



## Award # 1226598616953 Details

### Submit Objection

**Proceeding:** 2008-1536 Definition of Unfair Billing Patterns  
**Date Requested:** 11/13/2008 9:50:17 AM  
**Amount Requested:** \$11515

**Contribution to the Proceeding:** Western Center on Law Poverty is submitting this request to the Department of Managed Health Care for an Award of Advocacy and Witness Fees in the amount of \$11,515.00 for providing a substantial contribution to the Unfair Billing Practices regulation. The Department of Managed Health Care Department published the initial Unfair Billing Patterns proposed regulation on August 10, 2006 and opened a public comment period to end on October 4, 2006. During September and October 2006, Western Center on Law Poverty staff coordinated a workgroup with other members of the Health Consumer Alliance, a collaborative of nine legal services programs providing direct health consumer assistance in 13 California counties and two support centers, to provide comments to the regulation and testify at hearing. Incidentally, WCLP also requested that the Department not hold the scheduled hearing on Yom Kippur, which would have precluded the participation of several stakeholders. WCLP attended two of the hearings in this initial period, and at the Sacramento hearing accompanied a client who had a negative experience with balance billing. WCLP also prepared a coalition member to testify at the San Diego hearing by providing him with data for his presentation. WCLP also drafted the comments to this first regulation, together with the National Health Law Program and other members of the Health Consumer Alliance. In these draft comments, we offered statistics and studies that documented the results of such practices as balance billing on low-income consumers. We proposed defining emergency services in this regulation as it is in other portions of Knox Keene, thus protecting consumers from narrower interpretations. This request was honored in the final regulations which cross-reference other statutes and regulations that define emergency services and the services which must be provided by a health care plan in an emergency. We pushed to include all providers of emergency services at contracting and non-contracting hospitals by pointing out the myriad of bills consumers receive and the confusion this causes. The final regulation reflects this broad interpretation and covers all providers of emergency services. We also sought other consumer protections that were not adopted. These comments were also reflected in our hearing testimony and the testimony of our partners. In 2007, the Department released a second version of the regulation and opened a public comment period until November 30, 2007. WCLP again coordinated the consolidated comments of the Health Consumer Alliance and testified at one of the hearings. In our second round of comments, upon noting that the regulations had been watered down to not outright prohibit such billing practices, we spoke with DMHC about the reasons for the change. We then provided research and a legal argument in our written comments as to why an outright prohibition was well within the Department's authority. We also urged that the prohibition not be conditioned on the providers participation in a dispute resolution process. The final regulations reflected this stronger stance and declared balance billing an unfair billing pattern as defined in Health Safety Code 1371.39. We again asked that the Department cross-reference other statutes and regulations that broadly define "emergency services" and such request was honored in the final regulations. We also sought other consumer protections that were not adopted. Such comments were also reflected in our testimony at hearing. In 2008, the Department released a third version of the regulation and opened a public comment period which ended on June 3, 2008. WCLP carefully compared the new version to the first and second versions, and again coordinated the comments of the Health Consumer Alliance, together with

the National Health Law Program, testified at the Sacramento hearing, and prepared other coalition partners to testify at hearings in Orange County and San Diego. We were happy to see in the final draft of regulations that several of our suggestions had been adopted, and simply asked for some clarifications in our final comments. We urged the Department to adopt these regulations quickly so that more consumers would not be harmed. Through these activities WCLP made a substantial contribution to the Unfair Billing Practices regulation. WCLP presented relevant issues, evidence and arguments that were seriously considered by DMHC which we believe resulted in more relevant, credible and non-frivolous information being available to the Director. Therefore, WCLP is requesting an award of advocacy and witness fees in the amount of \$11,515.00. Attached are detailed time records of the specific activities undertaken by the Hotline including the activity, other parties involved in the proceeding, subject matter and work description, date of activity, time spent, billed amount and hourly rate for the staff involved in each activity. Also attached are professional biographies for Elizabeth Landsberg and Jen Flory who billed time for WCLP. WCLP determined market rate for each staff member based on the number of years of experience for each staff member for whom fees are claimed. In developing the rates, the WCLP relied on fees awarded in the past to WCLP in litigation with state and county agencies through its litigation and prevailing market rates for attorney time. Elizabeth Landsberg had been awarded \$325 an hour when she worked at Health Rights Hotline for work done in 2004-2005. Now she is a legislative advocate at Western Center on Law Poverty, a position of leadership for low-income health advocates around the state, who is often called upon to testify in the capitol regarding low-income health consumers. She is a 1998 graduate of Boalt Law School at the University of California at Berkeley. Jen Flory is a staff attorney at Western Center on Law Poverty who coordinates and trains advocates statewide on issues of medical debt affecting low-income consumers and litigates on behalf of low-income consumers against state and county agencies. She is a 2005 graduate of the University of Southern California Gould School of Law. In her most recent settlement with the California Department of Social Services in early 2008 for work done for the most part in 2007, the Department agreed to compensate her at the rate of \$250 an hour.

