Current Leadership

STAFF

ADMINISTRATION
Kevin Prindiville, Executive Director
Melissa Irish, Development Director
Scott Parkin, Communications Director
Tom Smith, Finance and Administration Director
Jennifer Choi, Program & Communications Assistant
Katrina Cohens, Program & Communications Assistant

ATTORNEYS
Georgia Burke, Directing Attorney
Eric Carlson, Directing Attorney
Amber Cutler, Staff Attorney
Denny Chan, Staff Attorney
Fay Gordon, Staff Attorney
Kate Lang, Staff Attorney
Gerald McIntyre, Directing Attorney
Paul Nathanson, Special Counsel
Gwen Orlowski, Staff Attorney
Anna Rich, Litigation Director
Hannah Weinberger-Divack, Skadden Fellow

BOARD OF DIRECTORS
Robert K. Johnson, chair
Barrett S. Litt, vice chair
Richard Alexander
Yanira Cruz
David H. Fry
Russell L. Hirschhorn
Phyllis J. Holmen
Michael J. Kelly
Hannah E.M. Lieberman
John A. Picciotto
Edward D. Spurgeon
E. Percil Stanford
Neera Tanden
Stuart D. Zimring
Leadership Perspective

We are the voice for 6.5 million elderly poor in this country who deserve to age with dignity and grace, yet tragically fail to get their basic needs met.

That’s 6.5 million of our mothers, fathers, uncles, aunts, grandmothers, grandfathers who struggle daily to afford food and rent, to access needed health care and long-term services and supports, and to remain connected to their families and active in their communities.

We advocate on the state and federal level, educate thousands of legal services and other advocates around the nation, and when necessary, use our legal might in court to fight for the rights of our most vulnerable seniors.

NSCLC exists as the one national organization uniquely focused on advocating for the elderly poor. As an organization, we give poor seniors a voice in policy circles, in federal and state government agencies and in the courts. Through our advocacy we protect their access to quality health care and economic security.

In 2013, we:

- Made sure that one million people with both Medicare and Medicaid (the dual eligibles) had the help they need as states change how their health care is delivered and paid for
- Were the driving force in drafting Congressional legislation that would update and make the Supplemental Security Income Program work far better for up to two million poor seniors who rely on it for their income security
- Trained over 10,000 advocates and offered 700 case consultations
- Offered convincing arguments to the U.S. Supreme Court that led to the overturning of the Defense of Marriage Act
- Ensured through litigation that 370,000 California seniors and persons with disabilities could stay home and out of institutions

The coming year will no doubt bring challenges for all of the nation’s low-income older adults. The health system continues to change dramatically. Heated conversations about the future of retirement security and the social safety net will continue.

Through it all, NSCLC will be there to represent the needs and concerns of low-income older adults, to keep advocates informed and engaged, and to help policymakers understand the importance of government programs like Medicare, Medicaid, Social Security and the Supplemental Security Income program to the daily lives of real people.

We are both deeply honored to lead an organization that has for over 41 years provided focused, high-impact advocacy, responsive and dependable support for advocates nationwide and effective litigation when needed.
Health Care

We believe that poor seniors across the country are entitled to quality health care and long term services and supports.

All too often, large bureaucratic programs lose sight of who they are trying to help. Part of the Affordable Care Act encourages states to develop new programs that would redesign the health care system for more than one million dual eligibles—people who have both Medicare and Medicaid. Dual eligibles, who tend to be very poor and have high health care needs, are concerned this transition will jeopardize their access to quality health care and long term services and supports.

Without someone to advocate on their behalf, dual eligibles, especially the very old, risk life threatening situations such as not getting needed treatment, being unable to appeal a bad decision, or losing access to a trusted doctor. Fortunately, NSCLC is there to make sure that these new programs are designed and implemented with low-income seniors in mind. The elderly poor have a right to live with dignity and grace. They deserve the security of knowing that their health care needs will be met and that they can stay independent as long as possible.

In 2013, we worked with advocates in the states below to protect the rights of low-income older adults and persons with disabilities who have both Medicare and Medicaid (dual eligibles) as states planned demonstration programs that would move them into private managed care plans.

