

**PRESS ADVISORY  
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Legal/Health/Human Interest

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October 3, 2016 – SAN LUIS OBISPO, CA

Earlier today, 53 nurses who work at Twin Cities Community Hospital in Templeton, CA filed claims against the Hospital for widespread violations of California labor laws. The Hospital is owned by Tenet, one of the largest for-profit healthcare services companies in the United States, earning more than \$2.276 billion in adjusted net income in 2015. Tenet’s CEO, Trevor Fetter, earned more than \$13 million in 2015.

According to an earlier lawsuit filed by nine nurses in March 2015, the Hospital has routinely violated the nurses’ workplace rights under California law. The Hospital is drastically understaffed, which means that nurses are unable to take state-mandated breaks. Supervisors instructed nurses to take breaks by simply walking away from their patients, without providing a “break nurse” to ensure proper coverage. California law mandates that hospitals maintain specific nurse-to-patient ratios at all times. According to the lawsuit, Hospital supervisors instructed nurses to violate these mandatory ratios by abandoning their patients to take breaks. The lawsuit also asserts that the Hospital has failed to pay nurses properly for years, and has required nurses to work off the clock to avoid paying overtime. Even though nurses have raised these issues with management repeatedly since 2010, the Hospital has failed to remedy the problems identified in the lawsuit, prompting a much larger group of nurses to file their own additional claims today.

“It is unfortunate that we had to take legal action for the Hospital to take our patient safety and staffing concerns seriously,” says Wendy Lamb, a nurse who has worked at the Hospital since 2010. “We have been asking the Hospital to remedy the situation for years, but management has ignored us. Proper staffing is essential to providing safe, quality care to our community and should never take a backseat to budgetary constraints. We deserve better. The community deserves better.”

A 2013 investigation by the California Department of Health found that the Hospital was understaffed in violation of state-mandated nurse-patient ratios. The investigation concluded that understaffing resulted in “patients’ pain medications not being given in a timely manner” and “patients experiencing increased falls.” Nurse Kim Emard has worked in the Hospital’s Intensive Care Unit (ICU) since 1994. She confirms, “I have come back from my breaks to find no one watching my patients. I found crucial medication drips empty, with the medication alarm going off and no one there to check it. For a sedated, unstable, intubated patient, an empty drip is very dangerous and potentially deadly. These drips are responsible for maintaining adequate blood pressure and sedation, all to ensure safety and proper treatment of these patients.” Emard

has returned from breaks to find patients who have pulled out their own IV catheters, and patients who have been sitting in their own urine or feces. She adds, “It’s just heart-breaking. I have dedicated my entire career to caring for patients at this Hospital. We have asked for help, they keep promising to hire more nurses, but it just doesn’t happen.”

The Hospital knows that understaffing is a huge problem because nurses have submitted dozens of complaints over the years documenting it. For example, nurse Heather Baker sent an email to Hospital management in 2014 documenting that nurses in the Critical Care Unit would violate the mandatory nurse-patient ratios if they followed management’s instructions to hand off their patients to other nurses so that they could take breaks. Baker, who is passionate about patient safety, was unwilling to follow this unlawful practice because of her desire to avoid “even a single poor patient outcome.” Management never responded to her complaint and has failed to address the understaffing problem to this day.

In July 2014, the Labor Commissioner awarded \$32,000 to a Twin Cities nurse for missed rest breaks due to understaffing. In that case, the hearing officer concluded that Twin Cities “failed to provide an adequate number of qualified staff who could, or did, oversee patients to allow the Plaintiff his rest period without fear of violating patient to nurse ratio requirements.” The Labor Commissioner also found that the Hospital retaliated against nurses who exercised their right under California law to receive premium wages for missed breaks.

“Our hope is that by bringing these claims on behalf of a such a large number of nurses, the Hospital will fix these problems once and for all, and start treating its nurses with the dignity and respect they deserve,” said Lauren Teukolsky of Baltodano & Baltodano LLP, an attorney for the nurses. She adds, “Tenet’s practice of putting profits before people must end.”

Michelle Hanauer has been a Charge Nurse in the ICU since 2010. She says, “Twin Cities has wonderful nurses who are caring and compassionate. Their number one priority is optimal patient safety and outcomes. But the reality is that we are understaffed and overworked on a daily basis. Despite our best intentions, we simply can’t deliver the level of care we’d like, and we sometimes have to take shortcuts that endanger patient safety. Tenet may have to spend some additional money to provide us with break nurses, but it’s a small price to pay when we are talking about the care of your loved ones.”