#### Task Performed

**Activity** Research  
**Activity Date** 8/28/2006  
**Amount Billed:** \$120  
**Other Parties Involved:** Elizabeth Landsberg  
**Subject Matter and Work Description:** Reviewed proposed regulations  
**Time Spent:** 0.3 hours

#### Task Performed

**Activity** Correspondence  
**Activity Date** 8/28/2006  
**Amount Billed:** \$200  
**Other Parties Involved:** Elizabeth Landsberg  
**Subject Matter and Work Description:** Contacted various DMHC staff regarding the scheduling of public hearings  
**Time Spent:** 0.5 hours

#### Task Performed

**Activity** Correspondence  
**Activity Date** 9/4/2006  
**Amount Billed:** \$80  
**Other Parties Involved:** Elizabeth Landsberg  
**Subject Matter and Work Description:** Contact w/ DMHC re scheduling of LA hearings  
**Time Spent:** 0.2 hours

#### Task Performed

**Activity** Research

**Activity Date** 9/12/2006  
**Amount Billed:** \$150  
**Other Parties Involved:** Jen Flory  
**Subject Matter and Work Description:** Reviewed proposed regulations  
**Time Spent:** 0.6 hours

**Task Performed**

**Activity** Research  
**Activity Date** 9/13/2006  
**Amount Billed:** \$750  
**Other Parties Involved:** Jen Flory  
**Subject Matter and Work Description:** Attended public hearing and reviewed provider and health plan arguments opposing regulations  
**Time Spent:** 3 hours

**Task Performed**

**Activity** Correspondence  
**Activity Date** 9/15/2006  
**Amount Billed:** \$100  
**Other Parties Involved:** Jen Flory  
**Subject Matter and Work Description:** Corresponded with workgroup members regarding position to stake out  
**Time Spent:** 0.4 hours

**Task Performed**

**Activity** Correspondence  
**Activity Date** 9/18/2006  
**Amount Billed:** \$145  
**Other Parties Involved:** Jen Flory Elizabeth Landsberg  
**Subject Matter and Work Description:** Emails w/ workgroup members re testifying at hearing .1 JF, .3EL  
**Time Spent:** 0.4 hours

**Task Performed**

**Activity** Research  
**Activity Date** 9/18/2006  
**Amount Billed:** \$200  
**Other Parties Involved:** Elizabeth Landsberg  
**Subject Matter and Work Description:** Reviewed proposed regs  
**Time Spent:** 0.5 hours

**Task Performed**

**Activity** Research  
**Activity Date** 9/19/2006  
**Amount Billed:** \$410  
**Other Parties Involved:** Jen Flory Elizabeth Landsberg  
**Subject Matter and Work Description:** Reviewed data on balance billing, client stories, research re impact on Medi-Cal plans .2 JF, .9 EL  
**Time Spent:** 1.1 hours

**Task Performed**

**Activity** Telephone Call  
**Activity Date** 9/26/2006  
**Amount Billed:** \$650  
**Other Parties Involved:** Elizabeth Landsberg, Jen Flory  
**Subject Matter and Work Description:** Conference call with Health Consumer Alliance workgroup members regarding hearing testimony, client stories, and positions in reg comments JF 1.0, EL 1.0