2013

[Map with various states marked indicating different statuses: Memorandum of Understanding (MOU) pending, Proposal withdrawn, Signed MOU, Not seeking demonstration.]

Memorandum of Understanding (MOU) pending.
Proposal withdrawn.
Signed MOU.
Not seeking demonstration.
These states are not seeking to do demonstration projects.
In 2013, NSCLC and its partners secured $12 million in federal funds to implement new ombudsman programs for dual eligibles in select states that will help beneficiaries and their advocates solve problems that may come up with the implementation of these programs.

Amber Cutler: Training with Impact

Amber joined NSCLC in March 2013 as a staff attorney in our Los Angeles office. Described by advocates as an “amazing resource,” she has become the “go-to” source for information for thousands of California legal services and aging advocates.

In 2013, Amber led a California-wide initiative to train the aging and health advocacy communities on the ways in which California’s dual eligible demonstration may impact more than 400,000 seniors across the state. Through 22 webinars, an advocate’s guide and 27 in-person presentations, she helped over 4,000 advocates better understand the program and develop the expertise they need to assist individual seniors through this historic change to California’s health care system.

Amber, who worked as a legal aid attorney and in the health care arena before joining NSCLC, says that “I love what I do every day. At NSCLC, I focus on health care issues that have always been important to me, and I’m able to make sure that the concerns of older people are heard, especially in policy circles.”

“I just wanted to take a moment to remind you how much a person like Amber is needed in this messy health care process.”

—Health Plan Executive

In 2014, NSCLC continues its role as an ever vigilant watchdog for millions of dual eligible older adults as these programs roll out across the country.
Economic Security

We believe that all seniors should have enough income to meet their basic needs.

The Supplemental Security Income (SSI) program was signed into law in 1972 to provide, as President Nixon said, “a big step out of poverty and toward a life of dignity and independence.” Sadly, the vision of the program has been neglected and its promise has not been met.

Older adults who rely on SSI for their income security are deeper in poverty than when the program started. The federal benefit amount—just over $720 a month for an individual in 2014 (only 74% of the federal poverty level)—has not kept pace with inflation. Program rules such as the $2,000 limit on how much you can save and still get SSI benefits are out of date. This rule makes it impossible to save up for emergencies or other significant needs such as a home repair, uncovered medical expense or even a new winter coat or bed.

NSCLC aims to fix this problem. In 2013, NSCLC worked with Rep. Raúl Grijalva (D-NM) to develop legislation that will update SSI. NSCLC and the Congressman’s staff collaborated

“After paying for housing, food and incidentals like soap and toilet paper, very few SSI recipients have anything left over. I can’t tell you how many of my female SSI recipients have whispered to me that they would give anything for new underwear.”

—California advocate

SSI Restoration Act 2013—Some Endorsing Organizations

AARP
AFL-CIO
American Association on Health and Disability
American Bar Association
Easter Seals
Gray Panthers
Leadership Council of Aging Organizations
Mental Health America
National Caucus and Center on Black Aged
National Committee to Preserve Social Security and Medicare
National Council on Aging
National Hispanic Council on Aging
OWL
Paralyzed Veterans of America
Services & Advocacy for Gay, Lesbian, Bisexual & Transgender Elders
Southeast Asia Resource Action Center
United Auto Workers
Youth Law Center
Reneto was trying to save up for a winter coat.

Reneto Wilkins, a lifelong Washington, DC resident, is living with several, serious chronic health conditions and has depended on SSI for the majority of his income for nearly 30 years. He lost his benefits for two months because he was trying to save up for a winter coat and a new bed and exceeded the $2,000 limit allowed in his savings account. When he lost his SSI benefits, he struggled to pay his rent and nearly became homeless. He also lost his Medicaid benefits and was at risk of losing access to medical treatments he needed to stay alive. Plus, the government wanted him to pay back the $18,000 they paid out in benefits while his savings exceeded the outdated limit. With help from a legal services attorney, his benefits were eventually restored and he didn’t have to pay the $18,000 back. Reneto’s story was used at the April Congressional briefing and he was in the audience. When he was introduced, the audience applauded him recognizing that no one should have to make such impossible choices.

on the announcement of The Supplemental Security Income Restoration Act of 2013 (H.R. 1601) at a Capitol Hill briefing in April. The bill strengthens SSI by streamlining and updating the rules for eligibility and amount of benefits. For example, it would increase the resource limit from $2,000 to $10,000, allowing seniors, if able, to save a modest amount of money to pay for home or car repairs and other unexpected emergencies.

