

Settlement saves program for disabled, elderly

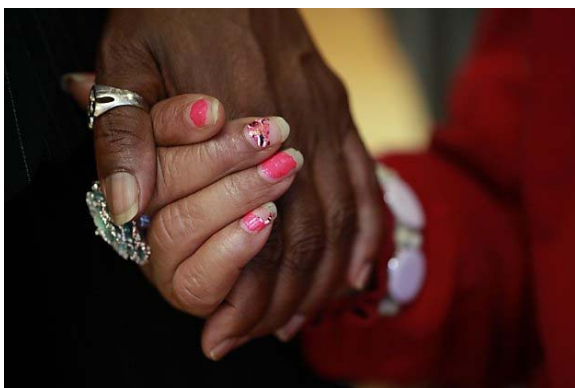
Marisa Lagos, Chronicle Staff Writer

11/18/11



Mike Kepka / The Chronicle

Marjorie Young, 90, (left) and Julia Moore, 70, eat lunch at an Oakland care center run by Alzheimer's Services of the East Bay.



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Micheal Pope, Executive Director of Alzheimer's Services of the East Bay, holds client, Julia Moore's hand at the Oakland adult health care site on Wednesday Nov. 16, 2011 in Oakland, Calif. ASEB will be closing the Oakland center's doors on November 30th because of statewide budget cuts. Fortunately a settlement reached Thursday may allow most of their clients to be placed in other programs.

Disabled, elderly and low-income adults got a huge win Thursday when the state agreed to preserve a version of Adult Day Health Care, a program helping to keep about 35,000 Californians out of nursing homes that was set to shut down Dec. 1.

The announcement is the result of a settlement, reached Thursday, between state officials and advocates for the program. Those advocates sued over Gov. [Jerry Brown's](#) plan to wholly eliminate Adult Day Health Care in a bid to save the state about \$170 million a year.

Under the agreement, the state's approximately 275 Adult Day Health Care centers will remain open in their current form through Feb. 29, when participants deemed to be at risk of institutionalization will be transitioned into a new program, known as Community-Based Adult Services.

That new program will be virtually identical to Adult Day Health Care and is expected to be provided largely through the same centers, said Elissa Gershon, a lawyer for Disability Rights California. For patients such as 70-year-old Oakland resident Julia Moore - who suffers from both dementia and schizophrenia and attends an Oakland center five days a week - it means she can continue living at home instead of having to move into a skilled nursing home, which costs more.

Similar offerings

Like Adult Day Health Care, Community-Based Adult Services will offer medical care, physical therapy, exercise, counseling, socialization and other support to qualified adults, and its cost will be split between the state and federal governments. Supporters of the program have consistently maintained that its elimination would ultimately cost the deficit-plagued state much more because many participants would end up in nursing homes and hospitals that would still be funded by taxpayers and can cost three times as much.

On Thursday, both sides praised the settlement. Toby Douglas, director of the state's Department of Health Care Services, said the agreement "upholds the state's commitment to provide essential care and services to those most in need efficiently and economically."

"I'm thrilled," added Lydia Missaelides, executive director of the California Association for Adult Day Services. "This really seems to be the very best, most fair deal for everyone."

State officials said they expect about half of the 35,000 adults currently in Adult Day Health Care to qualify for the new program, though Gershon said there is no cap on the number of participants and that she expects many more than half could wind up being eligible. Those who are ineligible for the new program - probably because their medical needs are not as acute - will be put into "managed care plans," in which a case manager will help determine what support they need to stay healthy.

The settlement was also praised by officials at Bay Area Adult Day Health Care centers, which had been scrambling in recent weeks to find alternative services for their clients. Moli Steinert, executive director of the SteppingStone center in San Francisco's Mission Bay neighborhood, called the news "a great victory" and said that while details still need to be worked out, "we are extremely encouraged by today's announcement."

Uncertainty remains

But there are still many unknowns. Missaelides said 23 centers around California have already shut their doors, and four more are slated to close.



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Brenda Collins, program specialist, plays a video game with client Elisa Cuevas, 85, (rt) at the Oakland adult health care site run by the Alzheimer's Services of the East Bay on Wednesday Nov. 16, 2011 in Oakland, Calif. ASEB will be closing the Oakland center's doors on November 30th because of statewide budget cuts. Fortunately a settlement reached Thursday may allow most of their clients to be placed in other programs.

One of those set for closure is an Oakland center run by Alzheimer's Services of the East Bay, which also has Adult Day Health Care centers in Berkeley and Hayward. The Oakland center, which serves 55 patients and has a staff of 12, was set to shut down Dec. 1, and executive director Micheal Pope said she is unsure whether the settlement will allow them to change that.

"We're hoping we can keep it open," she said. "But I feel good about the fact that slowly but surely, right is prevailing. This gives people time to breathe, and hopefully we won't close our doors after [Thanksgiving](#) in Oakland."

Moore, the dementia patient, began attending that Oakland center more than two years ago, after her family pulled her out of a skilled nursing home, said social worker Kathleen Gregory.

"She does much better here," Gregory said.

Moore said the program is her only chance to get out of the house.

"I don't get outside unless I come here - I can't even go across the street," she said. "I feel at home here, and relaxed."

While the agreement is a huge win for seniors and their families, it will further exacerbate California's budget shortfall, which the nonpartisan Legislative Analyst's Office said Wednesday is \$3.7 billion this year and \$13 billion in the year beginning July 1.

Millions in savings

The state anticipated saving \$85 million this year by enacting the midyear elimination and \$170 million a year in future years. Department of Health Care Services spokesman Norman Williams said the settlement will shrink those savings to about \$28 million this fiscal year and \$92 million next year.

The terms of the settlement still need to be finalized by the federal court handling the case. Gershon said that process will probably take until the end of January.

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*This article appeared on page **A - 1** of the San Francisco Chronicle*