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Is the State Shifting its No-ADHC Stance?

by David Gorn

The state has been fighting a long battle to eliminate the adult day health care program in California -- including arguing the case to eliminate it this month in district court.

That's why yesterday's announcement from the Department of Health Care Services was such a surprise. The department said it would delay the planned Sept. 1 elimination date for ADHC.

"The director [of DHCS] has the authority to extend the ADHC deadline, and that's what he's doing," Tony Cava of DHCS said.

How long the deadline will be extended is up in the air, but Cava said it was on a month-to-month basis, which means that the centers certainly will be funded until Oct. 1, and that DHCS would need to extend the deadline again to go beyond that.

By the end of July, a district judge's ruling is due on whether or not that elimination plan is legal.

Meanwhile, this week lawmakers have met with Gov. Jerry Brown (D) to work out some kind of deal regarding ADHC. The original plan was to eliminate the \$169 million program and replace it with a program at about half the budget, \$85 million. The Legislature created the Keeping Adults Free from Institutions program, then Brown approved the appropriation but vetoed the budget language that tied that money to the KAFI program.

Yesterday, the Legislature approved two bills for the governor's signature. One of them -- **AB 96** by Assembly member Bob Blumenfield (D-Woodland Hills) -- creates the KAFI program.

The other bill, **SB 91** by the Senate Committee on Budget and Fiscal Review, is more technical. In the event of elimination of ADHC as a Medi-Cal benefit, some centers that might be able to stay open, but they would lose licensure under current rules, and would have to close. SB 91 fixes that, and allows ADHC centers to retain their licenses, even if the ADHC Medi-Cal benefit is withdrawn. Medi-Cal is California's Medicaid program.

According to Cava, DHCS is not considering implementation of a new program, but is entirely focused on elimination of the program and transition of the 35,000 beneficiaries to some other type of service.

The department has already conducted about 8,000 transition evaluations, Cava said.

"We've been working ever since [elimination] was proposed in March," Cava said. "We're identifying the needs, and figuring out the appropriate care recipients would receive."

So far, there are no specific programs designated for those 8,000 people, Cava said. "We want to look most at the at-risk people first," he said. "We're committed to ensuring that these recipients receive appropriate care in appropriate programs."

According to Norman Williams of DHCS, the extra time is necessary to make sure everyone in the current ADHC program gets the proper care.

"This extension guarantees that the transition happens in a seamless manner," Williams said. "We don't want to leave anyone without services for any amount of time. We want to make sure everything is done properly."

Williams said there has been no end date set for that elimination transition period.