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Media advisory
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Supervisor Canepa Urges State Attorney General to Investigate Sutter Health's Use of CARES Act Funding

DALY CITY – San Mateo County Supervisor David Canepa announced that he has sent a letter to California Attorney General Rob Bonta urging him to investigate Sutter Health's use of federal CARES Act dollars. The not-for-profit health care giant received \$853 million in CARES Act funding, yet closed the Mack E. Mickelson therapy pool, the only warm water rehabilitation facility of its kind on the Peninsula.

“The federal CARES Act of 2020 was passed for the express purpose of keeping vital medical and community resources like the Mickelson therapy pool open during the COVID pandemic,” Canepa said. “Yet despite receiving nearly a billion dollars in funding, Sutter closed the pool. For many, the therapy pool was the only way to ease their pain and have a decent quality of life. Losing that facility has caused untold suffering for the very people the CARES Act was passed to protect.”

The Mack E. Mickelson Arthritis and Rehabilitation Center in San Mateo was built to serve the health needs of the San Francisco Bay Area Peninsula community. Opened in 1996, the Mickelson Center was financed in its entirety by \$4 million in community donations (\$7.2 million in today's dollars.) The Mickelson Center's warm water therapy pool was—and remains—the only such facility in San Mateo County that meets ADA requirements. For 25 years—until Sutter needlessly closed it—the pool was a unique, vital resource for community members facing the loss of their physical mobility.

Supervisor Canepa was joined in his announcement by Warm Water Wellness Inc, a nonprofit advocacy group for warm water therapy pools on the Peninsula. “The Mickelson therapy pool is an invaluable resource for chronic pain management and rehabilitation for seniors, disabled individuals, patients recovering from surgeries, children with special needs, and pregnant women,” said Lindsay Raika, CEO of Warm Water Wellness. “By closing the pool, not-for-profit Sutter Health sends a strong message that it is not interested in the quality of life of the most vulnerable members of our community.”

Government agencies throughout San Mateo County have joined Canepa and Warm Water Wellness in advocating for the reopening of the Mickelson pool. “The San Mateo Board of Supervisors, the Sequoia Healthcare District, and a dozen city councils up and down the Peninsula have passed resolutions or written letters to Sutter in support of reopening the Mickelson therapy pool,” said Raika. “They understand that availability of warm water therapy as a core service is necessary to support the health and well-being of the community.”

Sutter has offered varying excuses for closing the pool, including “continued uncertainty surrounding COVID,” a “focus on ... acute care services,” and efforts to be “good stewards of resources.”

“None of Sutter’s excuses holds water,” said Canepa. “For starters, therapeutic pools in San Mateo County were explicitly exempt from restrictions during COVID, so there was no reason to close the pool. Also, as of year-end 2020, Sutter had accumulated a nest egg of ‘resources’ that included \$7.967 billion in cash, cash equivalents and short-term investments. And that’s not even counting the federal CARES act funds Sutter received that were specifically allocated to save services imperiled by COVID. Frankly, I question whether Sutter Health is, in fact, meeting the obligation of its not-for-profit status.”

Despite strenuous efforts to open a dialogue with Sutter regarding the therapy pool—including petitions, protests, and even a multi-million dollar offer from the Peninsula Health Care District to fully fund repairs, retrofitting and operational costs of the pool until a replacement facility can be built—local community members have been unable to gain any traction with the healthcare giant. “I personally tried to broker a meeting between Sutter Health and local stakeholders, but Sutter refused,” said Canepa.

Sutter’s community neglect is not limited to the closure of the Mickelson Center and its therapy pool. Over the past decade, Sutter has cut at least 22 vital programs, a significant number of which — such as the Senior Focus Adult Day Program, Phase 3 Cardiac Rehab/Phase 3 Pulmonary Rehab, and the Post Stroke Program — benefited seniors and the disabled. “Closing programs that CARES Act dollars are designed to save is a betrayal of both the local community and the federal taxpayer,” said Canepa. “We hope the Attorney General will conduct a thorough investigation.”

The letter Canepa sent to AG Bonta Sept. 7 and other sources on the issue are below:
[Supervisor Canepa’s letter to AG Bonta](#)
[warmwaterwellness.org](#)
[change.org/save-the-Mickelson-pool](#)

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