

KEJC Impact Advocacy Report December 2017

Public Benefits Advocacy

Medicaid 1115 Waiver (NHeLP, SPLC and Jenner & Block)

- We are studying a potential challenge to KY's proposal to seek an 1115 Medicaid waiver from CMS to permit work requirements, impose premiums and co-payments, reduce benefits and create lock-outs and penalties
- We are working with Legal Aid advocates, Family Health Centers, KY Primary Care Association, KFTC and other community groups to determine how the waiver will impact individuals

Commonwealth of Kentucky, Cabinet for Health and Family Services v. Anne Marie Regan - (Franklin Circuit Court)

- We appealed Cabinet's refusal of our open records request for Medicaid waiver documents and received favorable decision by AG
- Cabinet has now filed complaint/appeal with court – we filed counter-claim, will be submitting Motion for Summary Judgment next week

SNAP / ABAWDS – SNAP rule limits benefits to 3 months for able-bodied adults

- Filed comments on SNAP Employment and Training program reg changes
- Participated in Center on Budget SNAP Policy Conference in Salt Lake City
- Met with DCBS officials and Center on Budget to discuss ABAWDS
- Updated screening tool to identify individuals exempt from ABAWDS rule

Benefind – Implementation of Integrated Case Management System

- New system resulted in thousands of cut-offs – agreement allowed us to submit cases for quick resolution
- Referred 83 cases to Rapid Response Team since May 2016
- All but 3 cases are resolved

B.H. v. CHFS/DCBS – Kinship Care - Administrative hearing

- Client who has cared for a nephew and 2 nieces since 2002 with assistance from Kinship Care was threatened with termination
- Hearing officer ruled for client – she recovered \$2400 in back benefits

DSH (Disproportionate Share Hospital program)

- Covers hospital bills for those under 100% FPL
- Successfully worked with CHFS to update application form to reflect updated federal poverty levels and application process

Hope Act

- Last legislative session, HR 186 passed (a version of the Hope Act, which would impose restrictions and enhanced verification for public benefits)
- We are working with KCEP and Center on Budget to oppose this next term
- Hosted visit with Center on Budget staff – met with advocates, Rep. Jenkins and DCBS officials to discuss ABAWDs and Hope Act

Consumer Advocacy

National College of Kentucky v. Moffitt, et al. (Kentucky Court of Appeals) - SLAPP suit alleging defamation - Coordinating defense with AG's office and Wave TV 3 attorney

- Trial Court granted (ours and Wave's) motions for summary judgment
- Case under submission with Kentucky Court of Appeals since August 2016

KCRL (Kentucky Coalition for Responsible Lending)

- Participate in monthly, national payday advocates calls
- Reviewed and edited ability to repay bill to be filed in KY legislature
- Drafted talking points on consumer flex loans
- Participated in social media to support CFPB rules and oppose Financial Choice Act and repeal of arbitration rule
- Participated in Consumer Lobby Day in DC sponsored by Consumer Federation of America – met with staff for 2 Senators, 2 House representatives

Other Advocacy

- Attended Kentucky Voices for Health Annual Meeting
- Monthly review of regulation changes and submit comments as necessary
- Participated in Workers' Rights Task Force
- Attended Statewide Conference in Faubush, KY
- Participated in Welfare and Health Task Force meeting - included presentation by CHFS on ABAWDS and my presentation on 1115 Medicaid Waiver
- Organized and participated in Consumer and Housing Task Force meeting (gave presentation on current CFPB rulemaking – payday lending rule, arbitration rule)
- Attended Southeast Public Benefits advocates meeting in Atlanta – gave KY updates on SNAP and Medicaid
- Participated in social media to oppose ACA repeal bills and Senate tax bills

Anne Marie Regan

Senior Staff Attorney

(502) 333-6012

amregan@kyequaljustice.org