



March 11, 2026

Honorable Elwood Lui, Administrative Presiding Justice
Honorable Anne Richardson, Associate Justice
Honorable Arthur Gilbert, Presiding Justice (Ret.)
Court of Appeal
Second Appellate District, Division Two
300 S. Spring Street
2nd Floor, North Tower
Los Angeles, California 90013

Re: B337963, B339448
*Pomona Valley Hospital Medical Center v.
Kaiser Foundation Health Plan, Inc.*

Honorable Justices:

Request for Publication of Opinion

The California Hospital Association supports and joins in the request by Pomona Valley Hospital Medical Center that the Court order the publication of its opinion filed in this case on February 27, 2026.

Statewide, approximately 320 hospitals operate the emergency departments that serve the needs of some 40 million Californians. As the Hospital notes, over 4 million of the over 15 million trips to emergency departments in California in 2024 were made by patients covered by private health care service plans or health insurance. (Health plans are much more prevalent than health insurance policies.)

Reimbursement of fair rates for out-of-network hospitals who are providing emergency and trauma services to members of private plans and insurers is

critical. But in recent years, we have heard reports of a growing number of disputes over the reimbursement amounts owed by plans and insurers to noncontracted hospitals.

Publication of the Court's opinion in this case will provide important guidance to help resolve these disputes. It would develop and advance the law in this area, adding helpful analysis and needed explanation, building on existing cases such as *Bell v. Blue Cross of California* (2005) 131 Cal.App.4th 211, *Prospect Medical Group, Inc. v. Northridge Emergency Medical Group* (2009) 45 Cal.4th 497, *Children's Hospital Central California v. Blue Cross of California* (2014) 226 Cal.App.4th 1260, *Sanjiv Goel, M.D., Inc. v. Regal Medical Group, Inc.* (2017) 11 Cal.App.5th 1054, *Long Beach Memorial Medical Center v. Kaiser Foundation Health Plan, Inc.* (2021) 71 Cal.App.5th 323, and *County of Santa Clara v. Superior Court* (2023) 14 Cal.5th 1034. The contribution added by this Court's opinion is needed.

Interest of the California Hospital Association

The California Hospital Association, representing nearly 400 hospitals throughout California, advocates for better, more accessible health care for all Californians. CHA ensures that hospitals will continue to be able to provide exceptional care to patients and comprehensive health services to communities. Established in 1935, CHA provides information, resources, and perspective to state and federal policy makers to inform decisions that affect 40 million Californians.

CHA is a nonprofit, member-driven organization, led by a 40-plus member Board of Trustees composed of the leaders of California's hospitals and health systems. (<https://calhospital.org/>.)

The California Hospital Association has a particular interest in the fair reimbursement to California hospitals for emergency services provided to patients covered by private health care service plans and insurance policies, including the payment of fair market value to noncontracting hospitals.

Conclusion

The California Hospital Association respectfully requests that the Court order publication of its opinion issued February 27, 2026, in B337963, B339448.

Respectfully,



Erika Frank

V.P., Legal Counsel
California Hospital Association

Proof of Service
Pomona Valley Hospital Medical Center v.
Kaiser Foundation Health Plan, Inc.
Court of Appeal Nos. B337963, B339448
Los Angeles County Super. Ct. No. KC069796

I am a citizen of the United States, over 18 years of age, and not a party to the within action. My business address is: California Hospital Association, 1215 K Street, Suite 700, Sacramento, CA 95814.

On the date set forth below, I am serving the foregoing **Request for Publication of Opinion** by causing this electronic document to be distributed as follows—

To

Plaintiff and Appellant Pomona Valley Hospital Medical Center

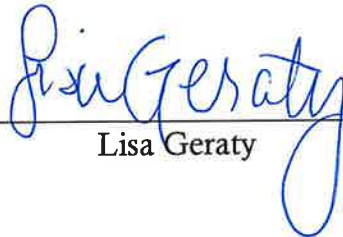
and

Defendant and Appellant Kaiser Foundation Health Plan, Inc.

BY ELECTRONIC SERVICE THROUGH TRUEFILING: This document is being submitted for filing through the Court's TrueFiling service, with designation that an electronic copy be served through a link provided by email from TrueFiling to the attorneys who are registered with TrueFiling for this proceeding.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on March 11, 2026.



Lisa Geraty