

Published: Nov. 17, 2011 Updated: Nov 18, 2011 7:17 a.m.

State settlement spares adult day health

By **COURTNEY PERKES** / THE ORANGE COUNTY REGISTER

Low-income Californians with disabilities and serious illness will continue receiving services to keep them out of nursing homes after state officials Thursday settled a lawsuit challenging the elimination of the Adult Day Health Care program.

"We are overjoyed about this," said Holly Hagler, chief executive of Community Senior Serv, which runs two adult day centers in Santa Ana and Anaheim. "This is going to be a huge benefit to older adults who have no other means of replicating the services."



In June, Kathleen Chesavage, 88, gets support from Certified Nurse Assistant Dedia Compay at South County Adult Day Services in Laguna Woods.

JEBB HARRIS, THE ORANGE COUNTY REGISTER

The program, which serves 35,000 disabled and medically fragile Californians, including 1,700 in Orange County, was scheduled to end Dec. 1 as a casualty of state budget cuts to Medi-Cal.

The settlement between the Department of Health Care Services and the nonprofit Disability Rights California resolves a lawsuit claiming that cuts violated the federal Americans with Disabilities Act. Center operators and families have experienced years of anxiety over the fate of the \$340-million-a-year program that has been credited with allowing relatives to work while their loved ones were cared for. Since 2009, Disability Rights has twice won court orders blocking the state from cutting adult day services.

In California, 300 centers offer an array of services including transportation, administration of medication, nutritious meals, and occupational and physical therapy. Statewide, 23 centers have closed because of the uncertainty over funding.

The settlement calls for a new name and new eligibility guidelines starting March 1. The program will be called Community-based Adult Services. Only those in greatest need, who are at risk of institutionalization, will be covered, both sides said.

State officials said they expect roughly half of the current patients will qualify and that California will save \$92 million beginning in the next fiscal year.

But some program advocates expect enrollment will be higher. Gio Corzo, vice president of home and care services for Senior Serv, said he estimates 90 percent of the nonprofit's 250 clients will qualify.

"They're going to be able to continue with their quality of life, the level of services we provide," Corzo said. "It gives them a peace of mind."

Elissa Gershon, senior attorney at Disability Rights, said nurses will conduct health assessments of current participants beginning next month. She said those with cognitive impairment or complex medical needs are expected to qualify. Those who are no longer eligible will be given enhanced case management to direct them to other services.

Esther Darling, a plaintiff in the lawsuit, receives care and companionship at a center in Yolo County after suffering a stroke that paralyzed her left side.

"If I had to recommend it to everybody, I would," she said during a conference call with reporters. "There would be a lot less lonely people too if there were places like this one. It is my home away from home."

Contact the writer: 714-796-3686 or cperkes@ocregister.com