

# California Commission on Aging

1300 National Drive, Suite 173 | Sacramento, CA 95834  
(916) 419-7591 | CCoA@ccoa.ca.gov | www.ccoa.ca.gov

GAVIN NEWSOM, Governor

**Executive Director**  
Karol Swartzlander

May 5, 2020

Mark Ghaly, MD, MPH  
Secretary  
California Health and Human Services Agency  
1660 Ninth Street, Room 460  
Sacramento, California 95814

Sonia Y. Angell, MD, MPH  
State Public Health Officer & Director  
California Department of Public Health  
PO Box 997377  
MS 0500  
Sacramento, California 95899

Sent via email to [Mark.Ghaly@chhs.ca.gov](mailto:Mark.Ghaly@chhs.ca.gov) and [Sonia.Angell@cdph.ca.gov](mailto:Sonia.Angell@cdph.ca.gov)

Dear Drs. Ghaly and Angell,

As the principal advocate for older Californians designated in Welfare and Institutions Code, the California Commission on Aging must express our strong opposition to the Health Care Surge Crisis Guidelines re-issued by Dr. Angell on April 29, 2020.

We recognize there were some improvements in the revised guidelines to specify that allocation of scarce medical resources during a public health emergency should be based on individualized patient assessments, without regard to age, disability, race, sex, sexual orientation, gender identity, immigration status or other factors. However, this guidance is not applied consistently throughout the document. Our greatest concern is the application of “saving life years” and “life cycle” considerations when resolving ties to prioritize patients, which is blatantly and illegally ageist.

One person who might have been discriminated against under this policy is the stepmother of a Commissioner who was diagnosed with HIV in her late fifties. What sort of a life cycle would have been predicted for her? She lived to be 88.

It is equally concerning that an Administration that has provided such extraordinary leadership with the initiation of the Master Plan for Aging and the Equity Workgroup, would produce guidance that illegally discriminates against older Californians.

We request you immediately revise the guidance to remove any discriminatory language to ensure an unbiased allocation of resources, without regard to age or disability. We also

recommend that older adults and organizations representing this population be meaningfully engaged in the development of policies that impact our community.

Sincerely,



Betsy Butler  
Chair

cc: Governor Gavin Newsom

Richard Figueroa, Deputy Cabinet Secretary

Kim McCoy Wade, California Department of Aging

Assemblymember Jim Wood, Chair, Assembly Health Committee

Senator Richard Pan, Chair, Senate Health Committee

Assemblymember Adrin Nazarian, Chair, Committee on Aging and Long-Term Care

Assemblymember Eloise Reyes, Chair, Assembly Human Services Committee

Senator Melissa Hurtado, Chair, Senate Human Services Committee