



**ERIC
GARCETTI** ✱
President, Los Angeles City Council
COUNCIL DISTRICT 13



200 N. Spring St. Room 470 • Los Angeles • CA 90012

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COUNCIL PRESIDENT GARCETTI JOINS CITY ATTORNEY ROCKY DELGADILLO, COUNCIL MEMBER JAN PERRY IN CALLING FOR LOCAL ORDINANCE BANNING HOSPITAL PATIENT DUMPING

LOS ANGELES – Los Angeles Council President Eric Garcetti joined Councilmember Jan Perry, City Attorney Rocky Delgadillo, representatives of the Los Angeles Police Department, and health care and homeless advocates to call for a local ordinance that makes it a specific crime for a hospital to dump its patients in the City of Los Angeles.

"Hospitals and clinics must make the extra effort to connect with service providers and talk to patients before leaving them to fend for themselves on the streets," said Council Member Jan Perry, who represents the Central City East Committee and chairs the City Council's Ad Hoc Committee on Homelessness. "As a city, we are standing up today to say that we will not turn a blind eye to this ongoing practice. By introducing this motion, we are pooling our resources to make this a crime that can and will be prosecuted by our City Attorney."

"Dumping homeless people seeking medical help on the street is inhumane and wrong," said Council President Eric Garcetti. "We have a responsibility to end this practice and give patients the opportunity to be treated with the dignity and respect they deserve."

"Today, we will take the first step to do at the local level what failed to happen at the state level, introduce a City ordinance that simply makes it a misdemeanor for hospitals to transport a patient to any location other than the patient's residence without the patients' written consent," said City Attorney Delgadillo. "This simple prohibition is what we need, and what we need now, to put an end to the practice of homeless patient dumping in our City, once and for all."

The proposed ordinance, introduced by Council Member Jan Perry, would call upon the City Attorney to draft an ordinance making it a misdemeanor for hospitals or their agents to transport patients to a location other than the patient's residence without written consent. Violations of the law could result in fines of up to \$25,000 and three years probation for hospitals.

Under existing law, hospitals in the State are required to have written discharge planning policies and processes requiring that appropriate arrangements are made for post-hospital care for those patients who are in need. All patients must be informed either orally or in writing.

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Existing law also prohibits a hospital from transferring a homeless patient from one county to another in order to receive supportive services without prior notice or authorization, but does not prevent a hospital from transferring a patient within one county against their wishes.

Currently, Los Angeles officials are investigating dozens of instances of hospitals or other medical facilities discharging and transporting homeless patients to skid row or other neighborhoods without the patients consent.

In addition, the City Attorney and the Los Angeles City Council have been aggressively negotiating with various hospitals and working with local homeless service providers for more than a year to clarify and establish a comprehensive uniform discharge protocol.

The City Attorney has also filed actions against Hollywood Presbyterian, and Methodist Hospital of Arcadia under existing law for instances of homeless patient dumping and has recently reached a landmark settlement with Kaiser Foundation hospitals that will establish first-of-their kind, court-ordered protocols for the discharge of homeless patients.

This past year, the City Attorney had sponsored SB 275, a bill authored by State Senator Gil Cedillo to prohibit hospitals statewide from transporting patients to a location other than the patient's residence without written consent. Councilwoman Perry also authored a resolution in support of the bill which the entire City Council adopted. SB 275 was ultimately vetoed by the Governor last week despite being passed through the legislature with bi-partisan support and was supported by the Los Angeles Police Department, the Union Rescue Mission, the Central City East Association and the California Nurses Association.

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