



SOMH

Save Our Marina Hospital

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SOMH VS. Tenet Healthcare

Who is SOMH?

SOMH — Save Our Marina Hospital Coalition is represented by community individuals, community groups, physicians, nurses, employees of the hospital, businesses, clergy, universities, elected officials and healthcare advocates, County EMS, LAFD, LAPD, and LASD.

Mission Statement

To keep the hospital open and a viable part of our community and healthcare region. To improve the hospital facility and ER. To maintain jobs for all personnel who work at the Daniel Freeman Marina Hospital.

Demographics

Marina del Rey (both County and City), Westchester, Del Rey, Mar Vista, Playa del Rey, Venice, Playa Vista, LAX, El Segundo, Manhattan Beach, Culver City, Santa Monica, Pacific Palisades

Population (1999 census – LA City Planning Dept.)

Here is the projected population of over 300,000 for the following areas: Venice, Mar Vista, Del Rey, Westchester, Playa del Rey, Marina del Rey, and Palms.

These statistics do not include — Marina del Rey County, Culver City, LAX, El Segundo, Manhattan Beach, Playa Vista (47,000 full build out population), Santa Monica or Pacific Palisades.

Who is Tenet?

Formerly NME, National Medical Enterprises until 1994, NME was caught for major fraud to the U.S. Gov't in the hundreds of millions in Medicare fraud:

New York Times, Wed June 29 1994 page D1, D3.
(Allen R Myerson) "*Hospital Chain Sets Guilty Plea: Kickbacks, Bribes Paid for Referrals*"

Modern Healthcare, July 4 1994 page 2, 13. "*NME to pay fine of \$379 million*"

CCM, Winter 1994 (by Vera Titunik). "*How Christi Sulzbach and a team of in-house lawyers saved National Medical Enterprises from its own questionable past*"

Case Numbers 94-0268 and 94-0269 United States District Court for the District of Columbia, "*United States of America vs NME Psychiatric Hospitals, Inc (Defendant)*"

Case Number 1:94CV01505 United States District Court for the District of Columbia, "*Securities and Exchange Commission (Plaintiff) vs National Medical Enterprises, Inc (Defendant)*"

Under their current CEO, Jeff Barbakow, they changed their name to Tenet and were continuously being charged with criminal behavior in Medicare and Medical fraud among other things. They are currently worth \$35 billion.

Wall Street Journal, October 3, 2002 reports "*Tenet's Net More Than Doubles; Earnings Projections Are Boosted.*"
(See Tenet History Tab at www.somh.org)

Tenet owns all of these hospitals within the LA region

Daniel Freeman Marina Hospital – Marina del Rey
Brotman Hospital – Culver City
Centinela Hospital – Inglewood
Daniel Freeman Memorial – Inglewood
Century City Hospital
Midway Hospital – Fairfax/San Vicente
Garfield Medical Center
Queen of Angeles – Hollywood Presbyterian Medical Center downtown
Encino – Tarzana Regional Medical Center
Mission Hospital of Huntington Park
Community Hospital of Huntington Park
Monterey Park Hospital
Greater El Monte Community Hospital
San Dimas Community Hospital
Lakewood Regional Medical Center
Suburban Medical Center
USC University Hospital (They are negotiating to buy USC Norris Cancer Institute)
Whittier Hospital Medical Center

They have a monopoly over the entire healthcare system in the Nation; thus the FTC is going after them on antitrust issues.

Tenet bought the Daniel Freeman Marina Hospital intending to sell it for land value. Notice, they never put their name up anywhere on the hospital — only a banner for a short time.

During the purchasing process, Health Care Advocates were watching the transaction on behalf of the neighboring communities and notified the AG (Attorney General of the State of CA, Justice Dept.) that specific conditions had to be written in, to protect the public. When a non-profit hospital is to be sold as a for-profit, the sale has to be monitored through the State, thus the AG's involvement.

