes in San Francisco.

“Without Prop D the City will complete San Francisco General Hospital’s takeover of Laguna Honda, convert Laguna to other uses, and exit the nursing home business — leaving indigent San Francisco seniors needing nursing home care with nowhere to go in San Francisco.”

On June 6, Vote Yes on Prop D!

San Franciscans Ask You To Vote Yes on Prop. D



The Health Department is discriminating against people with mental illness by placing them at LHH a SNF [skilled nursing facility] without the proper psychiatric services to treat the residents. LHH cannot recruit or retain psychiatrists or psychiatric clinical nurse specialists, and can't or won't hire psychiatric nurse practitioners or psych techs.

Anonymous LHH Nurse

Over 73% of voters approved Prop A in 1999 based on assurances by City officials that Laguna Honda Hospital would be rebuilt — not converted to other purposes — to provide elderly and disabled San Franciscans with “long-term care, including skilled nursing, AIDS and dementia services, hospice, rehabilitation, and acute care,” as noted in the voter guide. (Assurances by City officials in the 1999 voter guide are located on the [1999 Prop A Promise](#) page on this web site.)

San Franciscans “put their money where their mouth is,” voting to increase property taxes to preserve Laguna Honda because they believed so strongly in its mission, and to ensure that Laguna Honda is dedicated to San Francisco seniors and disabled people who could not otherwise afford a safe and caring environment. Many had friends, neighbors or family members who received care at Laguna Honda. Many had volunteered there, or worked there, or knew someone who did. But even more important than personal connections, San Franciscans voted their hearts, not their pocketbooks.

But just a year after Prop A was passed, the **Department** of Public Health (DPH) began quietly converting Laguna Honda to other purposes. In 2000, DPH proposed sending psychiatric patients from San Francisco General Hospital (SFGH) to Laguna Honda to ease financial pressures on SFGH’s psychiatry service. In 2001, DPH converted several wards at Laguna Honda into psychosocial units, displacing elderly and disabled long-term residents.

In 2004, Laguna Honda’s admission policy was changed, eliminating the San Francisco residency requirement for admission, and prioritizing admissions from SFGH above all other hospitals and above admissions from home. This change resulted in the displacement of elderly, frail and disabled San Franciscans needing long-term skilled nursing care, in favor of younger, more alert and able-bodied patients with behavioral problems and reversible medical ailments in need of short-term care. The two patient populations have been mixed together in Laguna Honda’s open wards. Also, Laguna Honda’s mission statement was changed so that long-term care is no longer its primary mission.

The changes have led to large increases in:

- Violence against residents and staff. (See [State Citations](#) on this website for details of incidents found by state and federal inspectors.)

- Serious citations and financial penalties by Licensing and Certification, the state agency that monitors the care and safety of nursing home residents. Citations in the February 2006 report related to violence are the worst in Laguna Honda’s history.
- Drug abuse and drug dealing.
- Psychiatric emergencies.
- Residents who went AWOL (absent without official leave).
- Serious citations and fines by Cal-OSHA, the State agency which monitors employee safety
- Younger, mostly male patients with behavioral problems and short-term medical needs displacing elderly and disabled people, mostly females, who have long-term care needs.
- Elderly San Franciscans being sent to nursing homes in other counties.
- Increased turnover of experienced, dedicated staff members.
- Greatly increased security costs and diversion and waste of time, energy and money.

In addition, an arson fire gutted a 30-bed ward in March 2004 that wasn’t reopened until May 2006, reducing the number of beds available for elderly and disabled San Franciscans. The loss in revenue over the 26-month period this ward was closed was significant.

A loud public outcry from a diverse spectrum of San Franciscans and *pro bono* litigation forced the Mayor to announce a reversal of the new admissions policy. But the reversal in policy has been incomplete. The latest admission policy took nine months of internal struggle between LHH’s Medical Staff and LHH Administration to restore first priority to:

“Persons not in a medical facility, as well as persons who are wards of the Public Guardian or clients of Adult Protective Services, who cannot receive adequate care in the present circumstances.”

After complaints to State Licensing Dr. Katz was removed as having “final authority over admissions decisions to LHH,” and the LHH Executive Administrator was granted that authority in accordance with State law. However, recent experience has shown that the Health Code and the LHH Admission Policy can be subverted by the Health Director at the drop of a hat. The admission policy reversal was half-hearted, not fully implemented, and without Prop D, is likely to be short-lived.

For example, a previous admissions policy reinstatement was later reversed after the litigation was withdrawn. The February 2006 state/federal citations for failing to protect residents against violent incidents and underreporting of incidents, shows that the policy hasn’t really changed. Any short-term improvement there may have been was due largely to the pressure from Prop D and its proponents. Prop-D prevents this from happening again.

San Franciscans passed Prop A in 1999 to ensure Laguna Honda would always be available for San Francisco’s seniors and disabled people who need long-term skilled nursing care and who choose to live at Laguna Honda. But multiple bait-and-switches are occurring that will convert Laguna Honda to uses other than intended and promised. The bait-and-switch worsened in 2005 when a long-term care ward was converted to short-term “social rehabilitation.” Details are described in “Seniors Sold Out by Supes,” an editorial posted on the [Media Coverage](#) page of this web site.

A similar broken promise occurred when voters approved \$26 million in bond financing in 1987 to build the Mental Health Rehabilitation Facility (MHRF), a 147-bed psychiatric sub-acute facility on the grounds of SFGH. Today, the MHRF (now called the San Francisco Behavioral Health Center) contains only 47 psychiatric beds; the remaining beds have been converted to other uses and the facility now operates under three separate licenses. This state-of-the-art psychiatric facility is now largely used for housing, rather than a psychosocial rehabilitation facility, as intended and promised. Were the MHRF restored as designed and intended, the unstable, violent patients — now being inappropriately dumped from SFGH into wards at Laguna Honda with elderly and younger physically disabled residents — would finally have a safe and effective place to be treated and effectively rehabilitated, and a far better chance of resuming productive and satisfying lives outside of institutions.

The promise to voters that the LHH bond financing would be used to rebuild Laguna Honda for frail elderly and disabled San Franciscans is being broken. Health Management Associates (HMA) — outside auditors from Chicago hired by the City Controller — issued a report to the City in July 2005 recommending that LHH be used for “hard-to-place“ patients (read: hard-to-discharge from SFGH). Had voters been told that the bond financing would be used to create a different type of facility, with a different purpose and a different resident population than presented in 1999, it is unlikely Prop A would have passed.

The HMA consultants also recommended merging Laguna Honda with San Francisco General Hospital under a single license. This would reverse Laguna Honda’s decades-long distinct status, jeopardize its long-term care mission, and put admissions decisions in the hands of bureaucrats outside of Laguna Honda who lack a commitment to long-term nursing care for frail elderly and physically disabled persons. Health Commissioners and City officials have voiced support for implementing the take-over of Laguna Honda by SFGH. Now, plans for the new LHH include 180 to 300 “securable beds“ (read: locked wards) for “hard to place patients” (read: behaviorally disruptive), which were never mentioned to voters in 1999.

San Franciscans for Laguna Honda was formed to advocate for San Franciscans who rely today — and will increasingly rely in coming decades — on Laguna Honda. Prop D will repair broken promises by creating a Special Use District to protect Laguna Honda’s long-term skilled nursing care, medical specialty programs, and future assisted living units for elderly, frail, and physically disabled San Franciscans.

Most importantly, Prop D will protect Laguna Honda residents, staff, volunteers, and neighbors from violence!

On June 6, Vote Yes on Prop D!

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