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## **COUNCIL MEMBER JAN PERRY, CITY ATTORNEY DELGADILLO LEAD EFFORT TO CREATE LOCAL ORDINANCE TO DETER PATIENT DUMPING**

*Ordinance Approved Today Carries Misdemeanor Penalty with \$25,000 fine*

**LOS ANGELES**—The Los Angeles City Council today on a 12-1 vote approved an ordinance that creates a misdemeanor charge, with up to a \$25,000 fine on a hospital if caught engaging in the practice known as “patient dumping.” Los Angeles City Attorney Rocky Delgadillo and Council Member Jan Perry joined with the members of the Council’s Ad Hoc Committee on Homelessness, representatives of the Los Angeles Police Department, and health care and homeless advocates to advocate for this ordinance in response to the continued incidence of hospitals abandoning patients on the streets of Skid Row. For the first time, this measure will make 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. “We can no longer look the other way and allow a confused, sick, elderly patient to wander the streets in Skid Row upon hospital discharge. This practice is happening now; it’s not right in that it violates the most basic human principles.”

“I am so grateful to the Council for working with us to ensure that we protect our residents by doing at the local level what failed to happen at the state level, making it a misdemeanor for hospitals to transport a patient without the patient’s 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,” said City Attorney Delgadillo, the City’s chief prosecutor.

Council Member Perry introduced a motion in November of 2007, directing 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 and imposing a fine for those found in violation of this provision. Under the conditions of the new ordinance, violations of the law could result in fines of up to \$25,000 and three years probation for hospitals.

"Abandoning homeless patients on the streets of Skid Row is wrong and must be stopped," said Council President Eric Garcetti. "This measure will give patients the opportunity to be treated with respect and dignity through measurable and comprehensive discharge policies."

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. Existing law also makes it a misdemeanor for a hospital to transfer 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 patient's 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 last year reached a landmark settlement with Kaiser Foundation hospitals which established for all Kaiser hospitals in Southern California 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. Council Member 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 year despite being passed through the Legislature with bipartisan 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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