



Committee on Chicano Rights, Inc

April 24, 1979

Mario Obledo  
Secretary, Health and Welfare  
915 Capitol Mall  
Room 200  
Sacramento, CA 95814

Dear Mr. Obledo:

The Committee on Chicano Rights is requesting an immediate investigation of University Hospital on the following issues:

- (1) The failure to admit George Olmos a 16 year old United States citizen, for an emergency, into University Hospital. (See attachment A)
- (2) The racist statement of Dr. Randall Smith that "we do not want Mexican aliens laying around the ward eating up our funds" and the questioning of another University Doctor of whether George Olmos was Mexican or Spanish.
- (3) The failure to admit Juan Gutierrez a 6 year old Mexican National into University Hospital for a emergency treatment of burns, after the staff of University Hospital had picked him up in Tijuana. (See attachment B)

These issues concerning University Hospital, a tax supported hospital, has raised some very serious legal and ethical questions concerning its policies toward persons of Mexican Ancestry. For this reason our organization is requesting that your office carry out an immediate investigation.

Thank you,

Herman Baca  
Chairperson

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Red is a gift of valentine hearts,  
Raspberry frosting strawberry  
tarts."

It's an appropriate theme for the Performing Arts program — a school-within-a-school housed at Roosevelt — created as part of the San Diego Unified School District's magnet desegregation program.

It draws students like Andy, who is white and lives in Mission Hills, and Michael Bonds, 11, who is black and lives in Paradise Hills. Like other students in the musical —

and former lines to replace ones that didn't get laughs last weekend. "I like every kid on the set as much as I do off the set."

As 13-year-old Carter Sanford of La Jolla, who plays the role of "Oliver," puts it, children are "pretty much the same on the inside."

"We all have the feeling of friendship," said Carter, whose self-proclaimed role in the Wee Pals neighborhood is to don a beach towel as a cape and fight intolerance. "For some, it's under rock and cement, but it's there."

and formerly attended Freese Elementary School in Southeast San Diego, said that of the 10 songs — the music was written by Performing Arts instructor Norman Boaz — The Rainbow Song is her favorite.

"It makes people notice that we're all one big family," she explained.

*"White is a cloud of vanilla ice cream,  
Snowflakes from high above.  
Yes, all of us make up a rainbow,  
And our rainbow's the color of love."*

## Doctor Absolved Of Wrongdoing For Refusing To Authorize Transfer

By LEW SCARR

Medical Writer, The San Diego Union

Dr. Randall W. Smith has been absolved of all wrongdoing in the controversial handling of medical care for a 16-year-old gunshot victim seven weeks ago.

In testimony at an Assembly Health Committee hearing here yesterday, the chairman of the University Hospital Executive Committee

said a four-week investigation by two faculty physicians and two community physicians has found that the 40-year-old neurosurgeon showed reasonable and proper medical judgment and did not violate any medical principles during or after he was contacted by an emergency room physician at Community Hospital of San Diego and asked if he would "authorize" transfer of George

Olmos who had been brought to Community Hospital with an accidental gunshot wound in his head.

By not authorizing the transfer, Smith became the target of charges of racism, insensitivity, poor medical judgment and violation of hospital policy.

Testimony of Dr. John F. Alksne, chairman of the University Hospital medical staff and chairman of its Executive Committee, yesterday appears to have laid these charges to rest.

The four-hour hearing conducted by Assemblyman Art Torres, D-Los Angeles, also heard testimony criticizing a contract between the county of San Diego and UCSD for treatment of charity patients.

Torres heard University Hospital's director, Sheldon S. King, say that the county contract for care of indigents is so strict that "you literally have to break your neck in front of the hospital for the county to pay for it."

King was referring to the fact that the county will not pay for care of any indigent who has been seen first at another hospital, eliminating any reimbursement for care of any transferred patient.

Torres was critical of this policy and suggested after the hearing that "leverage" and "pressure" may be brought by the Legislature to get amendment of the contract.

