

# Kentucky Equal Justice Center

September 24, 2021

## Staff Report Highlights

### Health Justice & Advocacy – Shannon Rempe

- **Universal Masking in Schools**
  - Shannon wrote a [letter](#) to Kentucky legislators to support universal masking requirements in Kentucky schools.
  - The General Assembly has since banned mask mandates on the state level until June 1, 2023, leaving it up to local school districts to decide.
  - As of September 17, 165 out of Kentucky’s 171 public school districts have announced they will require masks.
  - Shannon plans to update her letter to target the counties that announced masks will be optional: Hickman, Gallatin, Mercer, Clinton, Science Hill (ironic), and Burgin.
- **Impact Litigation: UK Healthcare Debt Collection**
  - Shannon contacted all the named Plaintiffs and completed opposing counsel’s requests for interrogatories and production.
  - Shannon has taken the lead on compiling deposition preparation memos for each named Plaintiff.
- **Families USA Health Equity Academy Fellow:** Shannon was accepted into the 2021 Academy class, centered on building and training a corps of health equity advocates to ensure the needs and priorities of communities are included in policymaking efforts.
  - This year the Academy zeroed in on two aspects of health care where community voices are especially needed: Maternal and Child Health and Immigrant Health.
- **Maternal Health Blog:** Through the training and resources Shannon gained from the Academy, she feels well-equipped to research and write a blog focused on the state of maternal health in Kentucky. The blog is in the preliminary stages. It should be out by October.
- **Plans for a Maternal Health Coalition:** Following the blog, Shannon wants to partner with advocates and build out a maternal health coalition in Kentucky to help drive impactful policies through the legislature. She discussed strategies for doing this with other advocates at the Academy and plans to speak with members of ThriveKY.
- **Long-term goal:** Look into creating a more intimate partnership with Maxwell Street Legal Clinic to build out advocacy and policy efforts centered on immigrant health and access to public benefits.

## Resource Organizer — Raaziq El-Amin

- **Donor Management System:** Raaziq has been working with the conversion team at Bloomerang to transition to our new donor management system. The process has involved compiling donation data and scouting out and reporting errors. Raaziq has begun using the system for various tasks and he is quite impressed!
- **Workers' Lab Innovation Fund:** Raaziq worked closely with the Workers' Rights team to submit application materials for the semi-finalist stage of The Workers' Lab Innovation Fund grant. His role involved uploading materials, [including a short video](#).
  - Using a script created by McKenzie, the team recorded their pitch, and Raaziq edited and refined the [video](#) to better capture the story of our new wage claim app. The video will be repurposed for other audiences.
- **Give for Good Louisville:** For the first time, KEJC participated in Give for Good Louisville. This one-day giving day connected us with around 20 new donors. A total of 46 donors gave a combined \$3,704. Thank you so much to those who supported us that day and who support us year-round! We're already looking forward to joining again next year.

## Impact Litigation and Advocacy — Ben Carter

- **Litigation updates:** The Governor and City of Morehead both filed Motions to Dismiss the lawsuits KEJC filed challenging, respectively:
  - **Voting rights:** the constitutionality of the Governor's decision not to tell 891 Kentuckians that their applications to have their voting rights restored have been denied; and
  - **North Fork:** the legality of an ordinance the City of Morehead passed that led to the displacement of the residents of North Fork Mobile Home Park.

The motions are fully briefed. The North Fork case is ripe for a decision and oral argument on the voting rights challenge will happen soon. Key documents:

  - [Response to Motion to Dismiss in North Fork Litigation](#)
  - [Response to Motion to Dismiss in Voting Rights Litigation](#)
- **Masks in school:** Worked with KY 120-AFT (teacher's union) to [track the decisions of 171 school districts](#) regarding masking indoors and on transportation. More than 1,200 Kentuckians used the [Action Network campaign we created](#) to write their legislators to encourage them to adopt a statewide mask requirement.
- **Eviction:** Modified [KyRenterHelp.org](#) to help Kentuckians who rent their homes find the information they need based on their county of residence to find legal assistance and apply for rental assistance programs.

## Outreach — Miranda Brown

- **Direct Service**

- **Enrollment Assistance:** Miranda helped 8 new individuals and families with health coverage in addition to previous clients.
- **Lexington Wage Claim Clinic:** We resumed in-person monthly wage claim clinics in July! We've since assisted 6 new wage claimants and 4 previous claimants with ongoing claims demanding over \$24,000.


- **Advocacy Feedback Loop**

- **Consumer Rights and Client Needs Technical Advisory Committee (TAC):** Temporary Presumptive Eligibility (PE) Medicaid coverage ended for many members on June 30th. As a member of the TAC, Miranda recommended that:
  - **Notice:** DMS notify consumers, kynectors, and providers that Emergency Time Limited Medicaid (ETLM) is another program still available for uninsured, low-income patients experiencing an emergency;
  - **Time Limit:** DMS allow a PE Medicaid application to satisfy the time limit requirement of applying for ETLM within three months of the emergency.

DMS also let us know that they are interested in helping disseminate the ETLM brochure that we drafted!