<b>Time Spent:</b>	2 hours
<b>Task Performed</b>	
<b>Activity</b>	Letter
<b>Activity Date</b>	9/26/2006
<b>Amount Billed:</b>	\$325
<b>Other Parties Involved:</b>	Jen Flory
<b>Subject Matter and Work Description:</b> Drafted comments to reg and spoke w/ co-author re reg comments	
<b>Time Spent:</b>	1.3 hours
<b>Task Performed</b>	
<b>Activity</b>	Letter
<b>Activity Date</b>	9/27/2006
<b>Amount Billed:</b>	\$75
<b>Other Parties Involved:</b>	Jen Flory
<b>Subject Matter and Work Description:</b> Revised reg comments	
<b>Time Spent:</b>	0.3 hours
<b>Task Performed</b>	
<b>Activity</b>	Letter
<b>Activity Date</b>	9/28/2006
<b>Amount Billed:</b>	\$100
<b>Other Parties Involved:</b>	Jen Flory
<b>Subject Matter and Work Description:</b> Spoke w/ co-author and revised reg comments further	
<b>Time Spent:</b>	0.4 hours
<b>Task Performed</b>	
<b>Activity</b>	Other
<b>Activity Date</b>	9/29/2006
<b>Amount Billed:</b>	\$130
<b>Other Parties Involved:</b>	Jen Flory Elizabeth Landsberg
<b>Subject Matter and Work Description:</b> Arranged for consumer to testify and travel to Sacramento .2 JF, .2 EL	
<b>Time Spent:</b>	0.4 hours
<b>Task Performed</b>	
<b>Activity</b>	Research
<b>Activity Date</b>	10/3/2006
<b>Amount Billed:</b>	\$1220
<b>Other Parties Involved:</b>	Elizabeth Landsberg Jen Flory
<b>Subject Matter and Work Description:</b> Drafted and reviewed testimony for hearing, reviewed comments letter, coordinated with other consumer groups to testify JF .4, EL 2.8	
<b>Time Spent:</b>	3.2 hours
<b>Task Performed</b>	
<b>Activity</b>	Hearing
<b>Activity Date</b>	10/4/2006
<b>Amount Billed:</b>	\$2400
<b>Other Parties Involved:</b>	Elizabeth Landsberg
<b>Subject Matter and Work Description:</b> Picked up client at airport to testify at hearing, attended and testified at hearing	
<b>Time Spent:</b>	6 hours
<b>Witnesses:</b>	Elizabeth Landsberg Jesus Gonzalez
<b>Task Performed</b>	
<b>Activity</b>	Letter

**Activity Date** 10/4/2006  
**Amount Billed:** \$75  
**Other Parties Involved:** Jen Flory  
**Subject Matter and Work Description:** Final revisions and gathered co-signatures on reg comments letter  
**Time Spent:** 0.3 hours

**Task Performed**

**Activity** Research  
**Activity Date** 9/10/2007  
**Amount Billed:** \$225  
**Other Parties Involved:** Jen Flory  
**Subject Matter and Work Description:** Reviewed proposed 2nd draft regs  
**Time Spent:** 0.9 hours

**Task Performed**

**Activity** Research  
**Activity Date** 9/11/2007  
**Amount Billed:** \$125  
**Other Parties Involved:** Jen Flory  
**Subject Matter and Work Description:** Spoke w/ coalition partner and DMHC staff re reasons for changes in 2nd draft regs  
**Time Spent:** 0.5 hours

**Task Performed**

**Activity** Letter  
**Activity Date** 9/13/2007  
**Amount Billed:** \$425  
**Other Parties Involved:** Jen Flory  
**Subject Matter and Work Description:** Drafted comments to 2nd draft regs, spoke w/ co-author on comments re changes  
**Time Spent:** 1.7 hours

