

# LifeHealthPRO

## California Negotiates Community Support Settlement

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Advocates for California residents with severe disabilities have won a victory in a battle to protect funding for services for adults who need care outside institutions during the day.

The California Department of Health Care Services (DHCS) has agreed to a settlement that calls for it to start a new program, the Community-Based Adult Services program, March 1, 2012.

The California DHCS will use state medical professionals to determine who has the most medical need for services, and managed care plans will help coordinate the benefits provided.

The new program will replace an existing Adult Day Health Care (ADHC) benefit.

California was going to eliminate the day health care benefit entirely without replacing it. The state now will phase out the existing program and eliminate it Feb. 29, 2012, when the new program should be up and running, officials say.

“The state’s decision to eliminate the ADHC benefit was made in response to California’s severe budget shortfall,” officials say.

The California DHCS agreed to the change as a result of a settlement of a federal court case, *Darling et al. vs. Douglas*.

Lawyers filed the suit on behalf of 7 plaintiffs who sought court permission to represent a class of 35,000 low-income people with disability, including older adults, who participate in the California Medicaid program, which is known as Medi-Cal.

The plaintiffs asked the court to help preserve ADHC-like benefits for people who otherwise might have to enter hospitals or nursing homes, according to representatives for a coalition led by Disability Rights California, Oakland, Calif.

Elissa Gershon, a senior attorney at Disability Rights California, says in a statement about the settlement that it should preserve the rights of people who have been getting ADHC services to stay in their homes and communities.

“We are pleased that we were able to work with the state to maintain critical benefits for some of California’s most vulnerable citizens,” Gershon says.