- **Health Justice Advocates Network and kynect 2.0:** Miranda recruited immigrant and Latinx organization representatives to participate in this network, including Eva Morales of La Casita Center and Farhan Abdi of Somali Community of Louisville, Inc. We've had several meetings and kynect 2.0 focus group discussions.
  - **Improving kynect:** We urged improvements to new kynect State Based Marketplace advertising, including clear messaging around the specific programs that people can apply for on kynect and the different methods applicants can use, from kynect.ky.gov to the Call Center to finding a kynector.
  - **No wrong door:** We suggested website design changes, most importantly the option for site users to apply for any and all types of health coverage they could be eligible for, be it Medicaid or a Qualified Health Plan, with or without financial assistance. We believe this "no wrong door" function was critical to the success of the first kynect.
- **Networking, Outreach and Communications:** We did 7 outreach events, distributing information to 54 people at the BCTC and JCTC Latinx Leadership and College Experience Camps, Mexican Mobile Consulate visit in Lexington, and the Backside Learning Center's Back-to-School event. Miranda met with KRM's Health Services Coordinator to discuss the benefits and challenges of training a KRM staff person as a kynector. Also:

- **Workers' Rights Task Force:** We organized a meeting with representatives from the National Employment Law Project and U.S. Department of Labor Wage and Hour Division. Fifty-five legal aid staff, labor representatives, and other partners in Kentucky and across the South attended for updates on national policies and enforcement priorities and lively discussion on Kentucky UI issues.
- **Wage Claim App:** UK student Payton Sinkbeil is helping us polish our new [KYWageTheft.org](http://KYWageTheft.org) wage claim app! Check out the graphic she created!



**WAS YOUR PAYCHECK STOLEN?**  
*Get help at* [KYWageTheft.org](http://KYWageTheft.org)

Write a demand letter to claim owed wages — all from your smartphone!

**K = J C**

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Wage theft is when an employer has not paid an employee for work performed within the statutory time requirement. In Kentucky your employer must pay you within 14 days of your work.

Wage theft is very prevalent—in the U.S., employers steal over \$15 billion each year from their own workers. ([according to the EPI](#))

You can claim your wages by sending your employer a demand letter, filing a complaint with the U.S. Department of Labor or state Labor Cabinet, or taking legal action.

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## Food Justice — Tyler Offerman

- **Kentucky Food Action Network:** We continue to work with the KY Center for Economic Policy, Community Farm Alliance, and Feeding KY to support the Kentucky Food Action Network. KFAN recently elected a Steering Committee made up of a majority of directly impacted people. Upcoming priorities include providing leadership development to the Steering Committee, coming up with lobby plans for the General Assembly, and ongoing Network support.
- **Double Dollars:** Our partnership with the Community Farm Alliance around getting a Healthy Food and Farm Fund to provide state funding to the KY Double Dollars (KDD) Farmers Market Nutrition Program (FMNP) allocated through Master Settlement Fund is ramping up. We have had several meetings with legislators to identify a sponsor and get the policy on policy an interim joint committee meeting agenda for the Agriculture Committee and/or the Health and Welfare Committee.

## Maxwell Street Legal Clinic — Leah Engle

- **VOCA Legal Assistant:** We're excited that Gaby Dawson will be joining us full-time as our VOCA legal assistant starting October 1. Gaby has been a part-time legal assistant with Maxwell Street since November 2018. A native of Venezuela and a long-time Lexingtonian, Gaby is a Certified Medical Interpreter with many years of legal and medical office experience. We are thrilled that she is going to be with us full-time!
- **Citizenship Granted!** Allison won her first naturalization appeal! After the client's disability waiver was denied twice and her naturalization case was denied, Allison appealed the decision and won. One of the requirements for citizenship is being able to read, write, and speak basic English. There are some exemptions for people who have been lawful permanent residents for a long time, but otherwise, applicants must receive certification from a qualified doctor or therapist that they have a physical or developmental disability that prevents them from learning English.

Allison worked with the client's doctor on the disability waiver so that it complied with USCIS requirements. In both interviews, the USCIS officer denied the disability waiver for reasons violating USCIS' own policy and required the client to take the test in English. In the second interview, USCIS compounded this mistake by refusing to call Allison, who was ready to represent her client telephonically. Allison filed the appeal with a detailed brief and represented her client at the hearing. When she won, the client's disability waiver was granted, and the client was able to do her interview in her native language. She passed and became a citizen that day!

- **Outreach:** Our VOCA team has been busy with outreach since our last board meeting.
  - **School staff:** We've concentrated on connecting with schools recently. Michelle and Allison conducted a training for Fayette County school staff on August 26, reviewing immigration remedies for crime victims. Angela and Michelle will be presenting at

Bryan Station High School for parents on September 27. We're excited to connect with schools because we've received a number of referrals from schools recently—often right after a student who might have been eligible for Special Immigrant Juvenile Status has turned 18. Because of these cases, we've started reaching out to schools, so that we can try and schedule trainings for guidance counselors and staff. If we can get these kids in our office before they turn 18, there are more options available to them.

- **Victims Assistance Academy:** Leah and Allison presented with Emily Jones of KRM at the Kentucky Victims Assistance Academy. We covered immigration remedies for crime victims for victim advocates and other service providers around the state. This is the second time we have presented at KVAA. Our presentations were well received.