

September 14, 2009

Hon. John W. Suthers
Colorado Attorney General
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Denver, CO 80203
Fax 303-866-4745
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RE: Hospital Transfer Group

Dear Attorney General Suthers:

As citizens who wish to ensure that Colorado-earned hospital profits remain in our state and that our community-owned hospitals remain non-sectarian, we are both disappointed and dismayed in the decision to transfer Exempla Lutheran and Good Samaritan Medical Centers to the Sisters of Charity of Leavenworth Health System (SCLHS).

In this letter, we lay out our reasons for opposing this transfer and our appeal to you to either stop the transfer or hold public hearings to allow the affected public to express their views on the matter, as permitted in HB08-1203.

It is our understanding that the transfer would mean our two *Colorado built and funded* hospitals—whose assets are estimated to total \$300-500 million—are being given to a Kansas-based corporate management organization by Community First Foundation (CFF).

If this transfer occurs, not only will the ownership of these assets move out of state, but also it is likely that future Colorado-earned profits will not be reinvested in Colorado healthcare. As has been stated by the SCLHS Chief Executive Officer, the Colorado hospitals will need to compete for these funds with hospitals in other states where SCLHS offers services.

We are also disturbed that this transfer will result in each of these hospitals becoming Catholic hospitals, following the Ethical and Religious Directives (ERDs) of the Catholic Church. We are deeply concerned that the ERDs will restrict services to the community members of West Metro Denver (including Jefferson County and the Foothills) who seek care with regard to reproductive services and end-of-life healthcare choices, and may restrict the use of stem cell research. We also fear the possibility that these ERDs could become further restrictive in the future since they are subject to broad interpretation.

Please know our concerns are not about abortion, a procedure which is performed less than a handful of times at both hospitals each year. Rather, our concerns center on the *elimination of choice* our community would have in availability of a hospital that provides the above named services. If this transfer goes through, there will only be Catholic healthcare organizations available to provide hospital service to our community. We believe our local hospitals have a responsibility to give area citizens options so they may choose the healthcare services that are best for them.

We believe the decision to move forward with the proposed transfer demonstrates that SCLHS and CFF have only partially (if at all) considered the issues and concerns of the communities that Lutheran and Good Samaritan hospitals serve. It is important to note that CFF has been unwilling to hold public meetings to allow community members to ask questions and express their views on the matter.

Over the past year, our citizens group (Save Lutheran Medical Center; see our website at www.SaveLutheranMedicalCenter.org) collected 9,383 signatures from West Metro Denver community members to register their opposition to the transfer. In addition, many thousands more people were made aware of these issues through newspaper editorials, articles and ads we placed in local newspapers, as well as through the 11 public information meetings we held in our communities. Even after we stopped collecting signatures in mid-March 2009 (to coincide with the commencement of arbitration hearings in Denver) we continued to be contacted by concerned citizens who wished to express their disapproval of the proposed transaction.

We understand that Colorado requires 10,000 citizen signatures to put an initiative on the State ballot. It is easy to see that the nearly 9,400 voices raised in opposition to the transfer—gathered from a very concentrated geographic area—constitutes a substantial population.

We also understand that, according to Colorado HB08-1203, the proposed transfer may be subject to consideration by your Office. *We submit that this transfer constitutes a “material change” as represented by the 9,383 voices raised against the transaction, as it incorporates factors that “include reductions in the availability and accessibility of health care services in the communities served by the hospital[s].”*

In consideration of the magnitude of this matter, we respectfully request that your Office either prohibit the transfer or hold a public hearing to learn first-hand of citizens’ concerns about the matter. We believe that hearing directly from members of the community would significantly increase your and all interested parties’ understanding of the impact this transfer would have, and would help you determine if it is truly in the best interest of the affected communities.

We hope you will grant our request to either stop the transfer or allow the citizens of our community to speak out about this important matter. If you do, it will be a first, as neither SCLHS nor CFF has considered (or invited) the community’s concerns. *We feel strongly that this is a critical component of the negotiations, and is one which has been woefully lacking since the transfer was proposed three years ago.*

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Thank you very much for your consideration of this important matter. If you would like to meet with us and other members of our committee, please know we would welcome the opportunity to do so.

Sincerely,

Carl & Charlotte Worster
Co-Chairs, Citizens to Save Lutheran Medical Center
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Lakewood, CO 80228
303-986-3605

Letter sent via fax and via USPS.