**Task Performed**

**Activity** Letter  
**Activity Date** 9/17/2007  
**Amount Billed:** \$125  
**Other Parties Involved:** Jen Flory  
**Subject Matter and Work Description:** Revised comments to 2nd draft reg  
**Time Spent:** 0.5 hours

**Task Performed**

**Activity** Letter  
**Activity Date** 9/26/2007  
**Amount Billed:** \$75  
**Other Parties Involved:** Jen Flory  
**Subject Matter and Work Description:** Finalized comments on 2nd draft regs letter, obtained sign-ons  
**Time Spent:** 0.3 hours

**Task Performed**

**Activity** Research  
**Activity Date** 10/22/2007  
**Amount Billed:** \$125  
**Other Parties Involved:** Jen Flory  
**Subject Matter and Work Description:** Researched and drafted testimony for hearing  
**Time Spent:** 0.5 hours

**Task Performed**

**Activity** Research  
**Activity Date** 10/23/2007  
**Amount Billed:** \$25  
**Other Parties Involved:** Jen Flory  
**Subject Matter and Work Description:** Finalized testimony to give at hearing  
**Time Spent:** 0.1 hours

**Task Performed**

**Activity** Hearing  
**Activity Date** 10/24/2007  
**Amount Billed:** \$625  
**Other Parties Involved:** Jen Flory  
**Subject Matter and Work Description:** Attended and testified at hearing  
**Time Spent:** 2.5 hours  
**Witnesses:** Jen Flory

**Task Performed**

**Activity** Research  
**Activity Date** 5/6/2008  
**Amount Billed:** \$350  
**Other Parties Involved:** Jen Flory  
**Subject Matter and Work Description:** Reviewed proposed regulations and drafted and revised co-authors draft comments  
**Time Spent:** 1.4 hours

**Task Performed**

**Activity** Letter  
**Activity Date** 5/8/2008  
**Amount Billed:** \$75  
**Other Parties Involved:** Jen Flory  
**Subject Matter and Work Description:** Revised comments to 3rd draft regs  
**Time Spent:** 0.3 hours

**Task Performed**

**Activity** Hearing  
**Activity Date** 5/13/2008  
**Amount Billed:** \$175  
**Other Parties Involved:** Jen Flory  
**Subject Matter and Work Description:** Prepared potential witnesses for OC and SD hearings  
**Time Spent:** 0.7 hours  
**Witnesses:** Nancy Rimsha, Beatriz Garcia

**Task Performed**

**Activity** Letter  
**Activity Date** 5/14/2008  
**Amount Billed:** \$75  
**Other Parties Involved:** Jen Flory  
**Subject Matter and Work Description:** Finalized comments to 3rd draft regs, obtained co-signers  
**Time Spent:** 0.3 hours

