

# Patients sue state over backlog of Medi-Cal approvals, now at 350,000



Around 350,000 Medi-Cal applications are backlogged in California. On Wednesday, advocates sued the state to speed up the eligibility process. Above, a healthcare enrollment event is held in L.A. last year. (Anne Cusack / Los Angeles Times)

By **ERYN BROWN** *contact the reporter*

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Citing a paperwork backlog that has left the healthcare of hundreds of thousands of low-income Californians in limbo, patients represented by a coalition of legal advocates are suing the state.

In a petition filed Wednesday in Alameda County, the group asked the court to order California's Department of Health Care Services to comply with rules requiring eligibility reviews for Medi-Cal, the state medical plan for the needy, to be complete within 45 days. Some reviews haven't been completed for nearly a year.



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**Soumya Karlamangla, Doug Smith**

The lawsuit also asks the state to provide benefits to otherwise-eligible applicants while income is being verified and to notify applicants affected by the backlog that they have the right to request a hearing.

"People are suffering too much and can't wait anymore," said Lucy Quacinella, a San Francisco-based attorney representing one of the plaintiffs. "The burden shouldn't fall to the consumers."

According to state officials, 2.2 million new Medi-Cal members were added as a result of the Obamacare healthcare expansion, bringing the total number of participants in the program to about 11 million.

State Department of Health Care Services spokesman Norman Williams said that as of Sept. 1, 350,000 applications remained backed up in the enrollment system. That system has been plagued by computer troubles that have stymied county government efforts to verify patients' Medi-Cal eligibility.

The backlog was as large as 900,000 earlier in the summer.

Plaintiffs in the new lawsuit said they suffered due to the backlog.

**People are suffering too much and can't wait anymore** - San Francisco-based attorney Lucy Quacinella, on California's Medi-Cal enrollment backlog

Visalia resident Frances Rivera's son, Robert, who suffered from heart troubles and worked a low-wage job, applied for Medi-Cal in January 2014. But the state didn't approve his coverage until late June, two months after he died of a pulmonary embolism.

Hoping to avoid large bills during the months he was uninsured, Rivera's son delayed some medical care, according to the petition.

Lynn Kersey, executive director of Maternal and Child Health Access, a Los Angeles-based health education nonprofit that is a plaintiff in the suit, said her group has helped clients grapple with the backlog on a daily basis. Women are giving birth in hospitals unsure whether Medi-Cal will cover their bills, Kersey said. Some are forgoing prenatal vitamins or recommended fetal screenings because of concerns about payment, she added.

Katie Murphy, of Neighborhood Legal Services in Los Angeles, said she and the other attorneys who filed the lawsuit hoped to get action from the court before Nov. 15, when the next round of open enrollment for California's state-run insurance exchange begins.

Advocates expect a surge in new Medi-Cal applications, partly because more people who don't qualify financially for other health insurance programs will be referred to Medi-Cal.

"There will be another wave" of sign-ups and an increase in the review backlog if the current problems aren't fixed, Murphy said.

Williams said the health care services department could not comment on litigation matters.

#### **Other places this story was carried:**

<http://www.scpr.org/news/2014/09/17/46792/health-advocates-sue-california-over-medi-cal-back/>

<http://www.latimes.com/local/lanow/la-me-ln-medi-cal-backlog-lawsuit-20140917-story.html>

<http://www.sacbee.com/2014/09/17/6715646/medi-cal-patients-sue-over-application.html>

An article in the Fresno Bee focused on the Visalia case:

<http://www.fresnobee.com/2014/09/17/4129680/visalia-man-dies-while-waiting.html>

A breakdown of the case in California Healthline:

<http://www.californiahealthline.org/articles/2014/9/18/advocates-beneficiaries-file-lawsuit-over-medical-backlog>

And some 33 more papers across the country picking up the AP story:

<http://www.miamiherald.com/2014/09/17/4354321/medi-cal-patients-sue-over-application.html>