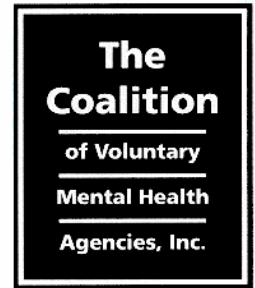


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A non-profit tax-exempt organization representing New York City's community-based mental health sector.



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## PRESS RELEASE

### **The Coalition of Voluntary Mental Health Agencies Joins National Lawsuit to Protect Poorest Americans from “Calamitous Consequences” of New Medicare Drug Program**

New York, NY -- The Coalition of Voluntary Mental Health Agencies, the umbrella advocacy group for New York City's community mental health sector, filed suit today in Federal Court to ensure that impoverished older and disabled adults maintain access to life-sustaining medication during the transition to the new Medicare Prescription Drug Plan in January 2006.

Under Bush Administration plans, 6.4 Americans enrolled in both Medicare and Medicaid will lose their existing Medicaid drug coverage on January 1<sup>st</sup>, and The Bush Administration is then required to provide coverage to these men and women through the new Medicare Part D program under the 2003 Medicare Modernization Act. In New York State alone, over 500,000 individuals will lose their Medicaid drug coverage and be forced into a Medicare-financed plan.

The lawsuit seeks protections for people who are not seamlessly and immediately transitioned to the Medicare drug program.

“People in New York should not suddenly lose access to medicine they need to survive because of a hopelessly complex and bungled transition to the new Medicare drug program,” said Phillip A. Saperia, executive director of The Coalition.

“The poorest, sickest, and oldest Americans face grave risk of losing their life-saving medications once the clock strikes twelve on New Year's,” said Robert M. Hayes, president of the Medicare Rights Center, a national consumer service group, that helped organize the suit. “This lawsuit seeks to force creation of an essential safety net to protect the health and lives of the frailest Americans.”

The suit warns that “countless” numbers of poor men and women “will fall through the cracks of this massive program transition,” and that these impoverished people will face the loss of medicines needed “to function or survive.”

It also says that the characteristics of the people at risk – nearly 40 percent are cognitively impaired and only 39 percent have a high school diploma—will prevent up to a million poor

seniors from immediately mastering the complexity of the new Medicare drug benefit so they can maintain their access to needed medicine.

To be eligible for Medicare, one must be severely disabled or age 65 or over. To be eligible for Medicaid, most states require that people have incomes well below the poverty level and have virtually no assets. About 43 million Americans are enrolled in Medicare, and about 6.4 million of them are also enrolled in Medicaid.

In addition to The Coalition of Voluntary Mental Health Agencies, Inc., other organizations who have filed the suit are: Action Alliance of Senior Citizens of Greater Philadelphia, Congress of California Seniors, Massachusetts Senior Action Council, National Alliance for the Mentally Ill: Maine, New York Statewide Senior Action Council, United Senior Action of Indiana and the Medicare Rights Center. The organizations are being represented by volunteer attorneys with the law firm Paul, Weiss, Rifkind, Wharton & Garrison and the Medicare Rights Center.

“Protecting the most vulnerable Americans through this transition is required by law,” Phillip A. Saperia said. “If the government transitions 90 percent of these men and women flawlessly, there will still be 640,000 people who lose their drug coverage. That is not acceptable.”

The Coalition of Voluntary Mental Health Agencies represents over 110 non-profit community based mental health agencies that serve over 300,000 individuals in the five boroughs of New York City and its environs.