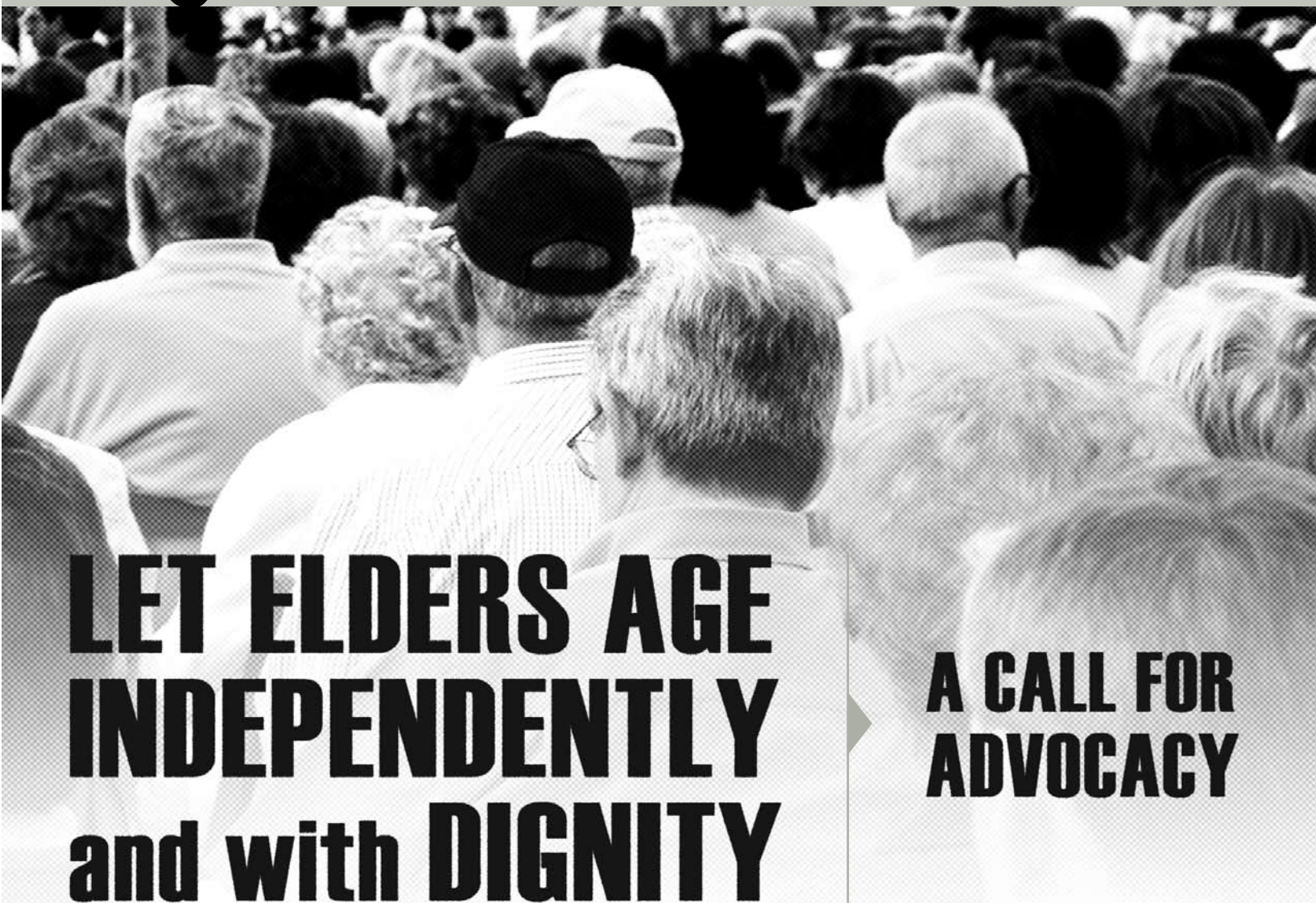


# Clearinghouse REVIEW

September–October 2008  
Volume 42, Numbers 5–6

Journal of  
Poverty Law  
and Policy



**LET ELDERS AGE  
INDEPENDENTLY  
and with DIGNITY**

**A CALL FOR  
ADVOCACY**

Home Equity Scams  
Power-of-Attorney Abuses  
Medicare Advantage  
and Dual Eligibles  
Preemption in Medicare  
and Medicaid Cases