**Task Performed**

**Activity** Research  
**Activity Date** 5/7/2008  
**Amount Billed:** \$600

**Other Parties Involved:** Elizabeth Landsberg

**Subject Matter and Work Description:** Reviewed 3rd draft regs, reviewed comments letter, made revisions

**Time Spent:** 1.5 hours

**Task Performed**

**Activity** Letter

**Activity Date** 5/13/2008

**Amount Billed:** \$160

**Other Parties Involved:** Elizabeth Landsberg

**Subject Matter and Work Description:** Reviewed and revised comments to third draft regs

**Time Spent:** 0.4 hours

**Task Performed**

**Activity** Hearing

**Activity Date** 5/19/2008

**Amount Billed:** \$1200

**Other Parties Involved:** Elizabeth Landsberg

**Subject Matter and Work Description:** Prepared testimony, attended and testified at hearing

**Time Spent:** 3 hours

**Witnesses:** Elizabeth Landsberg

**Contact Information**

**Organization** Western Center on Law and Poverty

**Name** Elizabeth Landsberg

**Phone** 916-442-0753

**Extension** 18

**Email** elandsberg@wclp.org

**Date Created** 3/13/2004 1:34:48 PM

**Address**

**Address Type** Mailing Address

**Address** 1107 Ninth Street

**Suite** Suite 801

**City, State, Zip** Sacramento, CA, 95814-

**Address Type** Physical Address

**Address** 3701 Wilshire Blvd.

**Suite** Suite 208

**City, State, Zip** Los Angeles, CA, 90010-

**Governing Body**

**Title** Executive Director

**Name** Pegine Grayson

**Address** 3701 Wilshire Blvd.

**City, State, Zip** Los Angeles, CA, 90010-

**Title** President of Board of Directors

**Name** Jeffrey Davidson

**Address** 777 S. Figueroa Street

**City, State, Zip** Los Angeles, CA, 90017-





Arnold Schwarzenegger, Governor  
State of California  
Business, Transportation and Housing Agency

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Department of Managed Health Care  
980 9<sup>th</sup> Street, Suite 500  
Sacramento, CA 95814-2725

December 23, 2008

SENT VIA FAX

Western Center on Law and Poverty  
1107 Ninth Street, Suite 801  
Sacramento, CA 95814

ATTENTION: Elizabeth Lansberg

CONSUMER PARTICIPATION PROGRAM

Dear Ms. Lansberg:

In order to assess applicable market rates for the advocates for whom you claim fees, please provide information regarding experience in the form of professional biographical data or resume for each person. In the case of attorneys, please provide the date the attorney was admitted to the California State Bar Association.

We would appreciate receiving the information by facsimile (916 322-3968) as soon as possible.

Sincerely,

Mary K. Daniels  
Staff Service analyst  
Office of Legal Services

:mkd

## Hansen, Stephen

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**From:** Daniels, Mary  
**Sent:** Tuesday, December 23, 2008 4:04 PM  
**To:** Hansen, Stephen  
**Subject:** FW: CPP info for Western Center.

Steve,

FYI- here's some information regarding Western Center on Law and Poverty.

Mary

Mary Daniels

Office of Legal Services  
(916) 323-7381  
mdaniels@dmhc.ca.gov

-----Original Message-----

**From:** Elizabeth Landsberg [mailto:elandsberg@wclp.org]  
**Sent:** Tuesday, December 23, 2008 6:55 PM  
**To:** Daniels, Mary  
**Subject:** CPP info for Western Center

Ms. Daniels, I just got your voicemail regarding Western Center's CPP application and additional materials needed. Our offices are closed until January 5 and I am out of town so I regret that we will be unable to fax you resume information.

I was admitted to the California bar in 1998 and I will try to check with Jen Flory regarding when she was admitted.

Elizabeth

-----Original Message-----

**From:** "Daniels, Mary" <MDaniels@dmhc.ca.gov>  
**To:** "jaguilar@lisnc.net" <jaguilar@lisnc.net>  
**Cc:** "rpavich@health-access.org" <rpavich@health-access.org>; "barbarasiegel@nls-la.org" <barbarasiegel@nls-la.org>; "elandsberg@wclp.org" <elandsberg@wclp.org>  
**Sent:** 12/22/08 4:50 PM  
**Subject:** CPP Award to Health Rights Hotline

Attached are copies of the cover letter and the Decision awarding compensation under the Consumer Participation Program.

<<CPP Award Cover Ltr. 12-22-08.pdf>> <<DMHC Decision 12-22-08.pdf>>

Sincerely,

Mary

Mary Daniels

Office of Legal Services  
(916) 323-7381  
mdaniels@dmhc.ca.gov

# WESTERN CENTER ON LAW & POVERTY

Sacramento Office

Christine Minnehan  
*Director of Legislative Advocacy*  
Angela M. Gilliard  
*Legislative Advocate*  
Michael E. Herald  
*Legislative Advocate*  
Elizabeth A. Landsberg  
*Legislative Advocate*  
Michael Moynagh  
*Legislative Advocate*

## Facsimile Transmission

To: Mary Daniels

From: Elizabeth A. Landsberg

Date: 1/5/09

Re: Consumer Participation Program

Pages: 6

Fax Number: 916-322-3968

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### Comments:

Following please find a resume for Jen Flory and a biographical description for Elizabeth Landsberg as you requested. Please advise whether you require a full resume for me. If so, I will forward later in the week.

