Annual Report
2018
OUR VISION
At Justice in Aging, we believe everyone has the right to age with justice.

We believe we all have this right regardless of our race, ethnicity, gender, gender identity, sexual orientation, language, ability, or income.

HOW WE WORK
LEGAL TRAINING
We provide free trainings, resources, and technical legal assistance to tens of thousands of advocates each year, giving them the knowledge they need to connect their older adult clients with critical health care and economic security benefits.

LEGISLATIVE & ADMINISTRATIVE ADVOCACY
From advocates on the ground, we hear of issues older adults are facing and work with agency leaders and policy makers to fix problems and push for better policies. Our reputation as tough litigators often provides the impetus needed to make real change through advocacy.

LITIGATION
Sometimes litigation is the only way to solve systemic issues. We use strategic, impact litigation to bring about justice and systems change, so that low-income older adults can get the resources and benefits they need to age in justice. Over the last 47 years, Justice in Aging litigation has returned billions of dollars in benefits to those most in need.
Letter from Leadership

Dear Friends,

We are proud to report on another successful year defending the rights of low-income older adults, despite continuing threats of program cuts from the current administration. Because we are the only national legal organization focused solely on fighting senior poverty, we are at the forefront of the ongoing struggle to preserve the programs seniors rely on — through the courts and legal advocacy.

Some noteworthy wins and highlights of our work impacting the lives of millions of seniors across the country from the past year:

- We restored millions of dollars per month in food benefits for low-income older adults in California.
- We saw our ongoing push for an oral health benefit in Medicare gain traction in the halls of Congress.
- We sued the state of Florida to help seniors stay in their homes and out of nursing facilities.
- We are fighting to prevent states from taking away Medicaid from adults who cannot meet stringent work requirements.

Over the next year, we plan to continue fighting against cuts to health care and economic security programs, while also advocating to expand and improve them. We will train thousands of advocates and service providers all over the country. And we will continue to lead and work with pro bono legal partners on four ongoing cases, while continuing to seek out new, impactful litigation opportunities.

Thank you for supporting Justice in Aging. We could not do this important work without our donors, funders, and partners. Your help and encouragement gives us hope and satisfaction, knowing that you are right there with us to keep on fighting for justice, for all older Americans.

With much appreciation,

Kevin Prindiville, Executive Director
Richard Alexander, Chair, Board of Directors
FIGHTING POVERTY

Every older adult should have sufficient income to meet their basic needs for food, housing, and health care. When you’re living at or below the poverty level, a small setback can lead to hunger, homelessness, and poor health.

We help older adults get and retain the resources they need. Supplemental Security Income (SSI) is a critical program for low-income older adults and people with disabilities who are not able to work enough to make ends meet. Much of our anti-poverty work is related to strengthening that program and expanding access to its life-saving benefits.
Expanding Food Benefits to California Seniors

In 2018, Justice in Aging helped to convince the state of California to expand CalFresh (SNAP) nutrition benefits to seniors and people with disabilities who receive SSI. For over 40 years, SSI recipients in California were not eligible to receive SNAP nutrition assistance. This often meant that they would run out of food before the end of the month, or have to make an impossible choice between whether to eat or pay the rent. The change in rules will take effect starting in June 2019 and we estimate that 500,000 SSI recipients will become newly eligible for SNAP benefits. With the average SNAP benefit for a senior being over $100 per month, the result of this policy change will be hundreds of millions of dollars in new benefits flowing to SSI recipients.

Preventing Rural West Virginians from Losing Millions in SSI Benefits

A chemical spill in 2014 in rural West Virginia contaminated the water for many residents. A legal settlement entitled those impacted to a one-time payment of over $500. However, many of those individuals were SSI recipients. SSI is there for those who are unable to earn enough to meet their basic needs, but accepting even this small amount of settlement money could have put many people at risk of losing their only source of income and getting overpayment notices.

Legal Aid of West Virginia alerted Justice in Aging to the problem and we worked with the Social Security Administration to ensure that people who received payments wouldn’t lose their SSI benefits as a result. These actions helped save low-income seniors and people with disabilities an estimated $3 to $5 million dollars in benefits.
BREAKING DOWN BARRIERS
TO HEALTH CARE

Every older adult should be able visit a doctor when they need to, get preventive care — including dental and vision — buy prescriptions, and receive long-term care that meets their needs, without discrimination and insurmountable barriers. We use all the legal tools available, including litigation, to ensure seniors get the health care they need.

Preventing Nursing Home Residents from Being Illegally Evicted

Joan is a 70 year old woman who has lived in Kentucky all her life. She was her mother’s long-time caretaker, until her mother needed to move into a nursing home. After her mother died, Joan was left alone without family. Now Joan relies on Medicaid to cover her own nursing home care. In early 2018, the nursing home where she lives in Alexandria, Kentucky threatened to evict her. With no family to turn to, she had nowhere to go. The company that owns the nursing home had just completed construction on a new building, and moved Joan and several other residents from their previous shared rooms to private rooms in the new building. None of the residents had requested private rooms, but they were given no choice. Once the company moved Joan, they told her she had to pay an additional $900 a month for the private room, an amount she clearly could not afford, or else be evicted.