Fair Housing Rights in  
Assisted-Living Facilities  
Dementia and  
Involuntary Discharge  
Rebalancing of Long-  
Term Care

Transportation Options  
Disenfranchisement  
Limited English Proficiency

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# Clearinghouse REVIEW

Published by the

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Sargent Shriver National Center on Poverty Law

## Advocating for Seniors

I began my advocacy career in 1972, when I was hired to be the first executive director for the newly formed National Senior Citizens Law Center (NSCLC). For eight years, I worked in the Los Angeles office and supervised staff in California and Washington, D.C. Back then communicating effectively with the geographically dispersed offices and with the aging and legal services networks was extremely difficult. Phones, "snail mail," personal visits, and word processors were the rule.

This year I returned to the helm of NSCLC. These days I often work from the road and use my Blackberry to communicate with the staff, which is spread throughout three offices in California and D.C.

Technology isn't the only thing that has changed. The elderly population has increased steadily since the 1970s. At the same time, poor older Americans are getting poorer. Currently 10 percent of the elderly live in poverty, and the numbers are significantly worse for older women of color.

Yet the more things change, the more they remain the same. Many of the same legal problems that we encountered thirty-five years ago continue to affect our clients. The first case NSCLC filed was against the Construction Laborers Pension Trust for Southern California. NSCLC and cocounsel California Rural Legal Assistance and the Legal Aid Foundation of Los Angeles challenged the structural eligibility conditions that kept thousands of elderly and disabled former construction workers from receiving pension benefits. After a long, hard fight, we eventually achieved a big win for our clients.

In recent years employer-sponsored pensions have shifted from defined-benefit plans to defined-contribution plans; the result is underfunded retirement savings for a huge number of retirees. Social Security, Medicare, and Medicaid—which have been critical in keeping older Americans out of poverty for generations—are under attack, similarly threatening the much-needed safety net for older Americans.

Advocates are fighting back in these and other areas. Recently NSCLC claimed another win for its elderly low-income clients. With the Center for Medicare Advocacy Inc., we filed suit in April 2006 on behalf of 6.2 million low-income people eligible to receive both Medicare and Medicaid. Because of systemic problems in implementing the Medicare Part D program, these clients faced lengthy, often life-threatening delays in getting their vital medications. Through a settlement agreement, the Bush administration agreed to change significantly its administration of the prescription drug benefit for low-income beneficiaries and made it easier for them to access the full benefits of the Medicare Part D program and the low-income subsidy (see page 245).

The impact that we as advocates have on our clients' lives is as important as ever. We must work together, pooling our experience as advocates and policymakers, to ensure that elderly low-income Americans are not left farther behind. An invaluable tool in our legal efforts is CLEARINGHOUSE REVIEW, which helps us share ideas and strategies with attorneys throughout the country. This special issue of the REVIEW includes new legal strategies for fighting some of the old problems as well as information on some new problems facing our clients today. I hope new and seasoned advocates alike will recognize the valuable resources in the REVIEW and the Sargent Shriver National Center on Poverty Law's website, www.povertylaw.org.

### Paul Nathanson

*Executive Director, National Senior Citizens Law Center*

CLEARINGHOUSE REVIEW encourages the submission of articles from legal aid field staff and others. Send articles to Ilze Sprudz Hirsh, editor and vice president of communication programs, Sargent Shriver National Center on Poverty Law, 50 E. Washington St. Suite 500, Chicago, IL 60602.

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CLEARINGHOUSE REVIEW: JOURNAL OF POVERTY LAW AND POLICY is published six times a year, in February, April, June, August, October, and December by the Sargent Shriver National Center on Poverty Law, 50 E. Washington St. Suite 500, Chicago, IL 60602. Annual subscription price for hard copy and online access to REVIEW articles back to 1990: \$105 to advocates at Legal Services Corporation-funded programs, \$250 to nonprofit entities, \$400 to individuals, and \$500 to law libraries. ISSN 0009-868X.

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