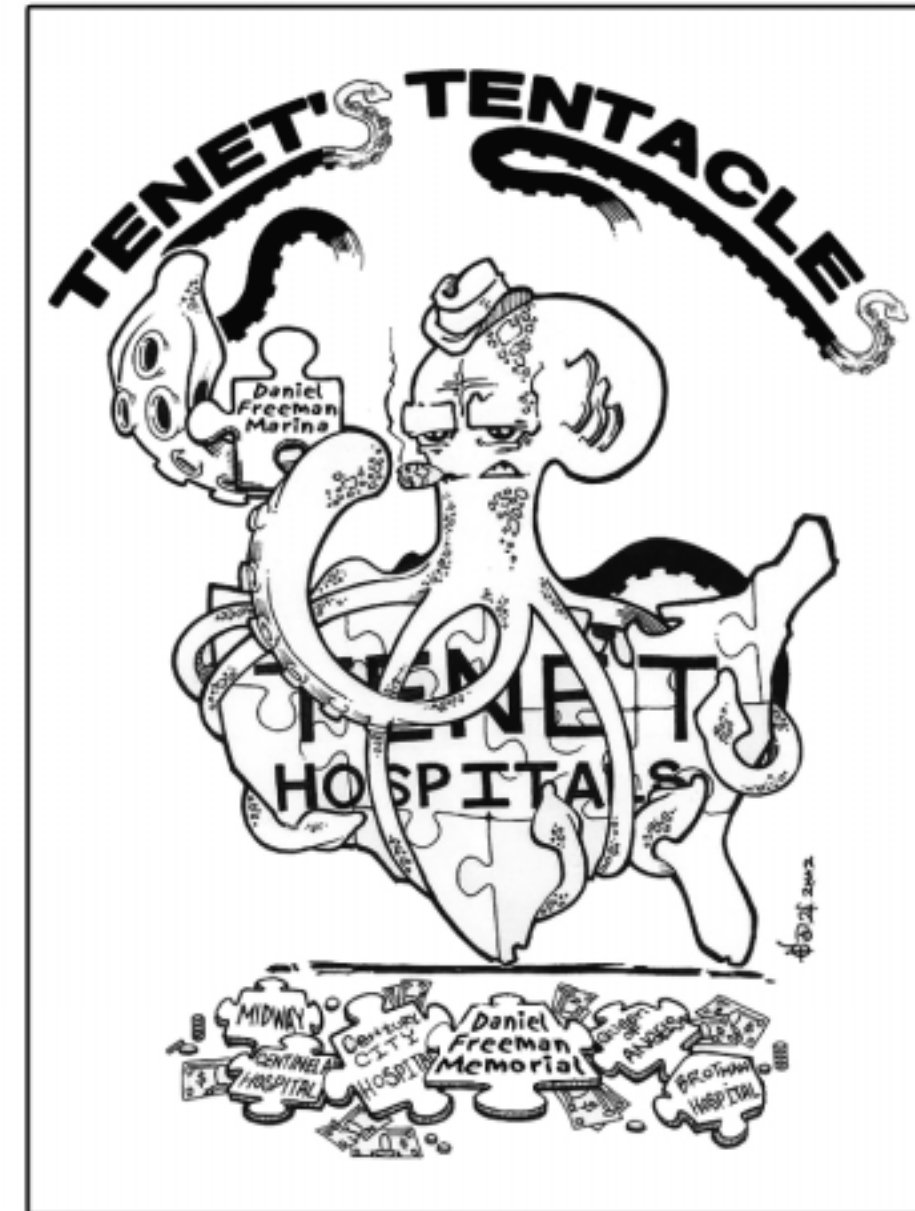
Heartfelt Thanks to these very special groups

CHC – Community Health Council
CU – Consumer's Union
SEIU – Service Employees International Union, National Health Law Program and the California Women's Law Center
Los Angeles Metropolitan Alliance and AGENDA.

These are the main conditions that the AG agreed to include in the purchase agreement of the two Daniel Freeman Hospitals.

1) A **Comprehensive Planning Process** was written as a legal condition, to guarantee that the *community*, medical staff, hospital governing board, elected officials, health care agencies and County EMS were all involved to decide the *future* of these hospitals. Together, they would determine what the future course of the hospitals would be and not necessarily a closure.

2) Tenet could not close the hospital unless they built another ER or urgent care center within a 2-mile radius before any closure if that was the chosen course by everyone.



Timeline of events since Tenet took over the DFMH

December 2001

Tenet bought the Daniel Freeman Marina and Memorial with no competitive buyer.

Tenet began quickly dismantling the DF Marina Hospital. They began revoking their licenses to close departments like Psych and Chemical Dependency. They moved these lucrative units to another Tenet hospital, Brotman Hospital in Culver City. They began to refuse contracts with private insurance companies like Blue Cross and Blue Shield to show a loss for the hospital on the books. They revoked their Medi-Cal license and continued to see patients, again showing a loss on the books, but then reapplied for new provider numbers and could retroactively bill back in the millions to December of 2001, when their licenses had been initially voluntarily surrendered.

