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## Calif. many ineligible for new adult day care

Marisa Lagos

Updated 7:53 am, Tuesday, July 10, 2012

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1 of 6

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Hope Olson (right) and sister Fe Garcia have lunch at the Adult Day Health Care Center in San Francisco.  
Photo: Michael Short, Special To The Chronicle



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Ruth Meek Graham, 87, is nearly blind and deaf, and suffers from diabetes, neuropathy and breast cancer.

Juliana Nwokelo, 89, has dementia, arthritis and neuropathy, and cannot be left alone for more than an hour at a time.

Fe Garcia, 88, suffers from serious depression and arthritis; her caretaker is her 78-year-old sister.

All have one thing in common: State officials have decided they do not qualify for a new incarnation of the decades-old Adult Day Health Care program, which offers medical care, physical therapy, exercise and counseling at a central location to low-income adults

with health problems. It is being scaled back as a result of budget cuts.

Advocates and family members say they are baffled by the state's decision not to allow Meek Graham, Nwokelo, Garcia and thousands of others like them into the new program, Community-Based Adult Services. State officials, they argue, appear to be turning away people who should clearly qualify under the new guidelines - and are not offering a clear explanation for the decisions.

The weekday service, like its predecessor, offers medical care to elderly, disabled and frail adults, who get help from nurses, psychiatrists, physical and occupational therapists and other experts, for three to five days a week, at a center. It is meant to keep the most vulnerable citizens at home for as long as possible at a far cheaper cost to taxpayers than a nursing home or hospital. Juliana Nwokelo's daughter, [Cecilia Nwokelo](#), is a home care worker for needy adults and depends on San Francisco's Mission Creek Adult Day Health center to care for her mother three to four days a week.

"My mother is almost 90 years old - I don't know why she is ineligible," she said, adding that the state did not explain why. "I can't work if she's not here. She has nowhere else to go, and she will decline at home."

### Legal settlement

Community-Based Adult Services began March 1 as part of a legal settlement between the state and advocates that sued over Gov. [Jerry Brown](#)'s plan to eliminate Adult Day Health Care entirely. Under the agreement, the state is supposed to accept adults who qualified for Adult Day Health Care and are additionally considered at risk of institutionalization.

The idea was to tighten up eligibility requirements to reduce the state's annual costs from about \$170 million to \$78 million. State officials estimated that half of the 35,000 participants would qualify for the new service.

But Disability Rights California attorney [Elissa Gershon](#), who helped negotiate the settlement, said state officials have been rejecting many people who they agree are at risk of institutionalization by saying they do not meet the Adult Day Health Care requirements.

In the Bay Area's six largest counties - Alameda, Contra Costa, Marin, San Mateo, San Francisco and Santa Clara - there were about 3,300 participants before the cutbacks took effect. More than 65 percent of those have since been denied eligibility - at some centers the rate has reached 75 to 95 percent. As recently as February or March, the state had determined that the same people did qualify for Adult Day Health Care.

Advocates say there have already been several cases around California where people deemed ineligible by the state have been left alone, hurt themselves and been put into psychiatric hospitals or nursing homes.

### Contentious hearings

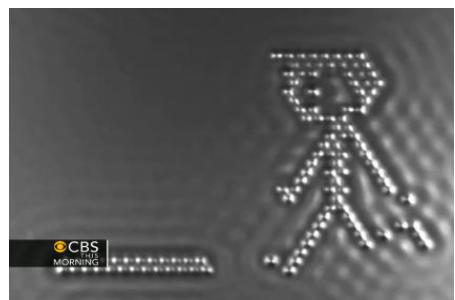
The hearings to determine eligibility have been contentious, Gershon said, with the state breaking from tradition and staffing them with lawyers. In general, advocates say, the transition process has been poorly handled, causing confusion among this vulnerable population.

"It's outrageous," Gershon said, adding that many people were initially deemed eligible by a state nurse who met with the client, then saw that eligibility overturned by someone who simply looked at their medical chart. "There's no explanation."

State officials insisted that the process is progressing as both sides agreed it would in the settlement.

Jane Ogle, a deputy director at the Department of [Health Care Services](#), said the first

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round of hearings are 100 test cases, and both sides agreed to have lawyers present. The process should speed up once those test cases are done, she said.