Justice in Aging worked with Legal Aid of the Bluegrass and the law firm Knoebel & Vice to file a lawsuit to prevent the nursing home from evicting Joan and the other residents. In August of 2018, we reached a settlement under which the company agreed to allow the residents to remain in the facility without paying any extra charges.
Mr. Alexander, our lead plaintiff in the case Alexander v. Mayhew and Prudom, is at risk of having to move out of his home and into a nursing facility because the state of Florida won’t give him the help he needs at home through its Medicaid system. Mr. Alexander is partially paralyzed as a result of a back surgery, and lives with his 92 year old mother, who does her best to care for him. But he needs help dressing, bathing, and transferring from his wheelchair to his bed. His mother has her own health problems and neither of them drive. While he waits for home-based care — which could take several years — because Florida prioritizes funding nursing facility care over home-based care, he and his mother make do. A former neighbor travels from his home to help care for Mr. Alexander when he can, but that’s not enough. Mr. Alexander is at risk of institutionalization, which he does not need or want. He wishes to remain at home with his mother, near friends and neighbors.

Mr. Alexander is one of over 54,000 people on Florida’s wait list for home-based care. In December 2018, we filed a class action lawsuit against the state for putting older adults and people with disabilities at risk of nursing facility placements, apart from their families and communities. For more litigation news and information about our partners, see page 8.
Stopping States from Putting up Roadblocks to Medicaid

The Trump administration is encouraging states to restrict the number of people on state Medicaid rolls by requiring that people needing health coverage meet confusing, inconsistent, and onerous work reporting rules. These work requirements harm older adults by creating barriers to health coverage for their family caregivers. We are working to stop states from implementing these barriers to coverage by conveying to lawmakers, regulators, and judges the impact of these requirements on older adults. We wrote to the Trump Administration to oppose these work requirements when they were first proposed, authored a state-by-state report outlining the negative impacts for older adults, and authored amicus briefs in a court case that has been successful in stopping the coverage restrictions in Kentucky.
Ensuring Oral Health Care for All

70% of older adults have no, or only limited, oral health coverage. That’s because there is no oral health benefit included in Medicare, and few state Medicaid programs provide adequate oral health coverage to adults. Unmet oral health needs can cause life threatening infections, worsen chronic conditions such as heart disease and diabetes, and lead to poor nutrition.

Our multi-pronged strategy to advance oral health for all low-income older adults includes fighting at the federal level for an oral health benefit in Medicare and state-to-state to ensure that more state Medicaid programs provide adequate oral health coverage. Thanks to our advocacy, the idea of adding a dental benefit to Medicare is gaining traction in Washington. In early 2019, Congress introduced three different bills that would include a dental benefit in Medicare. We are also helping seniors in California access dental benefits they are entitled to after our advocacy pushed the state to fully restore adult dental benefits to Medi-Cal in 2017.
ADVANCING CIVIL & CONSUMER RIGHTS
FOR THOSE MOST AT RISK

Whether you’re an immigrant older adult hoping to remain with family members in the United States, or a nursing home resident with dementia threatened with eviction, Justice in Aging is there to help you fight back.
Thousands Speak out Against Trump Administration’s Immigration Policies

In October 2018, the Trump Administration proposed a new rule that would broaden the so called “public charge” doctrine and apply it unfairly to certain groups, with the ultimate goal of restricting immigration to the wealthy, young, healthy, and skilled. If enacted, the rule will make it harder for older adults in immigrant families to stay with their families and support each other. Justice in Aging led the aging community’s response to the rule and developed resources that helped drive over a quarter million comments in opposition. The high volume and quality of these comments are critical to delaying and ultimately blocking the rule from being implemented.

Pushing Back Against Trump Administration Efforts That Put Nursing Home Residents at Risk

The health and safety of thousands of nursing home residents is at risk. Since January 2017, we’ve seen the Centers for Medicare & Medicaid Services (CMS) systematically move to eliminate, delay, or reduce enforcement of important regulations that protect residents.

The federal government has a responsibility to hold nursing home operators accountable for forced evictions, illegal charges, dangerous conditions, and inadequate care, but under the Trump Administration, we’ve seen a disturbing and consistent willingness on the part of CMS to do the nursing home operators’ bidding. We are watching, tracking, and speaking out against the gutting of regulations that are in place to support residents.

To help nursing home consumers and their families navigate nursing home issues and advocate on their own, we released a comprehensive, consumer guide in late 2018, 25 Common Nursing Home Problems and How to Resolve Them, which we distribute broadly to anyone who needs it, for free.
LITIGATION AT JUSTICE IN AGING

Justice in Aging’s litigation team files cases that focus on righting injustices for those with few resources who have been unfairly denied or excluded from the programs that have been put in place to help older Americans age with justice.

In its 47 year history, Justice in Aging has filed dozens of cases that have returned or saved billions of dollars in benefits for millions of older adults.

To read more about litigation and amicus work:

justiceinaging.org/our-work/litigation
CURRENT ACTIVE LITIGATION

Alexander v. Mayhew & Prudom
We filed a lawsuit against the state of Florida to keep seniors at home and out of nursing facilities.

