

KEJC Impact Advocacy Report April 2017

Public Benefits Advocacy

Medicaid 1115 Waiver

- We are considering a major legal challenge to KY's proposal to seek an 1115 waiver from CMS of some Medicaid requirements
- The purpose of these waivers is to improve access to care. KY's waiver is designed to save money and limit access to care – imposes work requirements, premiums and co-payments, reduces benefits and creates penalties
- We are conferring with NHELP, Jenner and Block, SPLC and NELP

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

- Attended Center on Budget's SNAP Policy Conference in Tampa, Florida
- Drafted second Open Records Request to Cabinet
- Updated screening tool to identify individuals with all ABAWDs exemptions
- DCBS now permitting easier access to exemptions for disabled and homeless

Benefind

- Referred 73 cases to Rapid Response Team since May (9 since December)
- All but one case are resolved (in December 27 were still unresolved)

***B.H. v. CHFS/DCBS* – Administrative hearing**

- Client who has cared for a nephew and 2 nieces since 2002 with assistance from Kinship Care is threatened with termination
- Hearing held on 12/16 – decision pending

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 8/16

KCRL (Kentucky Coalition for Responsible Lending)

- Two bills filed to cap interest on payday loans at 36% (HB 320, SB 169)
- Two bills filed to increase DFI penalties for violations of current law by payday lenders (HB 321, SB 169)
- Opposed HB 447 – Son of Payday Loan bill (installment loans at 276% APR)
- Submitted Open Records Request to DFI for Veritec's 2016 Report

Legislature 2017

- Created Consumer/Housing and Utilities Bill Chart
- Compiled final list of consumer and housing bills that did and did not pass
- Consulted with Ben Long, director of Consumer Protection at AG's office, about various consumer bills
- Opposed HB 294 – testified against bill in both House and Senate Committees (bill increases amount beyond which dealer has to report vehicle damage to buyer)
- Opposed SB 95, SR 165 and HR 186 (Hope Act – restrictions and enhanced verification for public benefits)
- HB 318 – bill passed to increase powers of Land Banks

Other Advocacy

- Organized Consumer and Housing Task Force – presented summary of consumer/housing bills in legislature and update on CFPB regulatory actions
- Participated in Maxwell Street Legal Clinic transition meetings and hiring of new Immigration Attorney/Director
- Conducted monthly review of new and amended regulations and filed comments
- Organized and participated in call with GAO and other state advocates re Medicaid long term waiver application process
- Attended monthly State Inter-Agency Council meetings re children's behavioral health system – summarized financial mapping results for advocates

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