



Capitol Desk

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Decision Due on Fate of Adult Day Health Care

by David Gorn

The state of California wants to eliminate its current adult day health care network by Sept. 1, and given the 60-day period required for implementation of that, federal approval for axing the program is expected to come this week -- specifically, by midnight on Thursday.

For ADHC advocates, that gives new meaning to the phrase "drop-dead deadline."

"If the governor's budget assumptions are followed," Lydia Missaelides of Adult Day Health Services said of the end-of-June deadline, "that's the next big event."

Coincidentally, June 30 also is the last day of business for five more ADHC centers -- in San Francisco, Ukiah, Modesto and two in Orange County.

"That brings the total number of announced closures to 11," Missaelides said.

The planned elimination of the adult day health care program needs approval from CMS. If the federal agency approves the dismantling of ADHC in California, there still are two rays of hope for the 35,000 people at the state's 300 centers who use the services.

Adult day health care is basically a range of nursing-home services provided during the day that enables seniors and individuals with disabilities to remain functional and living at home. One effort to continue these types of services is AB 96, by Assembly member Bob Blumenfield (D-Woodland Hills), which would establish the Keeping Adults Free from Institutions program modeled after ADHC. But KAFI would have only half of ADHC's budget, so the number and type of clients in the program would be significantly smaller.

AB 96 was passed earlier this month by both the Assembly and Senate, but it is part of the budget package that was vetoed by Gov. Jerry Brown (D).

The second lifeline ADHC advocates are clinging to is a lawsuit filed by Disability Rights California, which hopes to reverse the entire plan to eliminate adult day health care services in the first place.

The state's deadline for filing its brief is tomorrow, and final briefs are due July 12. The judge is expected to rule within a week or so after final briefs are submitted.

This week's federal deadline is important because, conceivably, CMS could decide that Sept. 1 is too soon to eliminate the adult day health care program, given the uncertain nature of the KAFI program.

Brown's budget veto put KAFI in limbo. It now needs to be included in the next budget package, and then Brown would need to sign legislation creating it. At that point, the window for implementing the new program would be extremely narrow.

If the Sept. 1 elimination date is approved, that would give the state less than two months to evaluate the current program's patients, outline a plan to care for them, apply for a federal waiver, have CMS approve it and then launch the program.

"Every day the budget is delayed, the window to get KAFI started gets a little smaller," Missaelides said. "The clock is ticking."