As noted, Jen Flory was admitted to the California bar in 2005. I was admitted to the California bar in 1998.

## Jen Flory

1870 N. Alvarado Street, Los Angeles, CA 90026

(213) 321-0515

jenflory@gmail.com

### EXPERIENCE

#### **Western Center on Law & Poverty, Los Angeles, CA**

*Staff Attorney*

Oct. 2007- present

Specialize in medical debt, county indigent health programs, and immigrant access to health care. Co-counsel with other legal aid and private firms in litigation against state and county agencies on behalf of low-income Californians in areas of health, government benefits, and housing. Assist in other Western Center cases and support advocates in other legal services organizations preparing for litigation. Engage in "demand letter diplomacy" with counties violating their legal obligations to provide health services to medically indigent adults. Collaborate with state agencies in the implementation of new Medi-Cal and hospital billing regulations. Draft and provide technical assistance on legislation regarding medical debt. Draft regulation comments for federal and state government agencies. Provide technical assistance and trainings to other legal services advocates on medical debt and other health issues. Monitor the implementation of legislation mandating hospital financial assistance for uninsured and underinsured patients.

*Skadden Fellow*

Oct. 2005-Oct. 2007

Directed a project on health care affordability for low-income Californians. Convened a summit with nonprofit advocates, government representatives, and legislative staff members to strategize methods of minimizing medical debt and set policy priorities for the next year. Organized a medical debt workgroup to share best practices and generate solutions to common medical debt problems. Issues raised in the workgroup lead to proposed legislation to regulate dental providers' provision of medical credit cards. Drafted materials on medical debt for clients and health advocates and trained legal services advocates on defenses to medical bills. Directed a study of hospital financial assistance policies and drafted the resulting report. Preliminary results of the study were used to lobby for the passage of a law regulating maximum hospital charges for uninsured and underinsured patients. Hired and supervised law students.

*Law Clerk/Project Coordinator*

Summer 2003-Sept. 2005

Designed and coordinated a 2-year health advocacy project to secure and expand access to health care for survivors of politically-motivated torture. Conducted legal research and written briefing, designed and delivered trainings, and developed necessary materials to assist workers in torture treatment centers.

#### **USC Immigration Clinic, Los Angeles, CA**

*Law Student Intern*

Fall 2003-Spring 2004,  
Spring 2005

Represented clients in asylum and other immigration cases under the guidance of a supervising attorney in hearings and asylum interviews. Translated Spanish documents submitted to the court. Coordinated expert witnesses for hearings and supplemental documentation in cases.

#### **Los Angeles Center for Law & Justice**

Fall 2004

*Extern*

Conducted client intake and research in preparation of unlawful detainer proceedings and affirmative slum litigation. Attended trials, assisted in witness preparation, and developed educational materials for clients on the unlawful detainer process.

#### **American Civil Liberties Union of Southern California**

Summer 2004

*Law Clerk*

Conducted research and developed strategy for litigation on behalf of the homeless. Drafted memoranda on preventing the criminalization of homelessness. Took declarations from individuals for class-action lawsuit. Drafted a federal appellate brief for *Jones v. City of Los Angeles*, a lawsuit protecting the rights of homeless individuals residing on Skid Row.

#### **Cerritos College, Norwalk, CA**

Sept. 2001-Aug. 2002

#### **Fullerton College, Fullerton, CA**

Jan. 2001-Aug. 2002

*Adjunct Faculty*

Taught English composition using student-centered pedagogical methods. Developed own courses to adhere to departmental course standards. Taught critical thinking, analysis, and academic writing skills through the use of cultural criticism. Received positive to outstanding evaluations from students and faculty.

**The Pennsylvania State University, State College, PA**

Aug. 1998 – May 2000

*Teaching Fellow*

Taught comparative literature and Spanish courses to undergraduates while participating in teaching seminars.

