

Agreement in Katie A. would provide mental health services to California children in, or at risk of entering, nation's largest child welfare system

Los Angeles, CA - Advocates are celebrating an agreement that will provide intensive home- and community-based mental health services for California children in foster care or at risk of removal from their families. [The agreement](#) in the class-action suit *Katie A. v. Bonta* comes nine years after the case was first filed.

Under the ground-breaking settlement, California will make two types of mental health services, "Intensive Home-Based Services" and "Intensive Care Coordination," available to certain children under Medicaid. The state will also determine what parts of "Therapeutic Foster Care" services are covered under Medicaid and provide that service to certain class members.

Numerous national experts filed reports affirming the need for such services for children in or at risk of entering California's foster care system. Virtually all of these children are Medicaid-eligible.

"These services will ensure that thousands of Medicaid-eligible children obtain access to the mental health services they need to live in a family and succeed in school and later life," said Robert Newman, attorney for the plaintiffs, from the Western Center for Law and Poverty.

The proposed settlement is the result of nearly two years of negotiations that were supervised by Special Master Richard Saletta. On September 27, attorneys for the class will ask Judge A. Howard Matz to give preliminary approval of the agreement.

The settlement also requires California to take a number of steps to ensure that children who need the covered services will receive them. For example, under the proposed settlement the state will:

- instruct providers on delivering therapeutic foster care as a Medicaid service;
- convene an interagency task force to advance keeping children with mental health issues with their families; and
- create a system to identify children in need of the covered mental health services and to link them with those services.

"The Governor should be commended for supporting reforms to California's child welfare and mental health practice through this agreement," said Kimberly Lewis, an attorney with the National Health Law Program.

"This agreement will increase collaboration among families, social workers and mental health clinicians; improve children's access to care; and lower government costs. This is a win for everyone," stated Patrick Gardner, an attorney with the National Center for Youth Law.

"The settlement brings California into line with modern mental health practice," stated Ira Burnim, of the Bazelon Center for Mental Health Law. "We are delighted to see the state step up and put into place a system that will address the mental health needs of some of California's most vulnerable children."

Final settlement approval is expected in December.

The children in the plaintiff class are represented by the Western Center on Law and Poverty, the National Center for Youth Law, Bazelon Center for Mental Health Law, Disability Rights California, the American Civil Liberties Union of Southern California, and the National Health Law Program.

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