

RECEIVED AT  
COUNCIL MEETING OF:

MAY 21 2013

OFFICE OF THE CITY CLERK  
CITY OF BERKELEY

## Item 37 Revision

### 4<sup>th</sup> WHEREAS clause

Original:

"WHEREAS, analysis of data reported by Alta Bates Summit Medical Center to the California Office of Statewide Health Planning and Development (OSHPD) reveals that charity care provided at the Berkeley campuses of the Alta Bates Summit Medical Center for the two most recent financial years was less than one percent (1%) of operating expenses while net income on average for those years exceeded \$75,000,000; and"

Revised:

"WHEREAS, analysis of data reported by Alta Bates Summit Medical Center to the California Office of Statewide Health Planning and Development (OSHPD) reveals that in 2010 ~~charity care provided at the Berkeley campuses of the Alta Bates Summit Medical Center for~~ only provided \$4,802,839 in charity care compared to \$550,311,992 in operating expenses (less than %1), while net income reached \$108,345,125 ~~the two most recent financial years was less than one percent (1%) of operating expenses while net income on average for those years exceeded~~ \$75,000,000; and"



**Jesse Arreguín**  
Councilmember, District 4

**ACTION CALENDAR**

June 4, 2013

*(Continued from May 21, 2013)*

To: Honorable Mayor and Members of the City Council

From: Councilmember Jesse Arreguín

Subject: Assembly Bill 975: Charity Care

**RECOMMENDATION**

Adopt a Resolution supporting Assembly Bill (AB) 975 authored by Assemblymembers Bob Wieckowski and Rob Bonta. AB 975 would create uniform standards for transparency and accountability on charity care and community benefit for private, non-profit hospitals. Copies of the Resolution to be sent to Governor Jerry Brown, Senate President Pro Tem Darrell Steinberg, Senator Loni Hancock, Assembly Speaker John A. Perez, Assemblymembers Nancy Skinner, Bob Wieckowski, and Rob Bonta.

**BACKGROUND**

The City of Berkeley is charged with protecting the public health and welfare of its residents, and charity care – medical care provided to those who cannot afford to pay and without expectation of reimbursement – is vital to ensuring that the health needs of all residents are met. In addition to services provided by the Berkeley Department of Public Health and the Alameda County Public Health Department, nonprofit hospitals have an obligation to provide community benefits in the public interest in exchange for favorable tax treatment by the government. It is essential that on an ongoing basis the City of Berkeley evaluate the charity care provided to the community.

A recent report issued by the California State Auditor revealed that there is no statutory standard or methodology requiring nonprofit hospitals to calculate the cost of uncompensated charity care on a uniform basis and analysis of data reported by Alta Bates Summit Medical Center to the California Office of Statewide Health Planning and Development (OSHPD) reveals that charity care provided at the Berkeley campuses of the Alta Bates Summit Medical Center for the two most recent financial years was less than one percent (1%) of operating expenses while net income on average for those years exceeded \$75,000,000.

AB 975 would create uniform standards for transparency and accountability on charity care and community benefit for private, non-profit hospitals. It would also require private hospitals to justify their non-profit exemption if their operating revenues exceed 10

percent of their operating expenses. County hospitals, other public facilities, and small rural hospitals are exempted.

AB 975 is supported by the following:

**California Nurses Association**  
**California Labor Federation**  
**California Alliance for Retired Americans (CARA)**  
**Greenlining Institute**  
**Board of Equalization Member Betty Yee**  
**CA Conference Board of the Amalgamated Transit Union**  
**CA Conference of Machinists**  
**California Domestic Workers Coalition**  
**California Professional Firefighters**  
**California Rural Legal Assistance Foundation**  
**California Tax Reform Association**  
**California Teamsters Public Affairs Council**  
**Consumer Federation of California**  
**Consumer Watchdog**  
**Engineers and Scientists of CA**  
**Health Access California**  
**Professional and Technical Engineers**  
**United Food & Commercial Workers Western States Council**  
**UNITE-HERE, AFL-CIO**  
**Utility Workers Union of America**

FISCAL IMPACTS OF RECOMMENDATION

None.

CONTACT PERSON

Jesse Arreguín, Councilmember, District 4

981-7140

Attachments:

1. Resolution
2. Copy of AB 975

RESOLUTION NO.

SUPPORTING ASSEMBLY BILL 975 WHICH WOULD ESTABLISH STANDARDS FOR TRANSPARENCY AND ACCOUNTABILITY FOR CHARITY CARE BY PRIVATE, NON-PROFIT HOSPITALS

WHEREAS, the City of Berkeley is charged with protecting the public health and welfare of its residents, and charity care – medical care provided to those who cannot afford to pay and without expectation of reimbursement – is vital to ensuring that the health needs of all residents are met; and

WHEREAS, in addition to services provided by the Berkeley Department of Public Health and the Alameda County Public Health Department, nonprofit hospitals have an obligation to provide community benefits in the public interest in exchange for favorable tax treatment by the government; and

WHEREAS, a recent report issued by the California State Auditor revealed that there is no statutory standard or methodology requiring nonprofit hospitals to calculate the cost of uncompensated charity care on a uniform basis; and

WHEREAS, analysis of data reported by Alta Bates Summit Medical Center to the California Office of Statewide Health Planning and Development (OSHPD) reveals that charity care provided at the Berkeley campuses of the Alta Bates Summit Medical Center for the two most recent financial years was less than one percent (1%) of operating expenses while net income on average for those years exceeded \$75,000,000; and

WHEREAS, Assembly Bill 975, authored by Assemblymembers Bob Wieckowski and Rob Bonta, would create uniform standards for transparency and accountability on charity care and community benefit for private, non-profit hospitals. It would also require private hospitals to justify their non-profit exemption if their operating revenues exceed 10 percent of their operating expenses. County hospitals, other public facilities, and small rural hospitals are exempted.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City of Berkeley does hereby support Assembly Bill 975 in order to ensure that the community receives the benefits that justify the non-profit exemption of private hospitals.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Governor Jerry Brown, Senate President Pro Tem Darrell Steinberg, Senator Loni Hancock, Assembly Speaker John A. Perez, Assemblymembers Nancy Skinner, Bob Wieckowski, and Rob Bonta.