

City and County of San Francisco
Bazon Center for Mental Health Law
Disability Rights Education and Defense Fund

Protection & Advocacy, Inc.
Howrey LLP
AARP Foundation Litigation

FOR IMMEDIATE RELEASE
November 27, 2007

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**Settlement of San Francisco lawsuit to create new
community services for seniors and adults with disabilities**

SAN FRANCISCO (November 27, 2007)—Mitch Katz, San Francisco’s director of public health, announced today that a preliminary settlement has been reached in the civil rights class action regarding expanded community-based living options for seniors and people with disabilities in San Francisco (Chambers et al. v. the City and County of San Francisco). The results will be improved coordination of care and greatly increased housing options and other services.

The new program, called “Success at Home” will provide people with “a single door to independent living,” said Katz. “We are very pleased to be taking this innovative next step.”

Mark Chambers, a plaintiff in the lawsuit, who has lived in Laguna Honda Hospital and Rehabilitation Center since receiving a head injury in 1999, was delighted to hear that he is about to be given the opportunity “to live in the world.” He hopes to be first in line to qualify for one of the 500 units of accessible housing to be found or modified in San Francisco over the next five years and made affordable by subsidy from the new program.

Elissa Gershon, lead attorney from the Oakland office of Protection & Advocacy, Inc., counsel in the lawsuit, said that “San Francisco now stands to regain its progressive edge in disability rights implementation.”

Success at Home

Anne Hinton, director of San Francisco's Department of Aging and Adult Services, which will jointly manage the program with the San Francisco Department of Public Health said that "Success at Home puts San Francisco in the forefront of independent living services." The program enables San Franciscans with disabilities to receive community-based housing and services to live in the most integrated setting appropriate instead of in an institution. Eligible individuals will be assessed for, referred to, and provided with federally subsidized medical services, subsidized housing, attendant and nursing care, case management, vocational rehabilitation, substance abuse treatment, mental health services and assistance with meals.

Hinton said "This new single point of entry will also mean community transition services will be tailored to individual needs and preferences."

Transition services will be coordinated by an individualized Community Living Plan. Medi-Cal qualified residents of Laguna Honda Hospital and Rehabilitation Center, those who have been discharged in the last two years or are on a waiting list for the facility, and patients at San Francisco General Hospital will be assessed for services.

Herb Levine, director of the San Francisco Independent Living Resource Center, the organizational plaintiff in the case, commented that he is "looking forward to the new collaboration between the City and community service organizations to achieve independence and community living for hundreds of seniors and people with disabilities." The settlement sets out a five year timeline for implementation of the new services.

New directions

Paralleling the introduction of new community services, the Laguna Honda facility will begin to emphasize short-term rehabilitation as one of its goals. In addition, several hundred Medi-Cal Home and Community-Based waiver slots, which will allow people to receive long-term health care in their homes, will be made available to those who qualify, which should bring millions of dollars in federal and state Medicaid funding to San Francisco.

Summary

The preliminary settlement of the case is awaiting approval by the Board of Supervisors, the Health Commission, and the Court. Individual plaintiffs are six residents of Laguna Honda; organizational plaintiff is the Independent Living Resource Center of San Francisco. Co-counsel on the case are Protection & Advocacy, Inc., Disability Rights Education and Defense Fund, AARP Foundation Litigation, the Bazelon Center for Mental Health Law, and the law firm of Howrey LLP, pro bono.