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**CHILD HEALTH CARE ADVOCATES FILE CIVIL RIGHTS SUIT
AGAINST STATE OF CALIFORNIA**

***State routes Medi-Cal applications for the most vulnerable children
to Healthy Families' waiting list***

SAN FRANCISCO, CA – (August, 25, 2009) Child health advocates have filed a lawsuit against the State of California seeking to ensure that children who are potentially eligible for health benefits under the Medi-Cal program receive complete eligibility determinations through their counties rather than be placed on a waiting list for another state program.

The lawsuit, filed today by Maternal and Child Health Access (MCH Access) in San Francisco Superior Court, seeks to prevent the State from denying children who likely qualify for Medi-Cal a county eligibility determination and health benefits under all of Medi-Cal's programs when they apply by mail in Sacramento.

MCH Access Executive Director Lynn Kersey explained that children in poor families are far less likely to get the medical check-ups and treatment they need if they lack Medi-Cal or other health insurance coverage. "Without access to medical care, uninsured children end up in the emergency room when they are so sick their parents can no longer delay getting them care, even though the family can't afford it."

According to Kersey, Medi-Cal does not have a waiting list and eligible children who apply directly at the county are receiving their health benefits.

Lucy Quacinella, an attorney for MCH Access, said, "The longer these Medi-Cal-eligible children are stuck on the waiting list and denied health care coverage, the harder it is for their families to avoid medical expenses for medication or the health care services their children desperately need."

Katie Murphy, an attorney at the Western Center on Law and Poverty (WCLP), says the State violates California law by placing the children on the waiting list for the Healthy Families' program when these children may actually be eligible for Medi-Cal. Moreover, Murphy says, the State's practice violates children's due process rights.

"A bedrock of fundamental fairness in the Medi-Cal program is having the government act on your application and, if it believes you are ineligible, telling you in writing why and what you need to do to appeal. Children parked indefinitely on a waiting list never receive that notice much less the Medi-Cal benefits that state law entitles them to receive," she explained.

In addition to Quacinella and Murphy at WCLP, MCH Access is represented by Bay Area Legal Aid, the Lawyers' Committee for Civil Rights, Neighborhood Legal Services of Los Angeles County, and the Legal Aid Society of San Mateo County.

About Maternal and Child Health Access (MCHA)

MCHA is dedicated to ensuring meaningful access to health and social services for low-income women and their families and to helping them improve the quality of their lives. MCHA provides information, support, and technical assistance to health and social service organizations, assists individual women to achieve healthy pregnancies and obtain quality health care for themselves and their children, and educates policymakers and the general public to improve the health and social services systems for all low income women and families and to benefit the entire community in which we live.

About Western Center on Law and Poverty (WCLP)

With decades of collective poverty law experience, Western Center's advocates are seen as the State's experts in legal issues related to health, housing and welfare. WCLP advances and enforces the rights of low-income Californians to the basic necessities of life by working statewide for systemic change. Through close collaboration with legal and social services organizations, WCLP ensures that its efforts are responsive to the most critical human needs.

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