



Arnold Schwarzenegger, Governor  
State of California  
Business, Transportation and Housing Agency

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**Department of Managed Health Care**  
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Your email address here

April 27, 2006

Hillarie Levy  
2958 Chippewa Avenue  
Simi Valley, CA 93063

Dear Ms. Levy:

Thank you for meeting with Ed Heidig, of the Business, Transportation and Housing Agency, and me. Ed provided a copy of your letter dated April 10, 2006, to me for response. If you recall, we met at Senator Figueroa's office on Monday, and you said that you had five issues with Kaiser that you would like for the Department to address.

1. *"Humane treatment – no mental or physical abuse by Doctors, Nurses and technicians.*
2. *Ombudsman that has knowledge in the ability to differentiate between legal and false documentation*
3. *Enlisting organs from cancer patients for donation*
4. *Pushing unsuspecting cancer patients into Hospice without any notification all medical care will end.*
5. *Cancer patients placed at a lower priority to receive transfusions."*

I have asked our staff to examine the call center complaints to see there is a pattern of complaints to Kaiser indicating a systemic problem with the issues that you have raised. If a systemic problem is identified, the Department will take appropriate action against Kaiser.

The Department is dedicated to ensuring that California's health care system is responsive to patients, and we will continue to do all that we can, within the law, to ensure that California consumers are protected and that the health care delivery system remains both affordable and accountable. I will write to you at the completion of our research to let you know if there are any follow-up actions we will take against Kaiser.

Sincerely,

G. LEWIS CHARTRAND  
Chief Deputy Director

cc: Ed Heidig  
Ben Sarem



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May 5, 2006

Hillarie Levy  
2958 Chippewa Avenue  
Simi Valley, CA 93063

Dear Ms. Levy:

We have received your letter dated May 3, 2006, in which you point out similarities in a *Los Angeles Times* article entitled "Kaiser Puts Kidney Patients at Risk," to the five complaints you enumerated in your April 10, 2006 letter.

Approximately five weeks ago, after receiving information that kidney patients at Kaiser were experiencing problems, we began an investigation into the matter. While the Department of Managed Health Care does not have jurisdiction over medical groups or services provided at hospitals, we can investigate such issues as patient access, oversight, and referral procedures, and issue fines or require changes. We have requested and received documents from Kaiser, and are currently reviewing them.

As you know, I have asked our staff to examine the call center complaints to see there is a pattern of complaints to Kaiser indicating a systemic problem with the five issues that you raised in your April 10, 2006 letter. If a systemic problem is identified, the Department will take appropriate action. Once that research is completed, I will inform you whether there are any follow-up actions we will take against Kaiser.

Sincerely,

G. LEWIS CHARTRAND  
Chief Deputy Director

cc: Ed Heidig  
Ben Sarem



STATE OF CALIFORNIA  
DEPARTMENT OF MANAGED HEALTH CARE

June 8, 2006

Hillarie Levy  
2958 Chippewa Avenue  
Simi Valley, CA 93063

Dear Ms. Levy:

On behalf of the Department of Managed Health Care, I want to thank you for raising important concerns about your daughter's care during the time that she was struggling with terminal illness. We have researched each of the following issues you raised in your letter to determine if there may be a pattern of concern related to the care received by other Kaiser patients:

- 1) Humane treatment.
- 2) Ombudsman knowledge level.
- 3) Enlisting organs from cancer patients for donation.
- 4) Inadequately explaining the meaning of Hospice care to cancer patients.
- 5) Cancer patient transfusion priority.

We have thoroughly reviewed our patient complaints to investigate each of these issues. Our records do not indicate any systemic violations on these issues. Therefore, at this time, no enforcement action will be taken. However, we will continue to investigate the organ donation concern in our ongoing review of Kaiser transplant issues.

We will continue to diligently monitor the issues you have raised, both with Kaiser and our staff to consider approaches to improve the quality of care for all California patients. And we will consider ways to use patient surveys and focus groups to glean more information than that which currently exists in our records.

The Department and its staff assist California patients with concerns 24 hours a day, 7 days a week. Wherever possible, the director and I pursue systemic improvements to ensure the delivery of high quality, appropriate care for all Californians.

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June 8, 2006

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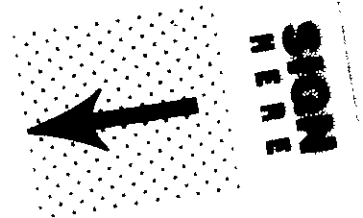
We recognize the immense commitment you have made to improving care in California after the death of your daughter, Robin, and we welcome your suggestions for improving care broadly for the benefit of others.