May 23

Argonaut reports, *“Tenet still has no plans for sale of Daniel Freeman Marina Hospital, but bed occupancy continues to decline”*

May 29

In a memo to the medical staff, Tenet announced their **plan for closure by August 26, 2002.**

May 30

Argonaut reports, – *“Tenet Healthcare Corp. announces closure, sale of Daniel Freeman Marina Hospital”*

June 18

Tenet’s Memo to the Medical Staff and hospital employees announces a **revised closure date of July 22nd.**

June 20

SOMH goes public, but has already allied itself with all of the lead Health Advocacy groups who wrote the conditions into the sale and with all of the political elected officials who supported the cause to Save Our Marina Hospital.

Special thanks to these elected officials

Attorney General Bill Lockyer
AG Deputy Wendi Horwitz
Senator Debra Bowen
Councilmember Cindy Miscikowski
County Supervisor Yvonne Brathwaite Burke
Assemblymember George Nakano
Congressmember Jane Harman
...and all of their staffs.

Argonaut writes article *“Coalition tries to keep Marina area Hospital open; County Agency hearing in July”*

Tenet has a dinner meeting for physicians at the Ritz Carlton, MdR — “The Last Supper” — and says the hospital will close on July 22nd as planned.

CEO, Koenig tells physicians that Tenet has done marketing of the area and that the population doesn’t warrant having a hospital or needing an emergency room. He also says: “These insignificant community people will not get in our way for closure.”

June 25

SOMH Terry Conner & Julie Inouye speak at Villa Marina Council

June 26

SOMH website is donated, created & maintained by Webmaster Dr. Jim Moore
jim@the-calculating-lady.com

June 27

Argonaut reports, *“Daniel Freeman Marina Hospital to close month earlier than planned”*

June 28

Los Angeles Times reports, *“Group Fighting to Save Hospital”*

June 29

Daily breeze reports, *“Coalition fights hospital closure”*

July 1

SOMH retains John Murdock as legal counsel. John calls AG’s office and speaks with Mark Urban; they agree to work together, to insure Tenet’s compliance with all conditions.

July 2

SOMH’s Julie Inouye speaks at Westchester/Playa del Rey Neighborhood Council

July 3

A letter from State Justice Dept. Attorney General, Bill Lockyer, to Tenet states that Tenet has not met conditions of the purchase agreement. Therefore, Tenet cannot close the Marina area hospital. AG tells Tenet — You will not close.

July 4

SOMH hosts a meeting for Medical Staff of DFMH

July 9

SOMH stages a rally and press conference in front of the DFMH.

July 10

Los Angeles Times reports, *“Hospital Closure Blocked”*

Daily Breeze reports, *“State stops plan to close Marina Hospital and ER”*

July 11

Argonaut reports, *“Attorney general says Tenet didn’t comply with conditions to buying Marina hospital”*

Tenet sends memo to all employees and Medical Staff. *“Tenet has met all conditions and we will continue to close.”*

July 16

Preliminary court hearing between AG and Tenet — *Tenet changes closure date of DFMH and ER back to August 26th* because they did not meet the County EMS law requiring 90 day notification of closure. Court hearing for a Preliminary Injunction, to stop closure of hospital, slated for August 13th.

July 17

SOMH’s Julie Inouye speaks on WPVR Radio, Florida discussing with others about Tenet.

July 18

Argonaut reports, *“Tenet, attorney general, spar on closure of Daniel Freeman Marina Hospital; Tenet says closure now delayed to August 26th”*

July 22

Tenet’s proposed closure at 7am. COO, Phyllis Bushart says that the Marina hospital and ER will be closed and we will have the padlocks on the doors.

July 25

Letter to the Editor, Argonaut published on August 1st. *“Reviews efforts to keep Marina area hospital open”*. Authored by Julie Inouye & signed by Julie Inouye & Terry Conner, SOMH Members

Argonaut reports, *“Daniel Freeman Marina hospital pending closure already impacting other area hospitals”*

Argonaut reports, *“County hearing on closure of Daniel Freeman Marina Hospital draws large crowd”*

July 28

Daily Breeze reports, *“Hospital backers won’t give up”*

August 1

Westchester and Playa del Rey HomeTown News reports, “*Small Victory for Hospital Activists*”

August 12

LA Business Journal reports, “*Activists Enlist Attorney General in Fight to Save Marina Hospital. Open-minded: Julie Inouye and others are fighting to keep Daniel Freeman operating*”

August 13

People of the State of CA VS. Tenet Healthcare AG sues Tenet for not meeting conditions of the sale of the Daniel Freeman Marina and Memorial Hospitals and wins. Judge Janavs states, “Closure of hospital must now stop and Tenet must rebuild the DF Marina Hospital back to it’s original condition prior to their May 29th Memo.” They must fully re-staff physicians, nurses and other employees needed. All medical staff and employees of hospital “enjoined” in the lawsuit, thus making them all accountable to not close the hospital by the court order.

