

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT AGREEMENT

Please read this notice carefully. A settlement has been proposed in *Pitts v. Greenstein*, 10-cv-635, that affects some Louisiana residents who are receiving long-term personal care services (LT-PCS) through the Medicaid program.

Does this notice apply to you?

1. This settlement only applies to persons who were approved to receive more than 32 hours of services through Louisiana's Long-Term Personal Care Services (LT-PCS) program as of September 5, 2010, and who are still approved to receive LT-PCS or who have a request for prior authorization pending or in process.

What is this lawsuit about?

2. This lawsuit challenges the reduction in maximum hours of services under Louisiana's Long-Term Personal Care Services program, which provides services funded by Louisiana Medicaid to eligible individuals in their homes. It claims that this reduction could lead to people having to enter nursing facilities, because they are not able to receive enough care at home.

What are the key terms of the Settlement Agreement?

3. Under the Settlement Agreement, class members may apply for an expedited Community Choices Waiver slot. Class members who are not currently approved to receive at least 32 hours must request a slot before June 30, 2012 in order to be considered. To get an expedited offer, a class member must show that without the additional services the waiver provides, he or she will not be able maintain his or her mental or physical health and is at serious risk of having to go into a nursing home.
4. The parties have agreed to ask the Court to approve \$250,000 as the award to class counsel for attorney's fees and costs incurred for work on this case.

What can you do next?

5. If you agree with the Settlement Agreement, you do not have to do anything.
6. If you disagree with any part of the Settlement Agreement and you want to tell the judge, you have to do these things:
 - You must write a letter to the judge. Include your name, address, phone number, and signature in the letter. On the first page of the letter write in large or underlined letters: "Civil Action No. 10-635: Objections to Settlement Agreement in *Pitts v. Greenstein*." Mail your letter to:

Judge James J. Brady

U.S. District Court
777 Florida Street
Baton Rouge LA 70801

- You must also mail copies of your letters to the lawyers for the plaintiffs and defendants at the following addresses:

Advocacy Center
600 Jefferson St., Ste 812
Lafayette, LA 70501

Kimberly Humbles
Louisiana Department of Health and Hospitals
P.O. Box 3836
Baton Rouge, LA 70821-3836

7. Your letter must be received no later than Monday, February 13, 2012.
8. The complete settlement proposal can be obtained by calling the Advocacy Center, 800 960 7705, or by writing the Advocacy Center at 8325 Oak Street, New Orleans, LA 70118. For a more detailed statement of the matters involved, reference is made to the pleadings, to the Settlement Agreement, and to other papers filed in this matter, all of which may be inspected at the Office of the Clerk of the United States District Court for the Middle District of Louisiana, U.S. District Court, 777 Florida Street, Baton Rouge LA 70801. You may also view the Settlement Agreement online at:

<http://new.dhh.louisiana.gov/index.cfm/newsroom/detail/2381> or

http://www.advocacyla.org/tl_files/publications/Lawsuits-Legal/PittsSettlementJan2012.pdf

When and where will the judge decide whether to approve the Settlement Agreement?

Courtroom 1
Russell Long Federal Bldg. and U.S. Courthouse
777 Florida Street
Baton Rouge LA 70801

Date: Friday, February 17, 2012
Time: 8:45 a.m.