

**KEJC Impact Advocacy Report
December 2016**

Public Benefits Advocacy

CHFS/ DCBS Issues

Benefind

- **Referred 64 cases to Rapid Response Team since May**
- **37 Resolved** (15 Medicare Savings Plan, 8 Medicaid LTC, 4 KTAP, 4 SNAP, 4 Medicaid, 4 Medicaid Waiver)
- **27 Unresolved** (16 Medicare Savings Plan, 7 Medicaid, 2 Medicaid Waiver)

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

- As a result of a federal review, DCBS is making 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 all ABAWDs exemptions – sent out with update to legal aid list-serve and to homeless and housing advocates
- Received and reviewed responses to FOIA request to FNS and Open Records Request to CHFS – summarized results and sent to state advocates and CBPP

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

- Client who has taken care of a nephew and 2 nieces since 2002 with assistance from Kinship Care is threatened with termination from the program for not responding to a letter re recertification that she never received.

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
- Attended Banking & Insurance Interim Committee meeting and talked with legislators about CFPB Rule and to NAIC rep re unclaimed life insurance

- Met with Lexington Herald Leader reporter John Cheves following his 2 articles on payday lending
- Met separately with Sen. Kerr and Rep. Owens to discuss upcoming legislative session and draft bills
- Organized (with KCEP) a visit from CRL (Whitney Barkley-Denny) to Kentucky – met with Sen. Kerr, DFI Commissioner Vice and head of AG’s Consumer Protection Division Ben Long; organized meeting with KY Treasurer’s office

Consumer Financial Protection Bureau (CFPB)

- **Comments on CFPB proposed rule on payday lending**
 - Participated in conference calls and social media with Stop the Debt Trap
 - Persuaded 28 individuals and 5 groups to file comments
 - Submitted KEJC comments and sent to entire Congressional delegation
 - Solicited 25 groups to sign Kentucky comments to CFPB
 - Solicited 13 KY groups to sign on to national comment letter
 - KEJC signed on to national sign-on letter with 700+ groups
 - KEJC signed on to comments filed by the Legal Impact Network (LIN)
 - Assisted Sen. Kerr and Rep Owens with draft comments that were submitted to CFPB

Other Advocacy

- Participated in Welfare and Health Task Force – presented on SNAP ABAWDS and benefind
- Submitted comments to CMS on 1115 Waiver application
- Attended SEPBTAG meeting of public benefits advocates in New Orleans
- Attended Center on Budget national meeting of SNAP advocates
- 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
- Participated in Legal Impact Network (LIN) calls on predatory lending and public benefits, sub-group calls on ABAWDS
- Completed monthly review of new and amended regulations
- Reviewed CMRS/ lifeline phone legislation and proposed request to AG’s office for opinion on constitutionality
- Participated in NHeLP and Tuesdays at 2 post-election meetings

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