Ogle also noted that the settlement allowed for the second round of paperwork review, and she said the different eligibility rates among counties could just mean that Bay Area centers were letting ineligible people into the program before. "People are being trained in the same way across the state, so it's too early to say whether there are discrepancies or not. I have seen that the Bay Area has had, on average, more denials," Ogle said.

In general, she said, the transition is "moving in the right direction, but it is a process, and things do take time."

She said if people have been denied access to the new program, they should be safe at home.

"Remember, in general people (usually) go to CBAS centers for only two or three days a week for four hours a day - so you have got to keep in mind that this is not an 8 a.m. to 5 p.m., five-day-a-week thing," Ogle said.

Many families say even those hours allow them to juggle work while keeping family members safe.

### **Nursing home pricer**

[Kathleen Gregory](#), a social worker at Alzheimer's Services of the East Bay in Berkeley, said one of its clients - an elderly woman with Alzheimer's who was denied access to Community-Based Adult Services - was placed in a nursing home after her family left her alone for three hours. The family was embarrassed and did not want the woman's name used, Gregory said.

"Her daughter came home and found her mom had thrown some kind of glass bottle through the living room window, turned on all the faucets in the house, and her arms and hands were covered with blood," she said. "She was extremely agitated and screaming ... they took her to the emergency room, and they said she had to be placed in a skilled nursing facility and they couldn't take her home."

"The state is paying for that, and it costs a heck of a lot more," Gregory said.

[Lydia Missaelides](#), executive director of the association that represents day care centers, said beyond the human cost, taxpayers should be concerned about the financial implications of the denials and what she called a "rushed" process.

"It's costing us money. ... Human beings are making judgments, and errors are being made," she said. "The consequence is that people are going to hospitals and now nursing homes. I know of two people in San Diego County who have had to undergo psychiatric hospitalization."

### **Some S.F. residents denied Community-Based Adult Services**

#### **Fe Garcia, 88**

Garcia lives by herself, in the same building as her 78-year-old sister, [Hope Olson](#). Before going to the Mabini Adult Day Health center eight years ago, she suffered from severe depression; the exercises and physical therapy help keep her arthritis at bay. Olson said she is concerned that Garcia will become deeply depressed if she stays home and that her physical health will decline. "I feel good when I know she's (at Mabini) - she's safe," Olson said.

#### **Juliana Nwokelo, 89**

Nwokelo has severe arthritis, dementia and neuropathy, and lives with her daughter, Cecilia, who works as a home care worker. She thrives at Mission Creek Adult Day Health center, where her favorite activity is a knitting group. She also receives physical



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Home retains some original touches as well, such as hex-patterned oak floors.

and occupational therapy for her painful medical conditions. Cecilia Nwokelo is worried that her mother's health will decline quickly - or that she will injure herself - if she leaves her at home alone in their two-story townhouse, where her mother has difficulty getting up and down the stairs.

### Ruth Meek Graham, 87

Known as "Mama Meek" at Mission Creek Adult Day Health center, Meek Graham has extremely limited eyesight and hearing, as well as diabetes, arthritis, neuropathy and breast cancer. Her daughter, Cecilia Trotman, lives in the East Bay, is disabled herself and cannot handle caring for her mother full time. Trotman said Meek Graham has undergone great physical improvements since she began coming to the program a few months ago. Meek Graham, who lives alone, has trouble monitoring her blood pressure at home and cannot read or watch television because of her failing eyesight. She is also at great risk for falling and hurting herself. "I need to be around people," Meek Graham said.

### Pedro "Jimmy" Faison, 57

Faison worked as a janitor at the Academy of Art University in San Francisco until he suffered a stroke two years ago. Now he is paralyzed on one side and in a wheelchair. Mission Creek Adult Day Health center "gives me hope that I will be able to resume my life again - that I will be able to stand and go to the bathroom on my own." Without the center, he said, he gets no physical or occupational therapy, services that have already helped him improve. Without Mission Creek, he would be "a prisoner in my own home."

- Marisa Lagos

Marisa Lagos is a San Francisco Chronicle staff writer. E-mail: [mlagos@sfgate.com](mailto:mlagos@sfgate.com)

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