

Impact Advocacy Report

July 2015

Health and Public Benefits Advocacy

- **DCBS Issues**
 - Filed comments on 1) second set of changes to SNAP administrative disqualification regulation 2) changes to fair hearing regs and 3) changes to SNAP issuance dates
 - Consulted with David Super and NCLEJ about possible challenge to change in SNAP issuance dates
- **SNAP Policy Conference (Baltimore)**
 - Attended national meeting of state advocates sponsored by CBPP
 - Prepared summary of Kentucky issues and documents for conference
- **Children's Mental Health**
 - Part of State Inter-Agency Council redesign team on Systems and Structure
 - Participate in Kentucky Voices for Health Children's Task Force
 - Reviewed 13 sets of reg changes on behavioral health – submitted comment re inpatient psychiatric hospitalization for children up to 22

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

- Class action lawsuit against SSA on behalf of 900+ disabled individuals who had their SSD benefits suspended due to alleged fraud by their attorney and doctors
- With help from Rep. Hal Rogers, succeeded in reversing the suspensions
- Our motion for preliminary injunction pending

H.B. v. SSA (ALJ hearing scheduled for July 22)

- Appeal of automatic 1/3 reduction in SSI benefits for disabled individual who resides with parents
- Submitted evidence and prehearing memo

Consumer Advocacy

- **KCRL (Kentucky Coalition for Responsible Lending)**
 - Participated in conference calls to plan next session's campaign
 - Drafted response letter to Senator Alvarado
 - Compiled and shared background materials with new advocates
- **CFPB Advocacy**
 - Proposed Payday Lending Rule (CRL Grant)
 - Working on collecting payday borrower stories
 - Worked with KYA to get Public News Service story out to press

- Attack on CFPB
 - Succeeded in getting Rep. Yarmuth to sign congressional letter of support
 - Sent letter seeking support of CFPB to Kentucky congressional delegation
- Filed comments on CFPB's proposed prepaid card rule
- **Non-Judicial Foreclosure**
 - Creating advocacy network to fight off bill to be filed next session
 - Reviewed draft bill received from realtor group

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
- Motions for Summary Judgment pending
- Hearing yesterday on Plaintiff's motion to compel additional discovery from Wave TV3
- Deposition of Moffitt to be conducted in August

J.W. v. U.S. Dept. of Education and ECMC (Administrative garnishment of SSA benefits to pay student loans)

- Assisted client in filing hardship application with loan servicer to stop garnishment
- New direct consolidation loan application approved - \$0 monthly payments under the income based repayment plan

P.W. v. National Consumer Law Group

Capital One Bank (USA) v. Phillips-Whitman (Pulaski District Court)

- Client signed contract with debt settlement company; paid \$400-500 for almost a year with few results; payments cancelled
- Filed answer and discovery in district court case, client now sued by two creditors
- NCLG has now filed suit against client, client considering legal action against debt settlement company
- Consulted with AG's office, referred client to bankruptcy attorney

Other

- Organized and chaired Consumer/Housing Task Force meeting – presented on new bills passed and non-judicial foreclosure
- Participated in Welfare and Health Task Force – presented on *Martin v. Colvin*, organized visit and training by David Super on SNAP issues
- Attended SEPBTAG meeting in Nashville of public benefits advocates in southeast
- Assist/co-counsel workers' rights cases with McKenzie
- Consulted with Kentucky Center for Economic Policy about current issues in poverty advocacy
- CLASP grant – participated in partner planning call and with reviewing grant proposal
- Counsel and advise for client facing garnishment
- Looking for new office space