Preliminary Injunction win for Daniel Freeman Marina Hospital is covered by the media — NBC, CBS, KCOP KFWB, KNX etc.

August 14

Los Angeles Times reports, “*Hospital Ordered to Stay open*”

Daily Law Journal reports, “*Judge Temporarily Blocks Hospital Closure*”

August 15

Argonaut reports, “*Judge issues preliminary injunction temporarily halting closure of hospital*”

Daily Breeze reports, “*Judge blocks hospital closure*”

August 20

AT&T Broadband Cable Show “Be Involved” SOMH Susan Berke Fogel, Julie Inouye, and Jim Moore “*Marina Hospital — Non-Closure PROTEST Team*”

August 22

Los Angeles Times reports, “*Closures Put Big Hospital Chains Under Microscope*” An uproar in Marina del Rey reflects growing government and consumer pressure.

August 27

SOMH Terry Conner and Julie Inouye speak at Villa Marina Council

August 29

Tenet Ad in Argonaut: *Marina/Venice Community Call for Public Input for Daniel Freeman Marina Hospital.* Tenet does not put their name on Ad

September 3

SOMH’s Julie Inouye speaks at Westchester/Playa del Rey Neighborhood Council

September 5

Argonaut reports, “*Tenet reconsidering Closure of Daniel Freeman Marina Hospital*”

September 11

Tenet Ad in the Los Angeles Times “*Tenet California Salutes Our First Responders.*” Ad shows all Tenet Hospitals in LA but no mention of Daniel Freeman Marina Hospital.

September 12

Tenet Ad in Argonaut: Notice of community meetings for the Daniel Freeman Marina Hospital at Venice High School September 23 and October 8, 6pm. Tenet does not put their name on the Ad again.

SOMH’s Julie Inouye speaks at the Del Rey Neighborhood Council

September 18

SOMH hosts a panel discussion with all healthcare advocates in the coalition and update the Daniel Freeman Medical Staff and employees

September 19

SOMH Ad in Argonaut — Tenet’s Tentacles Cartoon and “Help Save Daniel Freeman Marina Hospital!” Advertising the Tenet’s meetings at Venice High School. We want everyone to show up and be counted with his or her stories of support.

September 23

Tenet sponsored first community testimonial input for DFMH at Venice High School

October 2002

Tenet’s CEO of DFMH and DF Memorial Hospital, Harris Koenig now begins to meet with community groups for checklist of meetings, to show the court. Koenig thinks he is fulfilling the condition of the Comprehensive Planning Process. Phyllis Bushart, who was acting COO of the Marina Hospital, is now relegated to the Daniel Freeman Memorial Facility. She is set up as the fall guy and is known as the “closing queen”. Wherever she goes the facility closes. This time she didn’t succeed although she did everything, with the help of Koenig, to do this.

October 1

LA Business Journal reports, “Daniel Freeman Marina hospital is no longer for sale and might remain open permanently”

SOMH’s Julie Inouye speaks at Westchester/Playa del Rey Neighborhood Council

October 3

Councilmember Cindy Miscikowski has still not been contacted by Tenet, despite the fact that the hospital is in her District (11) of LA.

The Daniel Freeman Marina Hospital and ER are located within the city of Los Angeles and zoning

rules are in place from the city. “Councilmember Cindy Miscikowski supports a continuing hospital use on this property. To that end, she has refused meeting requests from developers of any sort who were expressing interest in this site. This includes hotel developers, housing interests, etc. So to reiterate, councilmember Miscikowski supports a continuing use of the Daniel Freeman site as a hospital and are doing all they can to continue that use for the communities.” Now Tenet has taken the property off the market and says they are “reconsidering” closure.

October 5

FindLaw — Legal News and Commentary reports, “*Community Groups and Advocates File Amicus Brief in Attorney General’s Case Against Tenet to Stay Closure of Daniel Freeman Marina Del Rey Hospital*”

AT&T Broadband, Channel 43 Airs show called “Be Involved — SOMH Marina Hospital Non-Closure PROTEST Team” Susan Berke Fogel, Julie Inouye, Jim Moore, guests

October 8

Tenet sponsors second community testimonial input for DFMH at Venice High School

October 10

SOMH Update Letter to the Editor, Argonaut, Authored by Julie Inouye

October 11

First meeting scheduled with Tenet. SOMH & Healthcare Advocates — CHC, CU, SEIU, WLC, AGENDA, all work in a united coalition to meet with Tenet’s CEO Harris Koenig and set the ground rules for a true **Comprehensive Planning “Process”**. This will not be a one time meeting for the check list. Plans are to keep the hospital open.

