

Los Angeles hospitals investigated for “dumping” homeless patients

Marge Holland**6 March 2007**

Several hospitals in Los Angeles, California are under investigation for “dumping” homeless patients onto the streets. These patients—many of them not only physically but also mentally ill—have been driven in ambulances contracted by the hospitals and abandoned on the streets of the neighborhood known as Skid Row. This 50-block area east of the downtown business center is a high-crime district that is home to many homeless shelters and community assistance programs. Some estimates put the number of homeless people in the area as high as 10,000 on any given night.

Kaiser Permanente, Hollywood Presbyterian Medical Center and Los Angeles Metropolitan Medical Center have all been accused of the practice. In one incident—an unforgettable sight recounted by witnesses—a paraplegic man wearing a hospital gown and a broken colostomy bag was left to pull himself through the streets holding a plastic bag containing his belongings in his teeth. On February 8, 2007, the man had been driven in a van from Hollywood Presbyterian to a site near the Midnight Mission. According to the *Los Angeles Times* the driver of the van “allegedly ignored the cries of onlookers to help” him, and “proceeded to apply makeup and perfume before driving off, leaving the man in the gutter.” The man was later taken to County USC-Medical Center.

In 2005, Hollywood Presbyterian was also accused of dumping a man who was unable to walk and strapped to a gurney.

In March 2006, an elderly homeless woman, who had been dumped on the street wearing only a hospital gown and hospital-issue slippers, was caught on security cameras wandering confusedly on the street by the Union Rescue Mission, the city’s largest homeless shelter.

In announcing the charges against Kaiser, City

Attorney Rocky Delgadillo said that Kaiser’s Bellflower Hospital had put the 63-year-old woman in a taxi and sent her to the neighborhood, even though she had serious and untreated health problems. The woman, Carol Ann Reyes, was eventually taken in by the Union Rescue Mission, where she is receiving care.

In October 2006, Los Angeles Police videotaped five ambulances arriving at the Volunteers of America homes services facility and dropping off recently discharged patients. A probe into the practice was launched, and police are investigating Los Angeles Metropolitan Medical Center, which sent the ambulances.

City Attorney Delgadillo’s office is bringing criminal and civil charges against Kaiser Foundation Hospitals, part of Kaiser Permanente, the largest HMO in the country. Kaiser is one of 10 Los Angeles-area hospitals under investigation for discharging homeless patients onto the streets instead of shelters or to the custody of family members. The legal actions include criminal charges of false imprisonment and dependent adult endangerment and civil claims involving the treatment of patients and laws on discharging them.

“They have violated every ethical obligation under which they operate and they have also broken the law,” said Delgadillo. His office has been investigating allegations of patient dumping for two years.

On February 10, the *Los Angeles Times* reported that Hollywood Presbyterian has disputed the accusation that it regularly participates in patient “dumping”. The hospital claimed to have no explanation for why the paraplegic man was dumped in the gutter or why the van driver ignored the pleas of onlookers to help him. Hospital spokesman Dan Springer stated that the man had told the van driver to open the door and let him out. “He assured the driver that his wheelchair was at his

home and that he could propel himself to his home from the park,” Springer said.

This is contradicted by police accounts. Los Angeles Police Officer Eric de la Cruz said he asked the man if he had requested to be dropped off at the location. “He said he had nowhere else to go, and the hospital staff told him he could no longer stay there [in the hospital],” de la Cruz told the *Times*.

As repulsive as this practice is, it has become common in California, New York, and other states. In the case of California, it appears that it may not even be against the law, for while California state law requires hospitals to have written procedures for follow-up care for patients, it does not expressly prohibit leaving them on the street.

New legislation, written by members of Delgadillo’s staff and introduced by Senator Gil Cedillo (Democrat, Los Angeles), was unveiled last month making it a misdemeanor for any hospital facility to transport patients anywhere other than their residences without their informed consent. “We have 55 reports over the last year of incidents of homeless patient dumping on Skid Row,” Delgadillo told the Associated Press. Under the proposed legislation, individual offenders could be punished with up to two years in jail and possibly face a fine of up to \$1,000. Healthcare facilities that violate the law could be hit with penalties of up to \$10,000.

Prospects for the bill are unclear. A spokesman for Fabian Nunez, a Democrat from Los Angeles who is speaker of the State Assembly, said he supported it, but a spokeswoman for Republican Governor Arnold Schwarzenegger said it was too early to take a position on it, according to a report by the *New York Times*. An attempt to pass a similar measure introduced by Cedillo last year was unsuccessful. Police officials, however, have told hospitals that officers would arrest anyone they saw dumping patients on Skid Row, using the false imprisonment charge.

Predictably, the Hospital Association of Southern California criticized the proposed legislation. The industry group’s executive vice president, James Lott, called it “stupid”, adding that federal laws, presumably the Emergency Medical Transfer and Active Labor Act, already require hospitals to treat and stabilize patients before discharge and to provide a plan for follow-up care if needed. He claimed that downtown hospitals had

agreed in December to new procedures ensuring that homeless patients were not left on the street and that the case of the man found crawling on the street was an exception. Meanwhile, Jennifer Bayer, the group’s public affairs director protested, “We are already spending \$2 billion in uncompensated care providing medical treatment for indigent patients. Imposing fines or arresting people is not productive.” She blamed the problems of homeless and indigent patients on the lack of social services.

There is no question that social services are entirely inadequate. The shelters to which the hospitals are ferrying their uninsured and unwanted patients have meager funding, limited bed space, nonexistent medical capability and overworked staff. Funding for such programs has been cut to the bone, when not eliminated outright, as resources are diverted into tax cuts for the rich and the steady increase in military spending.

The fact that a new law expressly forbidding the dumping of sick people the streets is seen as necessary is an indictment of not only of health care in America, but an entire social system, which treats the homeless, indigent elderly and sick as a waste disposal problem. For the medical facilities that supposedly exist to treat and protect these people, the bottom line has become all important, with the dumping of elderly and disabled human beings on city streets seen an efficient means of cutting costs.



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