Hart v. Berryhill
We sued the Social Security Administration for wrongfully denying or taking away disability benefits based on the medical exams of a disqualified doctor.

Kelley v. Kent
We filed a lawsuit against the state of California for unlawfully forcing California residents who need long-term care to choose between remaining at home and impoverishing your spouse, or moving into an institution.

Alexander v. Azar
This nationwide lawsuit challenges Medicare’s refusal to allow people placed on observation status in hospitals to challenge that classification, which can result in thousands of dollars of surprise hospital bills.

Held v. Colvin
We filed this lawsuit on behalf of married couples of the same sex who had wrongfully been denied or had their SSI benefits cut because the Social Security Administration failed to recognize their legal marriages.

J.D. v. Baptist Convalescent Center
We brought action against a Kentucky nursing home for wrongful evictions of residents.

We are proud to work with our incredible pro-bono litigation and advocacy partners on the cases we bring.

Arnold & Porter
Bet Tzedek Legal Services
Center for Medicare Advocacy
Cozen O’Conner
Disability Rights California
Disability Rights Florida
Foley Hoag LLP
Gay & Lesbian Advocates and Defenders
Legal Aid of the Bluegrass
Legal Aid Society of San Mateo
McDermott, Will & Emery
Morrison & Foerster
Munger, Tolles & Olson LLP
Proskauer
Southern Legal Counsel
Western Center on Law & Poverty
Wilson, Sonsini, Goodrich & Rosati
Attorney Nancy Wright
To meet the growing need across the country for legal services for older adults, Justice in Aging created The National Center on Law and Elder Rights (NCLER) under a contract from the Administration on Community Living at the Department of Health and Human Services. NCLER is a one-stop resource for legal and other professionals working with older adults, providing them with training, consultations, and resources to help them better serve older adults with the greatest economic and social needs.

**BY THE NUMBERS**

Justice in Aging and NCLER:

- Conducted **53** webinars and in-person trainings
- Trained **37,000 advocates** through webinars and in-person trainings
- Provided over **1,400** individual case consultations
-Reached advocates in **all 50 states** and the **District of Columbia**
AWARDS SPOTLIGHT

**Senior Staff Attorney Denny Chan** was honored with AARP’s 2018 Asian American & Pacific Islander Hero Award. Denny received the award for his work to connect Limited English Proficient (LEP) older adults to the health care they need.

**Executive Director Kevin Prindiville** was honored with the 2018 Los Angeles Aging and Advocacy Coalition (LAAAC) Champion Award, given yearly to an advocate who has demonstrated an extraordinary commitment to aging advocacy in Los Angeles County.

**Board Member and former Executive Director, Paul Nathanson** received the 2018 ASA Hall of Fame Award in recognition of his 45 years of advocacy for low-income older adults in America.

**Directing Attorney Eric Carlson** was awarded the Brian Capshaw Rock Star Award at the 2018 VOICES Forum by the Connecticut Long-Term Ombudsman Program. Eric was honored for his advocacy on behalf of nursing home residents and their families.

**Honorable Mention for Grantmakers in Aging’s Diversity Award:** Justice in Aging was honored at the 2018 Grantmakers in Aging Annual Conference for our focus on addressing the needs and systemic inequalities among women, people of color, LGBTQ people, and those with limited English proficiency.
Celebrating at the Julia Morgan Ballroom:
On April 26, 2018 Justice in Aging honored Jennie Chin Hansen with the Paul Nathanson Distinguished Advocate Award, CA State Senator Scott Wiener with its Impact Award, and William Stern of Morrison & Foerster with its Justice Award.

PLANNED GIVING
Justice in Aging welcomes your planned gifts. To notify us of your intent to make a planned gift, or learn how to get started, contact Vanessa Barrington, Director of Individual Giving, vbarrington@justiceinaging.org.
FINANCIALS

Full audited financial statements for fiscal year 2018 with comparisons to 2017 are available at justiceinaging.org. The difference between formal income and expenses for fiscal year 2018 results primarily from the receipt of multiple-year grant funds, a portion of which are designated for expenditure in future fiscal years. $1,137,516 of the expenses which were incurred in FY2018 were paid for by grant funds received and recorded as income in previous fiscal years.

Total Revenue $2,584,385 FY2018
- 41% Government Grants & Contracts
- 33% Private Foundation Grants & Contracts
- 19% Contributions
- 2% Attorneys Fees
- 5% Other Program Income

Total Expenses $3,625,249 FY2018
- 50% Health Programs
- 24% Economic Security Programs
- 12% Litigation
- 9% Management & General Expenses
- 5% Development Expenses
# Thank You to All Our Donors & Funders

**$100,000+**
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Thanks to all of our donors at the $1 – $99 level. Your gifts make a difference.

Special thanks to Richard and Emily Alexander for sponsoring the Colin Alexander Health Law Fellowship.
Thank you to photographers, Louis Kravitz and Norman Schwartz, for volunteering their time to capture such beautiful images of older adults, some of which are used in this report.

And thank you to artist, Farren Koehne, for the beautiful artwork on the cover.