Welfare and Health Task Force

DATE: July 20, 2010
TO: Every Office, Interested People
FROM: Kim Murphy, Lisa Line, Rich Seckel
RE: Agenda for July 27 meeting

Here is the agenda for the next legal services Welfare & Health Task Force meeting:

Date: Tuesday, July 27
Time: 12:00 to 3:15 p.m. ET
Place: Legal Aid of the Blue Grass Community Room
        498 Georgetown Street, Lexington

Agenda: federal health reform and Kentucky; a first look at proposed state Medicaid
cuts; handouts on a big TANF-funded jobs program called Work Now Kentucky. And
good news: Kentucky has eliminated the food stamp asset test for all but a handful of
recipients.

_ Yes, I’m coming to the July 27 meeting._

Name: __________________________________ Program: ____________ Office: _________

Case topic: _________________________________________________________________

Note: We need an accurate count to order lunch.

Fax to: Rich Seckel at 859-233-0007
Welfare and Health Task Force

Proposed Agenda

July 27, 2010

12:00 Lunch, Welcome and Introductions

We’ll start with a working lunch to make it easier for far away folks to join us.

12:20 Special Topic: Health Care Reform—What Does It Mean for Kentucky?

Folks in the legal services trenches know what it looks like when Kentuckians can’t get health care. Since we last met, Congress passed the Patient Protection and Affordable Care Act.

*Kentucky Voices for Health* has put together a primer on what the Act means for Kentucky—complete with timeline, Q&A and estimates of the numbers of Kentuckians who will get help. Try this one: *an estimated 261,000 will get coverage* under new Medicaid income guidelines.

New KVH director *Jodi Mitchell* and report author *Bob Gray* will walk us through the document and describe activities to ensure good state level implementation. Co-chair *Kim Murphy* comments on the fiscal side. New federal dollars will flow into the state.

1:00 Asset limits disappear . . . cutbacks could be worse . . . $ getting closer

*Food asset limits disappear:* More than half the states have done away with the food stamp asset test through the magic of “cat el:” aligning food stamp rules with a new low cost TANF-funded benefit. In June, Kentucky joined them. Kim Murphy explains—and adds a few words on changes in SAFE (Simplified Assistance for the Elderly).

*Medicaid cuts—not the unkindest of all?* State officials recently unveiled a set of cost containment measures for Medicaid. *Kim Murphy* and *Anne Marie Regan* have studied them. While the measures come close to meeting the old maxim “first, do no harm,” it’s not clear how much money they will save.

*Notice something missing?* It’s been several years since advocates helped re-write a host of public benefits notices. Now there’s a new crop. One tells clients they’ve agreed to repay overpaid child care costs. But it appears to be a first notice and doesn’t tell about the right to a hearing. Lisa Line explains.

*Is money following me?* Kentucky’s Money Follows the Person initiative is designed to help people in long term care facilities go back to their home or
community. One rule was frustrating: to get help, you had to be institutionalized for at least six months. Kim Murphy gives us good news.

**Protected amount:** The Treasury Department has issued a proposed rule that would protect electronic deposits of Social Security and other federal benefits from being frozen when a notice of garnishment is sent to a bank. *Anne Marie Regan (KEJC)* and *Stefanie Ebbens (ARDF-Columbia)* commented on the proposed rule—including suggestions to improve it. We’ll get a report.

**Manual transmission:** A vast flow of policy letters, updated forms and manual sections comes from DCBS to the KEJC inbox. Your task force chairs help Rich find the good stuff. Kim Murphy shares his “top five,” including an updated notice of ADA rights (PAFS-600) and a proposed online application for food stamps (now “food benefits”).

1:45 **Break**

2:00 **Special Topic II: Kentucky Work Now and Parents in School**

**Work Now Kentucky:** The Governor signed an emergency regulation to launch it. The money comes from the stimulus package, through TANF emergency funds. It’s a lot: an estimated $58 million, for up to 9,710 jobs, at an average $9.40 per hour, 35 hours a week.

We’ll pass out the state’s flyer and emergency reg and hear from participant Rhonda Nottingham, who’s working at Appalred. Plus, a look at parents and school.

**Ready to Work:** Kentucky has been a leader in helping TANF parents pursue post-secondary education, but federal rules have sometimes gotten in the way. In the wake of news that Kentucky didn’t meet its federal participation rate for 2007, an interesting change: a dramatic increase in funds for work study in the KCTCS “Ready to Work” program.

*Shauna King-Simms* of KCTCS recently testified before Congress on how the TANF rules could be improved. Several sources say the Kentucky testimony was among the most compelling. Shauna can’t make it this time, but she’ll come to our October 7 meeting.

2:30 **Case discussions . . . K-TAP joint custody rule . . . UK Hospital bills**

We’ll hear about both cases and ongoing legal research:

**K-TAP joint custody rule:** Kentucky has kept an old rule from the days of AFDC. To get K-TAP, kids have to demonstrate “deprivation” of the support of at least one parent. It gets tricky following divorce. DCBS now says joint
custody kids aren’t deprived. Karen Alfano describes the problem and a case that almost went to a hearing.

Who dat collecting for UK hospital? The issue surfaced about a year ago. The University of Kentucky Hospital is using the Revenue Cabinet to collect medical debts. KEJC’s Anne Marie Regan has been studying the practice. One key question: what type of notice do patients get?

Choice of mental health services: When it comes to outpatient mental health services, Kentucky appears to limit Medicaid patients to community mental health centers. The National Health Law Program says that, unless Kentucky has a waiver, the practice may violate the Medicaid guarantee of freedom of choice of providers. Anne Marie describes an ongoing inquiry—and poses a key question: what’s happening to clients?

Nursing home dumping lessons learned: Elmus Campbell died before his case went to mediation. KEJC and ARDF had gone to bat to defend his rights against nursing home “dumping.” Members of the litigation team reflect on the case.

Your case here . . .

3:00 Planning ahead . . . and now to our sponsor?

Topics: We’ll spend a few minutes brainstorming topics for policy advocacy projects and future agendas—plus use of technology for long distance meetings.

Sponsors: are there businesses or allies that could help sponsor task force meetings and activities?

3:15 Adjourn

This meeting funded in part by the Foundation for a Healthy Kentucky.