



Judge Coughlin Issues Ruling in CBMS Case

December 2004

In December 2004, Judge John Coughlin issued his decision in the CBMS case. It represents a substantial victory for the plaintiffs. Main points of the decision include:

- Ordering the State to reduce the number of cases outside of timely processing (45 days for most Medicaid and CHP+) by 40% by 2/28/05 and another 40% each 60 days thereafter until the State is meeting federal guidelines for timely processing.
- Ordering the State to create an emergency processing unit with an adequately staffed 1-800 number to handle cases that are out of timely processing; cases where eligible families have had their benefits delayed or terminated erroneously; and cases where the family is facing an extreme emergency such as imminent hunger or loss of housing. This emergency unit is ordered to resolve such cases within 5 days and needs to be established by 12/31/04.
- Ordering the State to fix the issues with incorrect noticing by 2/28/05.
- Ordering the State to keep the Benefits Freeze Flag in place until the court determines it is time to take it off (this is a very technical issue but I know those of you in the counties will appreciate it--please let me know if you have questions about this one).