But it was the Olmos case that focused attention of the Torres committee on emergency care here in the first place and which took the spotlight yesterday.

Most inflammatory as the case unfolded April 15 had been the charge by Dr. Anthony Haftel, Community Hospital emergency room

S.D. 4-22-79

## Court Notes Impact Of Reverse Bias Suit

By BILL OTT

Staff Writer, The San Diego Union

Saying the dispute has "possible ramifications of constitutional proportions," U.S. District Judge Gordon Thompson Jr. yesterday took under study a reverse discrimination suit that could affect the county's program to close the gap in minority hiring and promotions.

Stephen Harmon, former acting administrator of the county's Edgemoor Geriatric Hospital, filed the suit in 1977 after he was edged out of permanent appointment to the post because preference was given to a woman under efforts to boost minority appointments in accord with a court-approved consent decree.

The judge said the case "involves a very concerned area of law — not because of Stephen Harmon, but because of all the Stephen Harmon's like him who may be involved in a consent decree in this type of situation ... and even constitutional issues."

In the background is the consent decree, under which the county agreed to boost employment and promotion of minorities and women, when necessary choosing from eligibility lists on a selective basis, rather than holding to rank on the basis of examination scores.

Harmon was appointed acting administrator of the Geriatric hospital late in 1976 and held the post for six months. He testified he was given assurance of appointment after another candidate, Oscar Quinney, a black, turned down the job for medical reasons. Harmon ranked first on the eligibility list and Quinney second, trailing by only two points.

Harmon testified the assurance came from Dr. W.W. Stadel, director of county medical institutions. He said he was rated tops for the job, but that county officials ordered a supplemental eligibility list, adding

(Continued on B-2, Col. 1)

(Continued on B-2, Col. 1)

BOLETIN DE PRENSA

El comite de los Derechos de Chicanos tuvo una manifestacion en la frontera internacional de San Ysidro, California para protestar el comienzo de la "Cortina de Carter" de 6 millas al costo de tres millon de dolores aqui en San Ysidro, California y en El Paso, Texas. El comite de los Derechos Chicanos recomienda al las 66 organizaciones en todos partes de los Estados Unidos y a las 3,000 personas quienes marcharon aqui en San Ysidro el 11 de febrero de 1979 que:

Detengan sostenimiento politico y ayuda o  
endorsamento al la compana Presidential del  
Jimmy Carter para 1981. En essencia proponemos  
que un movimiento politico de "descargar a Carter"  
empieza en las commuidades Chicanas por todas  
partes de los Estados Unidos.

La posicion de nuestra organizacion y de los que protestaron el 11 de febrero de 1979 es que la construccion de la "Cortina de Carter" sera:

- (1) un gasto perdido del dinero de los pagadores de impuestos, y solamente servira como una simbolo a todos, que la politica de inmigracion es una de racismo, discriminacion y fanatismo contra los 16 millones de Chicanos/Latinos en los Estados Unidos.

- (2) Sobre el largo tiempo perjudicaron las relaciones entre los Estados Unidos de Norte America, Mexico y Latino America.

Está aumentando la violencia en la frontera y el resultado esta siendo el siguiente:

- (a) El 2 de febrero de 1979, Margarito Fernandez, edad 28, fue balaceado en ambos brazos por la Patrulla Fronteriza.
- (b) El 20 de marzo de 1979 Efren Reyes, fue muerto y Benito Rincon fue herido por Dan Cole, patrullero de Fronteriza, mientras que los dos hombres estaban esposados.
- (c) El 21 de marzo de 1979, la muerte del menor Mario Canedo, 4 anos de edad, en la oficina del I.N.S. el 29 de mayo de 1979.
- (d) El 29 de mayo de 1979, Los menores Martin Zorate y Ricardo Real, ambos de 16 anos de edad fueron balaceados por la Patrulla Fronteriza
- (e) El 1 de junio de 1979, Tres individuos fueron atacados por un hombre de la Patrulla Fronteriza de los Estados Unidos.
- (f) El 3 de junio de 1979, La Patrulla Fronteriza balaceo accidentalmente a Ismael Villa de 17 anos de edad cuando la pistola se descargo.
- (g) El 4 de junio de 1979, Tres individuos indocumentados fueron golpeados por un Patrullero de Fronteriza.
- (h) El menor Manolo A. Alberto, de 2 anos de edad, murio despues que se le fue negada la entrada a los Estados Unidos por la I.N.S.