NSCLC engaged 49 other organizations to endorse the bill. In 2014, NSCLC will continue to draw attention to the need to update the SSI program to help alleviate senior poverty.
Litigation

We believe that sometimes litigation is necessary to ensure that poor seniors get the benefits, services and supports they need.

Starting in 2006, as many as 140,000 people with Social Security and SSI lost the benefits they rely on for their income and survival because of an illegal Social Security Administration (SSA) practice.

The agency withheld benefits based exclusively on outstanding probation and parole warrants with no consideration as to whether someone knew about the warrant or the seriousness of the underlying accusation. As a result, far too many older adults who were simply unaware that a warrant existed or who had been accused of minor infractions such as a traffic violation or a bounced check lost their sole source of income.

SSA’s actions caused serious hardship for Marion and his wife (see story below), and many others like them who became instantly poor. They were unable to pay for basic needs including housing, food and health care. Many became homeless as a result.

NSCLC, with the Urban Justice Center and pro bono support from the Proskauer law firm, brought a class action case, Clark v Astrue, that stopped the illegal denial of benefits and provided relief to some 70,000 seniors and persons with disabilities.

“This decision will help elderly Americans and persons with disabilities regain the basic income they need to survive and make ends meet.” —Proskauer Senior Counsel Russell L. Hirschhorn

Litigation Impact in the Last 5 Years

- **Oster v Lightbourne**
  - Value of Benefits Preserved: Over $500 million
  - At-home benefits kept for 370,000

- **Clark v Astrue**
  - Value of Benefits Restored: Over $1 billion
  - Ongoing Annual Value of Benefits: Over $100 million
  - Social Security/SSI benefits restored for 140,000

- **Darling v Douglas**
  - Value of Benefits Preserved: $388.2 million
  - Ongoing Annual Value of Benefits: Over $200 million
  - Adult day health care kept for 25,000

- **Martinez v Astrue**
  - Value of Benefits: Restored $700 million
  - Ongoing Annual Value of Benefits: Over $100 million
  - Social Security/SSI benefits restored for 200,000
disabilities by the end of 2013. The case led to the retroactive restoration of benefits worth over $1 billion. Ongoing benefits provided by the case are worth hundreds of millions of dollars to seniors and people with disabilities every year.

Marion and His Wife Became Homeless After Losing SSI

Marion Dyke, Jr. lost his Social Security and Supplemental Security Income benefits in January 2010. With little other income to live on, he and his wife, who live in Indianapolis, Indiana, became homeless and lived in various motels as they struggled to get by.

His problems started in 2009 when he was stopped for a traffic violation while driving through Baldwin County, Georgia during a visit to the area. Marion returned to Indiana after his visit and unknowingly, failed to appear in a Georgia court. The court placed him on probation in his absence.

Trying to find out why he lost his SSI, he consulted an Indianapolis criminal attorney and found out about the outstanding Georgia warrant. Marion then travelled to the state to clear the matter up, even if it meant going to jail.

While at a Macon, Georgia courthouse trying to find out what to do, Marion spoke to a Georgia Legal Services attorney who advised him that he was likely part of the Clark v Astrue class. And, it turned out he was. Thanks to the efforts of Georgia Legal Services staff who knew all about the case from NSCLC, Marion’s benefits were reinstated and he received over $59,000 in back benefits shortly after. He did not have to go to jail and both he and his wife were no longer homeless.

370,000 Kept Their In-Home Supportive Services in 2013

In 2013, NSCLC and partners secured a settlement of the class action lawsuit Oster v Lightbourne that will keep nearly 370,000 of California’s older adults and persons with disabilities from losing important at-home health care services. The litigation, which lasted nearly four years, challenged the state’s attempt to cut funding for In-Home Supportive Services and Supports (IHSS), a program that helps Medi-Cal beneficiaries with long term care needs. IHSS recipients receive the support they need at home instead of having to move to a nursing facility or other institution. The dollar value of the IHSS services preserved during the first year of the lawsuit alone was over $550 million.
Training

We educate and counsel 10,000 advocates each year, providing them with the tools and information they need.

