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### Health Law Fellow Board Report

I know an attorney nearing retirement who encourages new lawyers to try to draft a contract from scratch before consulting a form agreement. In other words, don't *just* consult the experts; get in the weeds and wrestle with the issues yourself.

My first two months as KEJC's Health Law Fellow have been all about balancing these two strategies – researching the important issues myself and reaching out to experts for guidance. The task is much loftier than simply drafting a contract; the “big hairy goal,” as Cara has called it, is to advance access to quality healthcare and improve social determinants of health across the Commonwealth, particularly for low-income individuals and families. Fortunately, KEJC already has a framework of five strategies aimed at advancing those lofty goals, and I've organized the work we're doing and hope to do into those five categories for purposes of this report.

**Networking (aka consulting the experts).** For the last two months, I've encountered a steady stream of new faces, from lunches with legal aid and private consumer attorneys to strategy planning sessions with our partners in healthcare advocacy to meetings with our grant funders. As intended, those connections are sprouting into opportunities for policy advocacy. For example, when Cara let us know a representative is looking for a bill promoting diabetes care, I followed up with a diabetic attorney friend who's personally invested in the issue. Based on her recommendations, I'll do some research on policy options and set up a meeting with the representative. I also plan to set up face-to-face meetings with the benefit experts in each legal aid program so that I can keep my ear to the ground for issues they're experiencing, and I'm looking forward to attending Georgetown University Center for Children and Families' Annual Child Health Policy Conference in July and a meeting of the Southern Health Partners in October.

**Policy Advocacy.** In June, I submitted federal comments on KEJC's behalf regarding the Office of Budget Management's proposed changes to the inflation rate used to set the federal poverty line. I've also been researching the Kentucky Integrated Health Insurance Premium Payment (KI-HIPP) plan, a program that uses Medicaid dollars to purchase employer-sponsored insurance for Medicaid recipients that the state has recently revamped and remarketed. In the next few weeks, we intend to send a letter to CMS to sound the alert about potential violations of the Medicaid Act inherent in the revamped version of the program. I'm also keeping a close watch on national developments related to surprise billing, balance billing, and the rising cost of medical care and prescription drugs to consumers, issues of particular interest to me in light of consumer law background.

**Litigation.** We recently submitted our editing suggestions to NHeLP (National Health Law Program) on our Appellee brief in the *Stewart v. Azar* case. On June 20, 2019, the brief was filed. Since then, several organizations have filed amicus briefs in our favor, including the American Medical Association, the American Academy of Pediatrics, the National Alliance on Mental Illness, and the Arkansas Hospital Association. The Kentucky Hospital Association was the only entity to file an amicus brief in the government's favor. Our summer law clerk, Chloe Atwater has done a tremendous amount of research on distribution of charity care and DSH funds throughout the state and litigation techniques used throughout the US to enforce adequate distribution of said funds. When she's finished with her project, we intend to distribute the information she obtains about hospital policies and forms to Kentucky legal aid programs, and we'll evaluate the potential for affirmative and defensive claims in medical billing cases.

**Community Education.** I recently gave a lengthy presentation at our Consumer and Housing Task Force on medical debt as consumer debt. I'm considering whether that presentation could be revised for broader community education opportunities. During my time at AppalReD, I reviewed every month's Kentucky Law Summary (which publishes all the state's appellate decisions) and sent out an informative and (I think) witty and engaging email to our program about changes and developments in legal aid practice areas. KEJC recently acquired a subscription of Kentucky Law Summary, and I intend to send out a new "summary of the summary" for all Kentucky legal aid programs in the near future.

**Enrollment.** I recently finished the training necessary to become certified as an Application Assister so that I can directly engage with clients on benefind and the Kentucky Health Benefit Exchange. I've already been assigned my first client who found me listed as an assister on the website, and I intend to partner with Miranda for several of her assister meetings to better understand the process.