

**KEJC Impact Advocacy Report
December 2015**

Health and Public Benefits Advocacy

Martin v. Colvin (E.D. Ky. at Pikeville) With Ned Pillersdorf and John Rosenberg

- Class action lawsuit against SSA on behalf of 1470 disabled individuals who are having their SSD/SSI benefits redetermined due to SSA's "reasonable belief" of alleged fraud by their attorney and doctors
- Court dismissed case due to lack of jurisdiction; pending motions for injunctive relief and class certification dismissed as moot
- Filed Motion to Alter or Amend Order and Judgment
- Consulted with Justice in Aging and NOSSCR re next litigation steps

CHFS/ DCBS Issues

- Met with DCBC officials and other advocates re Medicaid long term care and other public benefits issues
- Submitted follow-up questions and request for documents
- Monthly review of new and revised regulations
- Drafted and filed comments on HCBS waiver regulation amendments
- Reviewed revisions to HCBS Waiver Transition Plan
- Reviewed draft of comments on ACA Section 1557 Non-Discrimination rules
- ABAWDS advocacy – SNAP rule limits benefits to 3 months for able-bodied adults:
 - Reviewed Kentucky SNAP manual and regulations re ABAWDS rules
 - Called advocates re ABAWDS rule – homeless groups and food banks
 - Sent Kentucky ABAWDS docs to CBPP
 - Attended CBPP meeting on ABAWDS in DC
 - Prepared screening tool for community groups and advocates to identify ABAWD exemptions

Children's Mental Health

- Monitoring expansion of mental health services and providers
- Participate in State Inter-Agency Council redesign team on Systems and Structure
- Participate in monthly KVH Children's Task Force meetings
- Received and reviewed documents from CFHS re Open Records Request

Consumer Advocacy

National College of Kentucky v. Moffitt, et al.

(Jefferson Circuit Court) - SLAPP suit alleging defamation -

- Coordinating defense with AG's office and Wave TV 3 attorney
- Oral arguments heard on Motions for Summary Judgment
- Submitted all discovery responses to court
- Court granted (ours and Wave's) motions for summary judgment
- Appeared in court on National College's Motion to Alter, Amend, Vacate or for Factual Findings

P.W. v. National Consumer Law Group

- Client signed contract with debt settlement company; paid \$400-500 for almost a year with few results; payments cancelled
- Consulted with AG's office, referred client to bankruptcy attorney
- Considering legal action against debt settlement company

KCRL (Kentucky Coalition for Responsible Lending)

- Participated in conference calls to plan next session's campaign – 36% cap on payday loans
- Participated in monthly national payday advocates conference calls
- Reviewed draft of Sen. Kerr's letter to Senators

Non-Judicial Foreclosure

- Created advocacy network to fight off bill to be filed next session
- Reviewed latest draft bill received from bankers, prepared summary and sent to advocacy group
- Made revisions to James Craig's article for Kentucky Justice Association magazine

Other Advocacy

- Attended SEPBTAG meeting of public benefits advocates in Atlanta
- Attended meeting of Legal Advocacy Network (Shriver Center) in Baltimore

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