## ACTIVITIES

**USC Public Interest Law Foundation, Los Angeles, CA**

May 2005 – present

*Advisory Board Member*

Mentor student PILF board members on fundraising, working with law school administration, pro bono opportunities, finding jobs in the public interest community, and selecting grant recipients for summer funding and post-graduate fellowships.

**Wage Justice Center, Los Angeles, CA**

Fall 2007

*Volunteer Attorney*

Conducted legal research and drafted motion for wage claim enforcement case.

**Legal Aid Foundation of Los Angeles, Los Angeles, CA**

May 2006 – Nov. 2006

*Volunteer Attorney*

Assisted low-income consumers in determining next steps to take in dealing with bills, collection notices, or summons on a monthly basis until the closure of the Debt Crisis Clinic.

**Neighborhood Legal Services, El Monte, CA**

Sept. 2003-Jan. 2004

*Law Student Volunteer*

Assisted litigants with wage and hour claims and prepared expungement documents on a biweekly basis in the Employment Rights Self-Help Clinic.

**Public Counsel, Los Angeles, CA**

Oct. 2002-April 2003

*Law Student Volunteer*

Advocated for homeless and low-income individuals in informal negotiation with social service officers to secure available cash aid and food stamps 1-2 times per month in the Homelessness Prevention Project.

**Long Beach Area Peace Network, Long Beach, CA**

Nov. 2001-Aug. 2002

*Activist*

Organized community outreach with other local groups to stop police misconduct towards the homeless and political activists.

**Taller San José, Santa Ana, CA**

Oct. 2001-May 2002

*Volunteer Teacher*

Taught English GED courses to young adults who dropped out of high school due to criminal activity or pregnancy.

## EDUCATION

**University of Southern California Gould School of Law, Juris Doctor, May 2005; GPA 3.5**

*Activities:* Public Interest Law Foundation, President; National Lawyers Guild; Urban Leadership Forum

*Honors:* Miller-Johnson Equal Justice Award Recipient, Foundation of the California State Bar Public Service Scholarship, Adam Freeman Scott Memorial Grant Recipient

**The Pennsylvania State University, Master of Arts, Comparative Literature, May 2000; GPA 3.97**

**Chapman University, Bachelor of Arts, *magna cum laude*, Spanish and English, May 1998; GPA 3.85**

## BAR MEMBERSHIP

California State Bar, December 2005

## SPECIAL SKILLS

Proficient in written and spoken Spanish. Adept in the use of search engines and Web 2.0 applications such as wikis, online survey instruments, and web conferencing.

## LITIGATION EXPERIENCE AT WESTERN CENTER ON LAW & POVERTY

**Ledezma v. Shewry.** Class action suit alleging that the Department of Health Care Services illegally terminated health care benefits for qualified beneficiaries in 18 counties due to a faulty computer system. Filed February 27, 2007 in San Francisco Superior Court. Role in case:

- Managed all aspects of discovery plan: propounded requests for production of documents, admittances, and conducted 6 depositions of state officials and contractors in charge of the CalWIN computer system;
- Scheduled and participated in settlement negotiations; drafted and reviewed portions of settlement agreement.

**Mental Health Association in California v. Schwarzenegger.** Writ filed on behalf of three mental health advocacy organizations and four individual plaintiffs alleging that Governor Schwarzenegger and the Department of Mental Health have illegally eliminated a highly effective program for homeless, mentally ill adults in violation of Proposition 63. Filed December 13, 2007 in Alameda County Superior Court. Role in case:

- Interviewed and retained two of the individual plaintiffs;
- Drafted petition and complaint; co-wrote opposition to demurrer and motion on writ;
- Drafted or reviewed all declarations; supervised law students drafting declarations;
- Deposed state official in charge of the budget for the Department of Mental Health.

**Belk v. Wagner.** Suit brought by James Belk, whose daughter had been denied CalWORKs under the Maximum Family Grant rule, which denies assistance to a child born to a family receiving CalWORKs assistance. Under the settlement, the State agreed not to apply the MFG rule against Mr. Belk and his daughter; to stop trying to collect a \$15,000 asserted overpayment to Belk; to reinstate his daughter in the CalWORKs program, and to pay Western Center's attorneys' fees. Filed June 2007 in Kern County Superior Court. Role in case:

- As lead attorney, retained client, maintained client communication;
- Drafted petition;
- Conducted settlement negotiations and drafted settlement agreement.