Every day, local, community-based advocates help an older man who may have been denied health care services, but doesn’t know how to appeal and is frightened about getting the care he needs. They may need to advocate for an elderly woman who may not have received a Social Security check for months and is filled with anxiety. Or, they may have to help an older man who cannot understand why his Medicare benefits have changed and fears for his health.

Our advocacy relies on our close relationship with these local advocates so that they can help the elderly poor live with dignity and independence and remain part of the community. Through our free webinar series, publications, website, articles, blogs, tweets and frequent presentations at both national and local conferences and events, we provide in-depth, accurate and current information on the complex intricacies of the law for advocates on the front lines.

Over 725 case consultations
More than 30 conference presentations
41 free webinars with over 6,000 attendees
3 reports, Advocacy Guides and Issue Briefs
262,000 visits to NSCLC.org
21 Washington Reports
63 Health and Income Network alerts
Topics range from the basics of Social Security or Medicare Part D to how to understand new dual eligible demonstration program agreements. In addition, NSCLC attorneys provide feedback daily through case consultations with advocates who call or write with questions, sometimes on very complex issues that affect the lives of countless seniors.

The information flows both ways. We provide training and the local advocates help us understand how programs are playing out on the ground. They alert us to emerging problems older adults are facing. We use that information to inform our advocacy efforts on behalf of the elderly poor.

“In thank you so much for helping me be a better advocate for my agency and for seniors.”

—San Diego advocate

In The News

We are regularly quoted in major national and local media on issues important to our mission.

Below: Fay Gordon speaks to a reporter at Families USA Radio Row about the Affordable Care Act’s impact on poor seniors.
Financials

We rely on support from some of America’s leading foundations and on contributions from people who care about poor seniors.

Private foundation and government grants continued to be the principal support for NSCLC’s programs, providing 62% of total revenue. Contributions, publication sales, attorney’s fees, and other income provided the other 38%. The vast majority or 82 percent of our expenditures were for program services, while 10 percent were spent on management and general expenses. Eight percent were for development expenses. Full audited financial statements for fiscal year 2013 with comparisons to 2012 are available on NSCLC’s website at www.nsclc.org.

The vast majority or 82 percent of our expenditures were for program services, while 10 percent were spent on management and general expenses.
Thank You!

We thank the supporters who fund the work we do. The National Senior Citizens Law Center Board of Directors and Staff gratefully acknowledge our foundation, government and individual donors for their generous support in 2013.

$100,000 and above
- The Atlantic Philanthropies
- Administration on Aging, U.S. Dept. of Health and Human Services
- The California Wellness Foundation
- The Commonwealth Fund
- The Oak Foundation
- Proskauer Rose LLP
- State Bar of California IOLTA Program and Equal Access Fund

$50,000 and above
- California Health Care Foundation
- National Committee to Preserve Social Security and Medicare
- Retirement Research Foundation
- The SCAN Foundation
- The Weingart Foundation

$25,000 and above
- Arnold & Porter LLP
- Albert and Elaine Borchard Center on Law and Aging
- The Nathan Cummings Foundation
- National Association of Area Agencies on Aging
- Skadden Fellowship Foundation

$10,000 and above
- Richard M. Alexander
- Bet Tzedek Legal Services
- Marilyn and Robert Johnson
- Morrison & Foerster, LLP
- Munger, Tolles & Olson LLP
- John A. Picciotto
- Urban Justice Center

$5,000 and above
- Aging & Disabilities Charities of America
- Ruth Arnhold Endowment Fund of the East Bay Community Foundation
- Jeanne and Bill Barulich
- Stephen R. Bruce
- Jeffrey Epstein
- Independence Foundation
- Joseph & Jacqueline Kirshbaum Memorial Fund of the Liberty Hill Foundation
- Paula and Barry Litt
- Mariposa Foundation, Inc.
- Edward D. Spurgeon

