

# Changes in indigent care rules ordered

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By Barbara Anderson / The Fresno Bee

Fresno County has made it too difficult for people with serious health problems to qualify for indigent medical care and must come up with new eligibility standards, a judge has decided.

The decision, issued last week, could open the door for more of the working poor to get health care through the county.

It's the latest outcome of a lawsuit filed two years ago to force the county to increase eligibility for its Medically Indigent Services Program. The program is for people without insurance and who are unable to pay for care themselves.

The lawsuit sought to have the county base its eligibility limits on what it costs to subsist in the community, and to have income limits be flexible depending on individual circumstances.

Last year, attorneys for Fresno County and for Central California Legal Services in Fresno and the Western Center on Law & Poverty in Los Angeles agreed to put the lawsuit on hold until a cost-of-living study could be done.

The study was completed in February, and based on it, supervisors increased eligibility limits in May. Fresno County hadn't changed the limits in 14 years -- and they were the lowest in the state.

The county set new monthly income limits of \$1,029 to \$1,788 for a single person's eligibility. Someone earning \$1,029 or less is eligible for free care. People who earn between \$1,029 and \$1,788 qualify for care as long as they pay a share of the cost. The previous limits were \$509 for free care and \$764 for share-of-cost care.

Superior Court Judge Jeff Hamilton upheld most of the new limits, agreeing that the county had taken the cost of living into account. But he questioned the upper limit.

The county's decision to cut off eligibility for those who earn more than \$1,788 a month failed to consider health-care costs incurred because of major health issues, he said.

Medical costs for such individuals "may be enormous," Hamilton said.

"Insurance may be unavailable or out of their financial reach," he said. "The eligibility standard must take into account that there will be indigents ... who in fact have limited or no ability to pay for their treatment for serious illness or injury and cannot obtain insurance."

On Aug. 16, Hamilton ordered the county to develop new eligibility standards that take into account individuals who are uninsurable or who cannot obtain private insurance they can afford. County officials could not be reached for comment.

The ruling will affect the working poor, said Abbi Coursolle, an attorney with the Western Center on Law & Poverty. "When they get really sick or when they have a catastrophic injury, they really don't have anywhere else to turn," she said.

The lawsuit was brought on behalf of David Piercy. He was told he made \$24 above the county's income cut-off and was denied help.

Piercy now has insurance through Medi-Cal, the state-federal health coverage for the poor, Coursolle said. But the ruling will help others with health issues who aren't eligible for assistance other than from the county, she said.

It's now up to the county to come up with a new policy for residents with serious health problems, Coursolle said.