

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ROSIE D., ET AL,)	
Plaintiffs)	
)	
)	v. CIVIL ACTION NO. 01-cv-30199-MAP
)	
DEVAL L. PATRICK, ET AL,)	
Defendants)	

MEMORANDUM AND ORDER
REGARDING ICC ACCESS STANDARD,
ONGOING MONITORING, AND STATUS CONFERENCE

March 20, 2012

PONSOR, U.S.D.J.

Counsel appeared on March 20, 2012 for a status conference. After some discussion, decisions were made in three areas.

1. ICC MEDICAID ACCESS STANDARD.

The court approved a fourteen-day access standard for Intensive Care Coordination ("ICC") access. This means that no more than fourteen days will elapse between the initial contact with the ICC provider and the first offered date for a face-to-face meeting. The court approved this standard with the understanding that the contractual obligations of the ICC providers as contained in their performance specifications would require that the period be three days for at least 50% of the clients, ten days for 75% of the clients, and no more

than fourteen days for 100% of the clients. The court will be monitoring data regarding access carefully to insure that the approval of the more generous standard does not result in longer delays. Defendants will copy the court, Plaintiffs, and the court monitor with the monthly data reports on this issue.

2. ONGOING MONITORING.

With the agreement of both sides, the period for oversight, monitoring, and reporting with regard to the Remedial Order has been extended to December 31, 2012. It is understood that funds to support the court monitor have been approved for fiscal year 2013. Both sides agreed that the time is drawing close to begin discussion of disengagement criteria to be applied in the final stage of implementation of the Remedial Order.

3. Further Status Conference

Defendants will report by March 23, 2012 as to the date when they will be submitting their next comprehensive status report. This will be, in any event, no later than May 31, 2012. Plaintiffs will respond to Defendants' report no later than June 21, 2012, or thirty days following the submission of Defendants' report. Counsel will appear again before this court for a further status conference on June 25, 2012 at 10:00 a.m.

It is So Ordered.

/s/ Michael A. Ponsor
MICHAEL A. PONSOR
United States District Judge