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PRESS RELEASE

The Legal Team of Robert H. Farley, Jr., Michelle N. Schneiderheinze, Mary Denise Cahill and Alysha Briggs-Miller, have filed a Federal Class Action Lawsuit against the State of Illinois as a result of its failure to provide medically necessary in-home skilled nursing services to children. This denial of medically necessary nursing care by the State of Illinois began during the last days of the Quinn administration and now these failed Quinn policies have spilled over to the Rauner administration.

From December 1, 2014 through February 28, 2015, the State of Illinois has given notice to 98% of children who had been previously approved by the State for in-home skilled nursing services as being medically necessary, that their nursing services will now be eliminated or significantly reduced. These children are in the Nursing and Personal Care Services (“NPCS”) program. The State has embarked on a course of action to destroy, decimate and deny medically needed in-home skilled nursing services to medically fragile children, despite there being no improvement in their medical condition from the prior year.

Many of these children have been receiving in-home skilled nursing services for many years. Despite years of prior approval from the State for in-home skilled nursing services and

despite no improvement in the child's medical condition, during the child's periodic annual review, the State gave notice to 118 children during the months of December, 2014, January, 2015 and February, 2015, that they no longer meet the requirements for in-home skilled nursing services and their nursing services will be phased out over a 6 month period to zero hours. During the same 3 month period, 57 children were notified that their nursing hours would be reduced and 3 children were notified that their nursing hours would remain the same. Accordingly, the State gave notice to 66% of the children that their in-home skilled nursing services would be eliminated and gave notice to 32% of the children that their nursing services would be reduced and only 2% of the children faced no elimination or reduction of services.

These children are entitled to receive these medically necessary in-home skilled nursing services under long established Federal Laws, such as the Early and Periodic Screening, Diagnostic, and Treatment Services (EPSDT) provisions of Title XIX of the Social Security Act ("Medicaid Act") 42 U.S.C. Sec. 1396 *et. seq* and under the Americans with Disabilities Act (ADA) and under the Rehabilitation Act.

FOR MORE INFORMATION: Call Attorney Robert H. Farley, Jr., at 630-369-0103.