

November 29, 2011

Dave Jones, Insurance Commissioner
California Department of Insurance
300 Capitol Mall, Suite 1700
Sacramento, CA 95814

Re: Kaiser Permanente Insurance Company, a/k/a Kaiser Permanente, a/k/a Kaiser

Dear Commissioner Jones,

We are writing to request that the California Department of Insurance (CDI) investigate Kaiser Permanente's reported violations of California's laws and regulations governing the provision of timely and appropriate mental health services to California residents.

These reported violations are described in the attached 36-page study authored by the National Union of Healthcare Workers (NUHW) and entitled "Care Delayed, Care Denied: Kaiser Permanente's Failure to Provide Timely and Appropriate Mental Health Services." The study, which contains the results of an NUHW survey of more than 300 mental health professionals practicing at 57 Kaiser facilities in Northern and Southern California, indicates that Kaiser is committing systematic and willful violations of state and federal laws intended to ensure patients' access to timely and appropriate mental health services. Kaiser's practices have an outsized impact on California's consumers as it is the state's largest health plan with more than 6.6 million enrollees, some of whom belong to health plans regulated by CDI.

As you know, timely and appropriate mental health care is crucial for the well-being of California consumers. Treatment that is delayed can seriously jeopardize the mental health of a client and can accelerate the progression of a mental health condition. This can have very serious consequences not only for patients but for the well being and safety of others.

The CDI is charged with enforcing regulations regarding the accessibility, adequacy and timeliness of health plans' services to consumers (California Insurance Code, §10133.5). Additionally, the CDI is charged with enforcing the California Mental Health Parity Act (California Insurance Code §10144.5) and other rules intended to ensure consumers' access to appropriate mental health services.

We request that the CDI employ its full statutory authority to investigate Kaiser's reported violations of these requirements and any other laws and regulations governing Kaiser's provision of mental health services. We request further that the CDI make its findings known to the general public and that it seek appropriate relief for Kaiser plan participants if it ultimately determines that Kaiser has breached its responsibilities.

We and California's consumers thank you in advance for your prompt attention to this matter.

Respectfully,



Sal Rosselli, President