Nuestra organizacion pide al Congreso que inicie una completa escala de audiencias congreso para resolver estas serios problemas

UNIVERSITY OF CALIFORNIA, SAN DIEGO



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UNIVERSITY HOSPITAL  
UNIVERSITY OF CALIFORNIA MEDICAL CENTER, SAN DIEGO  
OFFICE OF THE DIRECTOR  
HOSPITAL AND CLINICS

225 DICKINSON STREET  
SAN DIEGO, CALIFORNIA 92103

May 1, 1979

Mr. Herman Baca, Chairperson  
Committee on Chicano Rights  
1837 Highland Avenue  
National City, California 92050

Dear Mr. Baca:

For quite some time University Hospital has been working with government agencies and other community hospitals in an attempt to resolve major problems relating to the access of emergency medical services in San Diego. While progress has been made, it is painfully obvious that a community-wide plan for the initial disposition of emergency patients and established protocols for the transfer of such patients when necessary have not yet been established. It is most unfortunate that in spite of our efforts the community of San Diego has not recognized the complexity or severity of the problems which exist in this regard.

I stated publicly last week that the alleged actions of Dr. Randall Smith were not a reflection of the policy of University Hospital relating to patients transferred from other hospitals. Those actions are currently under investigation by the medical staff at University Hospital as well as the Bureau of Medical Quality Assurance. The findings and recommendations of those investigations will determine the action appropriate in that case. I must point out to you that Dr. Smith's side is yet to be heard; nothing I know about him would support the allegation that he is racist.

In the case of Juan Gutierrez, I must reiterate the actual facts in that case. University Hospital received a call from Tijuana on Thursday, April 19, informing us that the child had been badly burned on Sunday, April 15 in Tijuana. Years of experience in many burn cases treated at University Hospital has proven that the facilities available here are of greatest benefit to the burn patient within the first 48 hours after injury. It was never explained to us why it took four days for the notification to reach us of Juan's condition. In addition to providing our medical team and trauma van to transport this child, University Hospital made pleas to the administration of the County of San Diego and the Chicano Federation for assistance in the arrangements for the treatment of this patient. While the Federation was very sympathetic with the situation, they informed us that they were unable to offer any assistance or to recommend any other agency which might provide assistance for the care and treatment of this patient. County Administration informed us that "they were not responsible for the care or payment of care for this patient."

Herman Baca, Chairperson  
Committee on Chicano Rights  
May 1, 1979  
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We then contacted several other health care facilities in San Diego in an attempt to arrange for care for Juan and were successful in arranging for such care at Mercy Hospital. I must reiterate the position of this hospital, as stated last week, that University Hospital would have admitted and treated Juan had we been unable to arrange for his care elsewhere.

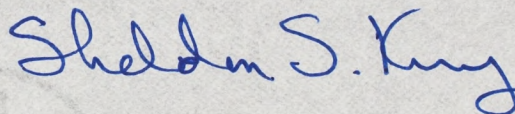
Our records clearly indicate that we have accepted and treated many such patients in the past without any assistance from state or federal agencies as well as those mentioned above.

As a hospital which has almost single-handedly attempted to provide emergency care in cases of this nature, we find it most regrettable that it has taken the situations which occurred last week to bring this community problem into public focus.

A community-wide investigation which I have requested Assemblyman Torres to authorize would identify the many problems related to the delivery of emergency health services in San Diego, and subsequently result in modifications to the community emergency medical services plan benefitting all of the people in this area.

I can assure you that the concerns expressed by the CCR are shared by University Hospital and we look forward to your support in the development of appropriate solutions to the problems which have contributed so greatly to these most regrettable circumstances.

