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Rally Protests Against Closure of Health Care Center, Medi-Cal Cuts

Protesters say state government's budget cut means 35,000 are left without a place to go.

By [Hoa Quách](#) | [Email the author](#) | November 8, 2011

More than 100 rallied outside of [Poway Adult Day Health Care Center](#) on Tuesday protesting budget cuts that many say would force the closure of 274 adult day health care (ADHC) centers, affecting 35,000 elderly and disabled Californians.

The rally, one of many held in California in recent days, asks state leaders to re-consider their decision to reduce Medi-Cal funding, a key element needed to operate the adult day health care center.

"The main message we want people to take away is that this was a horrible mistake," said Katherine Holt, who owns the Poway Adult Day Health Center, which serves people from many North County communities, including Rancho Bernardo, Rancho Peñasquitos and 4S Ranch.

"This is unjust; it's ethically wrong," she said.

The changes, part of Assembly Bill 97 and signed by Gov. Jerry Brown in June, will push recipients into either managed care or case management programs after a 10 percent provider payment reduction forces center closures, bill opponents say. The plan gained final approval from the federal Centers for Medicare & Medicaid Services on Oct. 27 and resulted in the cut of \$623 million to the budget with the loss of \$169 million annually to adult health care centers such as the one in Poway.

However, proposals are pending and the state estimates that cuts under AB 97 would result in an estimated \$1.7 billion in Medi-Cal funding cuts overall this fiscal year in a program that annually costs the state an estimated \$14 billion.



More than 100 people attended the rally. Credit: [Hoa Quách](#)



Deputy Mayor Jim Cunningham speaks the rally. Credit: [Hoa Quách](#)

"There's a great deal of passion on this issue in California," said Norman Williams, California's [Department of Health Services](#) deputy director of public affairs. "California is highly devoted to providing services and it's not something we would do under any other circumstances, but we have a tremendous budget deficit right now so the only option is to reduce cost. ADHC is an option and, as such, we've chosen to eliminate it."

Williams said the state is working on a "comprehensive transition plan" that will cater to the 35,000 patients affected out of the 7.6 million beneficiaries of Medi-Cal. He said the "bottom line" is to help recipients "remain independent and prevent unnecessary hospitalization."

With the closure of ADHC centers, which was originally meant to happen Sept. 1 until the Department of Health Services requested an extension to Dec. 1, patients can either choose managed care or a fee-for-service after the state assesses the needs of each beneficiary.

Williams said the state considers these alternatives to be a "very viable, positive option" for beneficiaries.

But protesters said managed care is not an alternative.

Holt said the state's plan makes "no sense whatsoever."

Holt, who opened the center after caring for her grandmother in her last years, said the center will not be able to survive without the estimated \$76 the state gives per person, per day.

"This is a horrible mistake," she said. "We need to preserve this sliver of the budget to help those who have paid their dues. The elderly are being forgotten. This is a sad legacy we are leaving to the world."

With the expected closure of the center, Faraganis Dorfshan said she will "have nowhere to go."

Dorfshan, who has been going to the center for two years, said she is alone after her husband died several months ago.

"I need this center," she said through tears.

Rahim Shadpour, 83, said the center helps him care for his broken hip and broken arm.

The rally was joined by Poway Deputy Mayor [Jim Cunningham](#).



Credit: [Hoa Quách](#)



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Cunningham, who said he would call Supervisor Dianne Jacob to find out if the county's discretionary funds could be used to help keep the centers open, told attendees the decision to cut funding to the centers "cuts across political lines" and that the state has a "garbage policy."

"They are taking our fine citizens and people in need and driving them into overcrowded facilities," he said. "The first day of the next session of the legislature, they better repeal this. Don't let Dec. 1 come and say 'We fought a good fight.' Don't give up."

But litigation could change matters. [Disability Rights California](#) (DRC), an advocacy group, filed a preliminary injunction asking the state to provide "adequate and appropriate replacement services" in place of the closure of the adult day health care centers.

The case, filed under *Darling et al. v. Douglas* and led by seven plaintiffs, claims that managed care or case management programs through contractor care aren't adequate substitutes for adult day health care centers. A court hearing is scheduled for Nov. 15.



Credit: [Hoa Quách](#)

"Every single one of the 35,000 people have been determined to need ADHC to prevent hospitalization," said DRC senior attorney Elissa Gershon.

Gershon said DRC estimates that it costs \$900 per month to accommodate a patient through the adult day health care centers, but the proposed nursing facilities could cost as much as \$5,000 per month.

"The numbers just don't work out," she said. "The state has not done a good job accounting for the fact that these people aren't going away and will remain in the system at a much higher cost."

Gershon also said the quality of those services won't be as high as that received through adult day health care centers. She said managed care "does not provide long-term care services" while adult day health centers do, among other services.

According to DRC, which has been fighting California budget cuts since 2009, 18 centers have already closed.

State Sen. [Joel Anderson](#), who represents RB, said Republican leaders have attempted to proposed alternatives to the budget cuts.

"Budgets are about priorities. For several years California has been faced with ongoing budget deficits in the billions of dollars, caused mainly by overspending by majority party legislators and the last three governors," he said. "Over the last year, Republicans have suggested alternative solutions to save the social safety net, education and public safety. Unfortunately, rather than work across the aisle to find solutions, the majority party has chosen to primarily propose cuts to programs that impact the most vulnerable Californians."

The closure of the Poway Adult Day Health Center could happen as soon as Dec. 1. And though 700 people in the region would lose their jobs, 15 of them would lose their jobs in Poway.

"We're going to make sure our message is heard," Cunningham said. "This is certainly not a small town with a small issue—this is a big issue."

For information on how the changes affect you, visit the [California Department of Health Services](#) website or the [California Department of Aging](#) website. California physicians will also have information on the changes.

The office of California Assemblyman Nathan Fletcher did not respond to requests for comment.