

## Capitol Desk

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# Veto Caps Tough Week for Adult Day Health Care

by David Gorn

Today marks the 21st anniversary of the national Americans with Disabilities Act.

That anniversary carries a bit of a sting this year for seniors and the disabled in California, on the heels of yesterday's veto by Gov. Jerry Brown (D) of a bill that would have created the Keeping Adults Free from Institutions (KAFI) program, which was supposed to take the place of the current adult day health care program.

Today also was the day set aside for the court hearing challenging the elimination of the ADHC program, but a judge last week approved delay of that hearing until Nov. 1.

The two events, and particularly the veto of the KAFI program, leaves 300 centers and their 35,000 participants in limbo, wondering what will happen to them when the elimination deadline comes, according to Assembly member Bob Blumenfield (D-Woodland Hills), author of AB 96, the bill vetoed Monday.

"That was very disappointing," Blumenfield said of the veto. "And now we're seriously concerned. If you lose [facilities for] those patients, where are they going to go?"

The bitter pill is especially hard to swallow, Blumenfield said, because the Legislature thought it had a deal -- approve the elimination plan, if it could be replaced by the half-cost KAFI plan.

"This was the compromise," Blumenfield said. "It was no longer an optional [Medi-Cal] benefit, originally the governor wanted to eliminate it, but this gave us a capped program. It was a different kind of program."

A deal is a deal, Assembly member Mariko Yamada (D-Davis) said. She couldn't quite believe that Brown vetoed it.

"I went forward with the elimination vote, but it's a vote I regret deeply now," Yamada said. "Many of us voted to eliminate it, and we did it with the understanding that this [program] would now occur. We're all wondering now if it was the right vote."

Yamada said she has watched the slow bleeding of the ADHC program over the years, but she's angry at how it was cut.

"It was dying the death of a thousand cuts before," Yamada said. "But this is essentially the death throes of the system now."

Not so fast, Norman Williams of the Department of Health Care Services said. The department has a plan for all of those ADHC patients, and because of the extension of the elimination deadline, now has an extra few months to implement that plan.

"We've been planning for months on a comprehensive transition plan," Williams said. "This veto simply moves forward our plans and moves us further toward a good outcome."

The language of the veto included a charge to work with legislators and stakeholders, and Blumenfield said that language, along with the deadline extension, gave him hope that a transition plan might be implemented in time.

"When you veto, you have to come up with something else," Blumenfield said. "At end of the day, they're using all of the language of the KAFI-type program. So we want to see what they're thinking."

Whatever DHCS comes up with could have some elements of the KAFI or ADHC model, Blumenfield said.

"I haven't given up on a community-based system of care. That still seems to me to be the smartest, most cost-effective way to go," Blumenfield said.

"The administration can still go down that road," he said. "It's just, right now, we don't know what that road is."