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Sent: Monday, October 13, 2025 4:15 PM
To: sbcob
Subject: Public Comment - Board of Supervisors Meeting October 14

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TO: Clerk of the Board of Supervisors

The below is intended as a general public comment for the Board of Supervisors meeting of October 14. Please distribute this comment to the Board and post it online. Thank you for your time and attention.

Larry Behrendt

Indivisible Santa Barbara

Chair Capps and Supervisors Lee, Hartmann, Nelson and Lavagnino:

I am Larry Behrendt with Indivisible Santa Barbara. This is a general comment, following up on last week's agenda item addressing County Health's decision to transfer undocumented patients to other health care providers.

At your October 7 meeting, I raised five objections to the plan put forward by Public Health Director Dr. Mouhanad Hammami:

1. The community this decision purported to serve was left out of the decision-making process. While Dr. Hammami asks for public trust, he did not put forward this plan in a trustworthy way.
2. The plan will not provide continuity of care to impacted patients. It is the goal of the Trump Administration to cut off all funding for immigrant health care, not to see this care provided under different auspices. The new health care providers selected by CenCal will come under the same federal pressure faced by the County, and may be less capable of withstanding it.
3. There is no assurance that the plan will continue federal funding for County Health. As we heard during public hearing, there are frequent and changing demands coming from Washington, D.C. Dr. Hammami's plan may address one of these concerns. He is unlikely to address them all.

4. County Health may have to cut additional patient classes from its rolls to maintain federal funding. Dr. Hammami defended his position by pointing out the importance of providing care for the 75% of County Health patients who have documented citizenship. But that 75% figure will dwindle when the Trump Administration targets other vulnerable populations, such as LGBTQ+ patients, disabled patients, and patients who are homeless or without jobs.
5. The County has underestimated the position of the plaintiffs in the PRWORA case. Dr. Hammami has grounded his decision in the fear that the preliminary injunction issued in the PRWORA case (New York et. al. v. U.S. Department of Justice et. al., D.R.I. filed July 21, 2025) might be suddenly reversed. But per Federal Rule of Civil Procedure 65, a preliminary injunction can only be issued in federal court if the judge has determined that the plaintiffs are likely to succeed on the merits, and that irreversible harm will result in the absence of an injunction. This argues both that the plaintiffs in this case are likely to win, and that the judge will give County Health time to act even if the plaintiffs lose.

I encourage the Board to read at least the first three pages of the Court's decision granting this preliminary injunction. https://ecf.rid.uscourts.gov/cgi-bin/show_public_doc?2025cv0345-64. It sounds like the Court is prepared to rule against the Trump Administration when the time comes. The Court listed large classes of people who are unlikely to prove citizenship to the standards of the Trump Administration: not only undocumented folks, but also unhoused folks, victims of domestic violence and people living in poverty. It called the Trump Administration's decision rushed, and its arguments incomplete. The Court said that the Trump Administration's seeking to overturn 30 years of consistent interpretation of PRWORA made its case "even less tenuous." These are not the thoughts of a federal judge likely to suddenly throw 7500 patients out of County Health.

At the conclusion of public comment last Tuesday, Dr. Hammami criticized the near-unanimous public comment against his plan, asking why we did not bring forward a plan of our own. Again, it appears that Dr. Hammami wasn't listening to the community. We DID put forward a plan: the County should fight alongside our State Attorney General and 20 other State Attorneys General to preserve healthcare for undocumented patients ... and should not give up this fight while the litigants in the PRWORA case are winning it!

Dr. Hammami also made it clear that he will continue to transfer undocumented patients out of County Health, notwithstanding the unanimous vote of this Board to reconsider this decision at a future Board meeting in mid-November. In effect, Dr. Hammami is trying to force the Board's hand and preempt its authority to determine the right course of action. If in November we discover that County Health has already transferred large numbers of undocumented patients out of its system, this Board will have little choice but to cut its budget to account for the resulting and irreversible drop in County Health reimbursements.

In the meantime, we are beginning to hear disturbing reports of patients being transferred out of County Health to health care providers located outside of Santa Barbara County ... belying Dr. Hammami's promise of a "warm handoff" and continuity of care.

I urge you to act swiftly and put in place your own “temporary injunction,” barring Dr. Hammami from making any further transfer of patients under his system until this Board has its chance next month to reconsider his decision.

Larry Behrendt