$2,500 and above
- The Lois and Irving Blum Foundation
- David H. Fry
- Russell L. Hirschhorn
- Katherine C. Pearson
- Venable Foundation, Inc.
- John Wren
$1,000 and above
Anonymous
Robert L. Adler
Teresa Bryce Bazemore
David J. Callard
Louis H. Carpenter
Howard Cayne
Susan and Alan Friedman
Michael J. Kelly
Hannah E.M. Lieberman
Middle Road Foundation
Thomas H. Milch
Ronald L. Olson
Naomi and Stuart Paley
Dianne and John Prindiville
Michael Soloff
Gregory Stone
Karen and Thomas Vartanian
Stuart D. Zimring

$500 and above
C. David Anderson
Jennifer and Aaron Barulich
Bradley Carson
Phyllis J. Holmen
Kathleen Joyce
Ruth Leys and Michael Fried
Gerald A. McIntyre
Mina Meyer and Sharon Raphael
Michael Mierzewski
Rebecca and Jack Morgan
Paul S. Nathanson
Carol and Glenn Pomerantz
Susan B. and John B. Powell
Wendy-Sue Rosen and Tom Freeman
Santa Clara County Asian Law Alliance
Barbara L. Taaff
Neera Tanden
Michael Trager
United Way of Southeastern Pennsylvania
Kent Yalowitz
Robert Zinkham

$250 and above
Carlos A. Arcos
Barrall Family Trust
Christine and Nathan Barulich
Deborah Callard
Jennifer and Kyle Cooney
Lucy and David Eisenberg
Cynthia and Peter Ellis
David Freeman
Nadia K. Gareeb
Cynthia Haiken
Wythe W. Holt Jr.
Philip Horton
Melissa A. Irish
Jenny and Chris Kaufmann
Stephen M. Kristovich
Kevin Lavin
John Massaro
Elizabeth K. Moser
Grant Nyhammer
Alison Pennington and Kevin Prindiville
Shira Shafir and Ted Kroeber
John Spiegel
E. Percil Stanford
Sonia Valdez and Caio Arellano
Linda and Steve Weitz

$100 and above
Stewart Aaron
David Affeldt
Christopher Allen
Jonathan D. Asher
Gordon Bonnyman
Brad Brian
California Community Foundation
Agnes and Julio Cantre
Constance R. Caplan
Gill Deford
Carroll L. Estes
Anne, Nathan and Rachel Fretz
Leslie Fried
Maria and Rod Geer
David Goldfarb
Miriam Harmatz
Judith Hautala
Selma Hayman
Edward F. Howard
Derek Jacobsen and Zachary Barulich
Karen Kaplowitz and Alan Cohen
Morris Klein
Jason D. Kogan
Simon Lazarus
Mandy and Dr. Frank Lemes
Nora Jean and Michael Levin
Brian W. Lindberg
Douglas B. Noble
Judith R. Pacht
Edith Pennington and Larry Lardy
René Reixach
Kristin Rizzo and Tom Becker
Allan Rodgers
Erica and Douglas Rosenthal
Robert A. Russell
Gabrielle Spiegel
Stephen Sugarman
Thelma Sweeney
Anne Swerlick
Lauren Wade and Steve Walsh
Alan Wasserman
Ruth Weinberger and Joe Divack

**Up to $100**
Susan and Kenneth Abraham
Donna Ambrogi
Bob Anderson
Jean Mills Aranha
Courtney S. Bryant
Jayne M. Burkman
Claire M. Fagin
Charlotte Flynn
Crystal Francis and Dennis Frick
Henry A. Freedman
Anne and George Gingold
Margaret Gullette
Matthew Herrington
Just Give
Howard Krooks
Bruce MacKay
Lynda and David Martin-McCormick
Pamala McCormick Steward
Katherine Montgomery
Scott Parkin
Robert Prath
Anne Marie Reagan and Douglas Magee
Jonathan Rice
David G. Rich
Mary Rogers
Lauren Saunders and Bernard Barrett
Elizabeth Schneider
Sarah Shena
United Way of Greater Philadelphia and Southern New Jersey
Erica Wood

**CFC donors of unknown amounts**
Alan Van Egmond
David Forde
Melanie Rigney
Joel Zepedia

NSLC gratefully acknowledges donors for their generous support in 2013.