

*Capitol Desk*

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## **Ruling To Prompt New ADHC Transition**

by David Gorn

It's too early to know some details of the newest transition plan for adult day health care services, according to state officials. The final settlement of a lawsuit challenging the state's first transition plan will be released tomorrow, and the federal judge in the case will issue a ruling on the settlement in two weeks.

But that doesn't stop people from raising questions.

"Which [current ADHC] centers will be eligible to become CBAS (Community Based Adult Services) centers?" Lydia Missaelides of the California Association of Adult Day Services asked. The CBAS program is created in the settlement as a partial replacement for Medi-Cal beneficiaries. To save money, state officials eliminated the ADHC program as a Medi-Cal benefit.

"The 10% rate cut is affecting the majority of the centers, but how much will it affect them? And especially since they'll now be serving a high-risk mix of patients, that's a big worry," she said. "And there's lot of questions about managed care, too."

Possibly the biggest unknown concerns the number of patients who will be eligible for CBAS benefits, according to Elissa Gershon, attorney for Disability Rights California, which brought the lawsuit.

According to Gershon, of the approximately 35,000 frail and elderly patients who have been getting ADHC care, about 9,300 will be presumptively or categorically eligible for CBAS care.

The rest of the people currently in the state's ADHC program -- about 25,700 -- will need a face-to-face evaluation to determine whether or not they qualify for CBAS, according to Missaelides.

Presumably, those assessments would be completed either by the time the judge's final sign-off is due on Jan. 24, or by the end of the current ADHC benefit extension, which will run out by Mar. 1.

The state has estimated about half the 35,000 beneficiaries will qualify for the new program. Gershon thinks the number will go higher than that, depending on the outcome of the state's assessments.

A federal judge is expected to issue preliminary approval of the settlement Dec. 13.