**Flores v. Stern.** Suit brought by 47 current or former tenants of a residential apartment building located near MacArthur Park in Los Angeles who allege in their lawsuit that the owners of the building failed to maintain it in habitable condition as defined by law. Filed July 25, 2006 in Los Angeles Superior Court. Role in case:

- Conducted witness deposition;
- Drafted multiple motions: opposition to motion to strike, replies to motions *in limine*, oppositions to motions *in limine*.

**Alford v. County of San Diego.** Case held that the County may not deny health care to working poor people who cannot afford to pay for it and found that the San Diego county's income limit for indigent health care illegally denied care to persons who might be able to afford to pay for some but not all of their treatment. Appellate opinion at 151 Cal.App.4<sup>th</sup> 16 (2007). Role in case:

- Stalled collections for class members' medical bills;
- Drafted expert declarations;
- Conducted legal research and drafted portions of briefing.

**Piercy v. County of Fresno.** Suit brought by David Piercy alleging that Fresno County's Medically Indigent Services Program has an unlawful income limit and thus illegally denies care to persons who should receive it. Filed September 15, 2008 in Fresno County Superior Court. Role in case:

- Reviewed and assisted in drafting petition.

**Katic A. v. Bontá.** Case held that the State must provide a broad range of mental health treatment to foster children under the Medi-Cal program. Appellate opinion at 481 F.3d 1150 (9<sup>th</sup> Cir. 2007). Role in case:

- Drafted motion to compel deposition responses;
- Drafted witness declarations;
- Participated in document review.

## LEGAL PUBLICATIONS

### Primary Author

*A Tear in the Safety Net: Hospitals Fail to Ensure Financial Assistance for Low-Income Californians.* Health Consumer Alliance report. November 9, 2006. Available at <http://healthconsumer.org/HospitalFinancialAssistanceRpt.pdf>

*Limitations on Hospital Billing and Collections.* Health Consumer Alliance advocate issue brief. Last updated February 2008. Available at <http://healthconsumer.org/cs056HospitalBilling.pdf>

*Medical Debt Fact Sheet #6: What Can I Do If I Get a Hospital Bill?* Health Consumer Alliance consumer brochure. November 2007. Available at <http://healthconsumer.org/fs042Geneng.pdf>

*Reading and Negotiating a Client's Medical Bills.* Health Consumer Alliance advocate issue brief. May 2006. Available at <http://healthconsumer.org/cs055NegotiatingBills.pdf>

"Restricted Medi-Cal and Other Programs for Non-Citizens." Chapter Three of *Medi-Cal Eligibility Guide: How to Get and Keep Low-Income Health Coverage.* Katie Murphy, Kim Lewis, and Jen Flory. Western Center on Law & Poverty. Spring 2005.

### Contributing Author

*Priced Out: Share of Cost Makes Medi-Cal Unaffordable.* Health Consumer Alliance report. March 8, 2007. Available at <http://healthconsumer.org/ShareofCostRpt.pdf>

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**Biographical Description**

Elizabeth joined the Western Center in 2006 as a legislative advocate specializing in health care issues. Prior to joining the Center, Elizabeth served as the Supervising Attorney for the Health Rights Hotline, a project of Legal Services of Northern California (LSNC). In addition to supervising the Hotline staff who fielded individual calls from health care consumers, Elizabeth analyzed data collected from the calls, identified systemic policy issues, and advocated for needed change. She was the Ruth Chance Law Fellow at Equal Rights Advocates, a public interest women's law center in San Francisco and served as a law clerk to Federal District Court Judge Martha Vázquez. Elizabeth graduated from Boalt Hall School of Law in 1998 where she was the Editor-in-Chief of the *Berkeley Women's Law Journal*. Prior to attending law school, Elizabeth worked with battered women and their children. She was admitted to the California state bar in 1998.