

Yamada: Nursing home nightmares recur as California enables more customers

Written by Assemblymember Mariko Yamada
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Assemblymember Mariko Yamada (D-Davis) says she regrets her vote to support Gov. Brown's Adult Day Health Care elimination proposal. Courtesy photo.

Recent front-page Sacramento Bee headlines about tragedies in California nursing homes should be glaring reminders about the reasons California pioneered the Adult Day Health Care (ADHC) alternative to nursing home care 40 years ago.

If you are old, or are planning to be – pay attention – because this system is about to vanish.

Facing severe budget pressures, the Department of Health Care Services (DHCS) is currently dismantling the ADHC program in California.

This proven cost-effective program that has worked well to keep Californians out of nursing homes for the past four decades has fallen victim to an annual game of "budget chicken."

How did this happen?

In response to well-documented stories of institutional abuse in long-term care facilities in the 1980s, California pioneered Adult Day Health Care, a community-based, integrated health and social services program designed to keep frail and disabled persons out of nursing homes.

Since that time, the ADHC daytime congregate care program has saved the state hundreds of millions in nursing home and emergency services costs by providing frail seniors with multiple complex medical conditions a safe daily care setting.

Over the past several years, California's continuing fiscal woes have seen Republican and Democratic Governors alike cutting this MediCal "optional" program. Each time, advocates sued, with the courts blocking the cuts. In fact, a suit to block the elimination of ADHC is pending now.

Gov. Jerry Brown proposed the elimination of the ADHC program in his 2011-12 budget.

Without support for revenue extensions, all Assembly Democrats voted for the governor's proposal, with the understanding that AB 96, legislation that provided for a "step-down" alternative ADHC program would take its place.

This new program, "Keeping Adults Free of Institutions" – or KAFI – was budgeted at \$85 million, half of the current cost of ADHC.

The governor vetoed AB 96 unexpectedly at the end of July, throwing the ADHC community into confusion and chaos.

With a looming deadline of Dec. 1 for program elimination, DHCS has started to shift ADHC recipients to Medi-Cal managed care and is contracting with out-of-state corporations to provide less reliable and more costly services.

On Aug. 16, I convened an oversight hearing of the Assembly Aging and Long-Term Care Committee on the costs and consequences of the AB 96 veto.

The Senate Budget Subcommittee on Health and Human Services held a similar hearing on Sept. 2. DHCS continues to put a "happy face" on the transition plan. However, the community isn't smiling.

Thirty-seven of my colleagues, including 35 Assembly members and two state senators, sent a letter to DHCS Director Toby Douglas on Aug. 24, asking specific questions about how DHCS will accomplish this massive shift in health and social service delivery in so little time, and requested a delay in the elimination of ADHC until legislative committees could review the plan and evaluate nursing home capacity.

Just like the transition plan, the answers to our questions have been vague and open-ended.

Now, tens of thousands of ADHC clients – mainly poor, elderly women – along with their families and the 7,000 workers who care for them are slated to be cut from their programs and lose their jobs.

Of the 330 ADHCs in California, 21 have already closed, and it is unclear where their former clients have gone, because no one is tracking them.

There is no doubt that the destruction of the ADHC program will result in increased 911 calls, hospital emergency room visits, nursing home placements, and investigations for abuse and neglect.

Demands for mental health care, and in-home supportive services will also rise—at a time when budgets for all of these programs are being slashed.

Without safe adult daycare, working family members will either have to quit their jobs to care for their loved ones or place their family members in less appropriate settings – often, nursing homes.

Both Gov. Brown and I are senior citizens. My hope is that you will become one, too.

With an exploding population of baby boomers, persons with autism and Alzheimer's, returning veterans with disabling conditions and traumatic brain injuries, along with increasing numbers of impoverished adults with multiple chronic conditions in our communities, is this the time to take a wrecking-ball to a proven, cost-effective program serving our state's most vulnerable?

Will the courts again provide relief at the expected November 8 hearing, three weeks before the Dec. 1 elimination date?

History will be the judge of my vote and the governor's veto. But unless we raise our voices now, we will all surely suffer the consequences.

Mariko Yamada represents the 8th Assembly District and is Chair of the Assembly Committee on Aging and Long-Term Care. She now regrets her vote to support Governor Brown's ADHC elimination proposal and authored the legislative letter to DHCS asking to delay the closure. Yamada announced in August that she will run for reelection in the new California Assembly District 4, which includes all or part of six counties, including Lake.