Sincerely,



G. Lewis Chartrand  
Chief Deputy Director

GLC:HH/jb





STATE OF CALIFORNIA  
DEPARTMENT OF MANAGED HEALTH CARE

August 1, 2006

Hillarie Levy  
2958 Chippewa Avenue  
Simi Valley, CA 93063

Dear Ms. Levy:

Thank you for your continuing commitment to improving patient care in California. As discussed in our meeting of July 12<sup>th</sup>, the Department of Managed Health Care (DMHC) is moving forward with several specific actions related to Kaiser. As you know, DMHC staff have researched complaint records related to each of the following five issues you raised to look for patterns of problems in the care received by other Kaiser patients:

- 1) Humane treatment;
- 2) Ombudsman knowledge level;
- 3) Enlisting organs from cancer patients for donation;
- 4) Inadequately explaining the meaning of Hospice care to cancer patients;
- 5) Cancer patient transfusion priority.

No systemic violations on these issues were found in our records. However, our Enforcement Office is following up on individual cases to research them further. We are continuing to investigate other aspects of the issues that you raised and will monitor the issues as the DMHC moves forward with the following steps regarding quality of care:

1. The DMHC has embarked on a system-wide review of Kaiser's quality of care. This is a non-routine, focused review of the quality of care at Kaiser. I have asked our staff to include the Kaiser Woodland Hills Hospital where your daughter was hospitalized. At Woodland Hills I have asked that our staff specifically examine the treatment of cancer patients. It will be several months before this thorough review is completed. The final report will become a public document and will be posted on our Web site.
2. DMHC staff is also looking into the issue of recruitment of cancer patients as organ donors as a part of our current investigation of Kaiser transplant issues.

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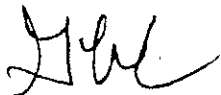
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3. Regarding hospice care, we are enforcing the law that requires Kaiser to appropriately offer hospice services throughout the state. We want to hear concerns from the public on the issues related to hospice care, and will be conducting a public meeting on hospice issues in the near future. The date will be posted on our Web site.

It is deeply regrettable what you and your family went through with the death of your daughter, Robyn. We appreciate your bringing these important issues to our attention, and your dedication to ensuring that California HMO patients receive high quality care.

Sincerely,



G. Lewis Chartrand  
Chief Deputy Director

GLC:HH/jb



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March 20, 2007

Hillarie Levy  
2958 Chippewa Avenue  
Simi Valley, CA 93063

Dear Ms. Levy:

I wanted to update you on some of the changes that are occurring within the Department of Managed Health Care and give you a status report on where we are with our quality of care survey of Kaiser Health Plan. First of all, as you know, Lew Chartrand, has retired from the State as Chief Deputy Director and I have taken his place. Lew and I share the same commitment to ensure that California HMO patients receive high quality health care.

The survey of Kaiser has been completed and the staff has issued a preliminary report of their findings to Kaiser. Once Kaiser has the opportunity to respond and a corrective action plan is in place, the report will become public and will be available on the Department's public website. This process is according to law. In addition, DMHC is continuing its investigation through the Office of Enforcement in looking at Kaiser's delay and denial issues relative to the individual cases that warrant closer scrutiny.

Please be assured that this Department will work closely with Kaiser as they are making changes to their culture and administrative functions to ensure that they have taken seriously the need for immediate changes in their operations.

If you have any other issues that the Department can help you with, please feel free to call Lynne Randolph, Deputy Director, at 445-7442. I have every confidence in Lynne and her abilities to respond to complaints in a timely way when she has relevant information to share.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward G. Heidig", is written over the typed name.

Edward G. Heidig  
Chief Deputy Director  
Department of Managed Health Care

EH:ks



STATE OF CALIFORNIA  
DEPARTMENT OF MANAGED HEALTH CARE

August 22, 2007

Hillarie Levy  
2958 Chippewa Avenue  
Simi Valley, CA 93063

Dear Mrs. Levy,

I wanted to write to you and personally acknowledge the difficult life journey you have endured over the past several years. The experience of losing a loved one is devastating and can never be adequately reconciled. You continue to have my deepest condolences.


Your efforts, following the death of your daughter, Robyn, have substantially raised the public's awareness of the failures your family experienced. Here at the Department we have taken your concerns very seriously and are committed to protecting the interests of consumers who need timely access to health care services.

Our recent investigations of Kaiser Health Plan included an in-depth review of your daughter's case by licensed physician reviewers. Your experience and the reports you provided the Health Plan and the Department substantially contributed to the final Survey Teams' findings.

Mrs. Levy, we have now concluded our investigation, finalized and reported our conclusions and levied a record setting fine. You have my personal commitment that the Department will monitor and verify that Kaiser timely implements the corrective actions necessary to ensure that all Kaiser members receive health care services consistent with professional recognized standards of practice.

I wish to thank you for your tireless efforts to improve and protect the health of all Californians; your efforts substantially contributed to the Department's success. Thank you!

Sincerely,

  
Lucinda A. Ehnes, Director  
Department of Managed Health Care

cc: Edward G. Heidig, Chief Deputy Director  
Barbara Reagan, Assistant Deputy Director, HMO Help Center  
Marcy Gallagher, Chief Division of Plan Surveys

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