SOMH

Julie Inouye of Save Our Marina Hospital compared Tenet's business practices to Enron and Worldcom, suggesting that the company prioritizes their monetary interests over community needs and well-being. SOMH coalition, numbers in the tens of thousands, is working non-stop to fight the closure.

August 1, 2002 Westchester/Playa del Rey HomeTown News

In an environment of corporate scandals and excessive executive compensation, Tenet's board is simply sending the wrong message, to the investor, to the consumer (with double-digit health premiums) and, perhaps most of all, to the Tenet employee. What could the incremental increase in Mr. Barbakow's retirement benefit pay for? At least one additional nurse in each of 20 hospitals, or annual health benefits for 250 employees. If corporate greed should end somewhere, health care should be the first stop.

Jenks Healthcare Business Report. Volume 12, Issue 11E
Mid-Month Elert — September 2002.

In this issue: What is reasonable compensation?

After Daniel Freeman closes, the next hospital will be Brotman Medical Center in Culver City, 4.6 miles away. Brotman is an additional 12 to 15 minutes away. Other hospitals are as high as 22 to 25 minutes away, under good driving conditions. Los Angeles City Fire Department, Culver City Fire Department, and LA county Fire Department combined transported over 3,400 patients to Daniel Freeman Marina in the year 2001, or about 9 patients every day. Again, 60% of those patients require paramedic intervention.

Mike Metro — Chief of Medical Services for the LA Fire Department. July 17, 2002. EMS Hearing — Impact of closure of Daniel Freeman Marina Hospital Emergency Department.

Tenet Healthcare

1994 New NME CEO, Jeffrey C. Barbakow:
"The number one priority for our board is to drive shareholder value."

<http://www.ect.org/tenet>

"Tenet settles fraud charges for \$56 million"

Modern Healthcare. June 19, 2002.

The following was said by Harris Koenig, CEO of Daniel Freeman Marina and Memorial Hospitals

"The population of the Marina is not a big user of inpatient health care services given its current and projected demographic makeup. 87 percent of the community out-migrates, meaning they elect to obtain health care services outside the community."

"With regard to the action that was taken yesterday by the Attorney General, we believe that we are in full compliance with the conditions of the Attorney General; and that's a matter that will be discussed at a subsequent date."

July 17, 2002. EMS Hearing — Impact of closure of Daniel Freeman Marina Hospital

"I am delighted that we will have a seasoned hospital executive of Harris Koenig's caliber at the helm of the Daniel Freeman hospitals," Schreck said. **"His insight and experience will be invaluable as we return these facilities to fiscal and operational health** and as we build an efficient, responsive health care system for these communities."

E Tenet — Tenet Completes Acquisition of Daniel Freeman Hospitals. Santa Barbara, California Dec. 17, 2001

How to stay involved with SOMH

Check our website daily www.somh.org

Make sure SOMH has your email address, this is the fastest way to communicate with you

Send these emails to your friends and organizations email databases to multiply our support base

Download petitions off of the website

Send donations to pay the legal fees

Buy SOMH T-shirts for \$20 and wear them to publicize SOMH

Set up tables at stores, Vons, Ralphs, Costco to get sign ups on petitions and for our database

Keep calling the elected officials and let them know how much we *appreciate* them Saving Our Marina Hospital

Come to any meeting that Tenet publicizes or that SOMH encourages you to attend to go on record

October 9, 2002 9a.m. Tenet Shareholder's Meeting

St. Regis Hotel - Century City
3 hr. FREE parking at mall or
Free Transportation by van
8:30am on the corner of Admiral and La Villa Marina
RSVP to 310.821.1519
jim@the-calculating-lady.com

Special Thanks

To the entire community of volunteers, donors, healthcare advocates, and supporters who have worked tirelessly in a united coalition to **Save Our Marina Hospital and ER**. And to all of the physicians, nurses, and hospital employees, Emergency Medical Services which includes Paramedics, Fire Fighters, Police, and Sheriffs who we thank everyday for dedicating their careers to keeping us healthy, safe and saving our lives.

This movement is dedicated to all of you!

— cut here —

SOMH Coalition

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Political Contact List

Tell them how much we appreciate them supporting and helping us to SOMH — Save Our Marina Hospital. We will never forget!

Justice Department State of California

Attorney General Bill Lockyer Office*

(AG Most important #1 to Call & Email)

Tell him not to let Tenet purchase anymore hospitals in California to stop their monopoly.

Trisha Wynne – Special Assistant to AG

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*Re-election in November 2002

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