

PRESS RELEASE

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FAIRNESS HEARING FRIDAY REGARDING PROPOSED SETTLEMENT MEDICAID FOR 10,400 LOW INCOME WORKING NEBRASKANS

On Friday January 16, 2004 United States District Court Judge Laurie Smith Camp will hear testimony, accept letters, and entertain arguments from class members and their legal representatives who are a part of the Kai v. Ross class action lawsuit regarding a proposed settlement. Class members will have the opportunity to tell the Judge whether or not they think the proposed settlement is fair. They will also have the ability to apprise the Judge of how their health issues have been affected by the state's actions and decision to deny them transitional Medicaid and whether or not they believe the proposed settlement remedies those issues adequately.

Nebraska Appleseed Center will present approximately 45 letters to the Judge from class members who are unable to attend the hearing and anticipates that approximately 15 class members will appear at the hearing to address the court directly. The Judge will take all information presented tomorrow under advisement and will then either approve, amend, or reject the proposed settlement.

The proposed settlement further spells out the right to transitional Medicaid benefits these low-income individuals won as a result of the 8th Circuit Court of Appeals ruling on an injunction earlier this year. The order required the State of Nebraska to reinstate benefits for most of these individuals by October 1, 2003.

Co-Counsel for the Plaintiffs are Becky Gould of Nebraska Appleseed's Welfare Due Process Project, Allen Overcash of Woods & Aitken L.L.P., and Steve Hitov of the National Health Law Program. Each participated in negotiating this agreement.

For background information regarding Kai v. Ross, please visit our web-site at www.NeAppleseed.org.