

## KEJC Impact Advocacy Report September 2016

### Public Benefits Advocacy

#### CHFS/ DCBS Issues

##### Benefind

- Prepared complaint and sent demand letter to DCBS Commissioner - 4/1
- Sent letters outlining benefind problems to FNS and CMS - 4/7
- Met with DCBS Commissioner and other officials - 5/4
- Sent follow-up letter to DCBS outlining needed steps to resolve case - 5/13
- Met with Medicaid Commissioner Miller discuss benefind issues specific to Medicaid - 6/9
- Follow-up meeting with DCBS officials - 7/5
- **Referred 47 cases to Rapid Response Team since May**
- **33 Resolved** (9 Medicare Savings Plan 7 Medicaid LTC, 6 KTAP, 5 SNAP, 4 Medicaid, 4 Medicaid Waiver)
- **15 Unresolved** (12 Medicare Savings Plan, 2 Medicaid, 2 Medicaid LTC, 2 SNAP)

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

- **Advocates met with DCBS on 9/7 – some positive changes:**
  - **Forms will be changed to give more info to clients on exemptions to rule**
  - **Any health professional may submit inability to work form**
  - **Chronic homeless now an exemption**
- Updated screening tool to identify ABAWDs exemptions – sent out with update to legal aid list-serve and to homeless and housing advocates
- Sent follow-up letter to DCBS re next steps
- Submitted FOIA request to FNS and Open Records Request to CHFS
- Organized legal aid participation in FNS' Program Access Review by completing questionnaires
- Attended Kentucky Hunger Initiative meeting at Dare to Care warehouse in Louisville

### 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 now on appeal – **filed brief for Appellee Moffitt in conjunction with AG's Office on 7/15**

### **KCRL (Kentucky Coalition for Responsible Lending)**

- Participated in regular conference calls with coalition members and semi-monthly calls with national advocates
- Attended KCRL membership meeting 5/26
- Provided information to Lexington Herald Leader reporter John Cheves for 2 articles on payday lending
- Met separately with Sen. Kerr and Rep. Owens to discuss upcoming legislative session and draft bills

### **Consumer Financial Protection Bureau (CFPB)**

- Participated in 3 CFPB calls on Mortgage Servicing, Older Americans and Loss Mitigation
- Participated in NACA calls re CFPB Debt Collection Rule - signed on to group comments
- Submitted KEJC comments on CFPB Arbitration Rule
- **Release of CFPB proposed rule on payday lending – June 2**
  - Participating in conference calls and social media with Stop the Debt Trap
  - Drafted press release for KCRL with KCEP
  - Had Op-Ed published in Kentucky Gazette
  - Succeeded in getting Rep. Yarmuth to sign on to House letter encouraging CFPB to enact a strong final rule
  - Contacted AG's Consumer Protection Division to solicit comments
  - **Persuaded 28 individuals and 5 groups to file comments**
  - **Submitted KEJC comments and sent to entire Congressional delegation**
  - **Drafted group sign-on letter and solicited groups to sign – currently up to 16**

### **Other Advocacy**

- Participated in State Interagency Council (SIAC) monthly meetings on Children's Mental Health System of Care
- Participated in monthly Children's Health Task Force calls
- Consulted with disability advocate re MCO denials for state of the art therapy for spinal injuries
- Participated in Legal Impact Network (LIN) calls on predatory lending and public benefits, sub-group calls on ABAWDS and phone survey with KEJC
- Monthly review of new and amended regulations
- Contacted by reporter for Center for Public Integrity about litigation on whether Unclaimed Life Insurance Benefits Act should be retroactive

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