Yours truly,



Sheldon S. King  
Director, Hospital and Clinics



3000 E STREET  
SAN DIEGO, CALIFORNIA 92102  
(714) 236-1508



## CALIFORNIA PUBLIC INTEREST RESEARCH GROUP

May 15, 1979

Sheldon King, Administrator  
University Hospital  
225 W. Dickinson St.  
San Diego, CA 92103

Dear Mr. King:

The California Public Interest Research Group, San Diego (CalPIRG) requests specific information from your institution regarding the transfer of patients from hospitals in San Diego and Imperial Counties to University Hospital. In light of recent events, we are very concerned about the delivery of medical care to indigents by acute care facilities in the two counties. It is essential that patient transfer information be analyzed to determine patterns which may adversely effect minority and low income populations. Therefore, CalPIRG would like the following information for each patient transferred broken down by transferring hospital:

- 1) Number of patient days at transferring hospital (if known)
- 2) Condition of patient on arrival
- 3) Service department at University to which patient admitted
- 4) Number of patient days at University
- 5) Principal diagnosis at discharge
- 6) Patient charges for care
- 7) Amount University collected on bill
- 8) Source of payment
- 9) Patient zip code

In a University Hospital new release dated April 23, 1979, you stated that the hospital is a major provider of emergency care to indigents in San Diego, Also, you claimed that your facility provided \$5.8 million in care for the poor with anticipated expenditures of up to \$750,000 for costs incurred because of the County's limited sponsorship of indigents. In order to substantiate your claim, CalPIRG needs to review your financial disclosure information and accordingly requests an appointment with your financial management officer.

CalPIRG, a public interest organization, has long been active in researching low income and minority health care issues. It

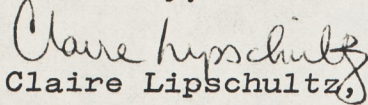
May 15, 1979

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is our continued concern which prompts our acceptance of your invitation to "open the records" as stated in the news release of April 23.

Your cooperation with our investigation will promote the delivery of health services for the poor.

Sincerely,



Claire Lipschultz, Esq.

cc: Assemblyperson Art Torres  
Assemblyperson Pete Chacon  
Supervisor Jim Bates, County of San Diego  
Homero Lomas, State Office of Civil Rights,  
Department of Health  
William Bauer, Advisory Health Council  
Albert Lowey Ball, Executive Director, California  
Health Facilities Commission  
John Harenski, Executive Director, Health  
Systems Agency  
Frank Panarisi, County of San Diego Chief  
Administrative Officer  
Herman Baca, Committee on Chicano Rights  
William Bradley, President, Health Systems  
Agency  
Vincent Wayne, University Hospital



DATE May 7

TO Herman

FROM Slavia Jean

MAAC  
PROJECT

FOR YOUR		PLEASE	
Action		Check & Advise	
Approval		Do Not Return	
Disposition		Follow up	
File		Read & Comment	
Information	X	Return	
Signature		Take up with me	
Per your request			

REMARKS:

# Editorial

KGTV10 SAN DIEGO

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## "UNIVERSITY HOSPITAL"

There's no question that a University Hospital doctor was wrong recently in turning a badly burned Mexican boy away from the hospital's burn center. The incident happened because the hospital was out of funds for non-emergency treatment.

And while we don't think a hospital should ever turn anyone away who needs attention, the case brings up some interesting points.

It has become obvious that new means of getting money to our hospitals have to be found. University's funds ran out because when the hospital treats people who can't pay, the state or county usually pick up the tab. But the slow, bureaucratic process of getting that money makes it almost impossible for hospitals to keep their money situation straight.

The incident will be investigated, and we welcome that. We urge all area hospitals to join with the investigators in drawing up new financial guidelines for hospitals and their patients.

AIRED BY MC GRAW-HILL BROADCASTING COMPANY VICE-PRESIDENT CLAYTON BRACE  
FOLLOWING NOON, EARLY AND LATE NEWSCASTS APRIL 27, 1979