

Federal Court Order Protects Home Nursing Care for Thousands of Illinois Children in *M.A. v. Bellock*

Legal Council is pleased to share that we have settled the *MA v. Bellock* class action lawsuit with the Illinois Department of Healthcare and Family Services (HFS) in favor of over 1,200 medically complex children who need in-home nursing. The settlement ensures that these children will be assessed fairly and given appropriate notice about their eligibility for nursing at home.

Many of these children are dependent on complex medical regimens for routine functions, such as eating, drinking, breathing, and oxygen regulation. Our case alleged that HFS hired a third party contractor to review children's nursing cases and those reviews resulted in dramatic cuts in eligibility. Of the first 178 children's nursing cases reviewed, 98 percent of the children were found no longer eligible for their previously-approved service levels; the families of 118 children (66%) were told that they would not receive any nursing services. The settlement removes third party contractors from case reviews and ensures that HFS gives clear and fair notice to families about any approval, denial, or change to their child's nursing services including information about appealing an adverse decision.

Legal Council would like to thank co-counsels Robert H. Farley, Jr., and Winston & Strawn (Bryce Cooper, Alissa C. Hodgson, Ray Perkins, Alexandra Schaller, and Candi Smith) for their partnership in this class-action case.

The court entered final judgement on January 22, 2019.

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Legal Council for Health Justice uses the power of the law to secure dignity, opportunity, and well-being for people facing barriers due to illness and disability. All programs partner with health and hospital systems to train and support the care provider network, provide direct representation to referred patients, and conduct systemic advocacy to promote health equity among populations facing chronic, disabling, and stigmatizing health and social conditions. www.legalcouncil.org