

PLEASE DO NOT RESPOND TO THIS LISTSERV MESSAGE

To: County Directors of Social Services
Medicaid Staff
From: Carolyn McClanahan, Associate Director
Eligibility Services
NC Medicaid
Re: Notice of Your Rights Under *Hawkins v. Cohen*
Date: February 28, 2019

Please find attached a copy of the "Notice Of Your Rights Under *Hawkins v. Cohen*". This notice is required to be posted in a prominent location within the agency no later than Friday, March 1, 2019 and on the local agency websites, no later than Monday, March 4, 2019.

This notice contains important information regarding beneficiary rights as a result of a federal lawsuit filed in 2017, on behalf of Medicaid beneficiaries in North Carolina. It is *imperative* for this notice to be posted for a minimum of 60 days. Also attached are additional instructions for posting requirements. All local agencies are required to respond by email to sransome@ncacdss.org no later than Friday, March 8, 2019 that all posting requirements have been met.

If you have questions regarding this information, please contact your [Medicaid Operational Support Team \(OST\) Representative.](#)

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA

MARCIA ELENA QUINTEROS HAWKINS,)
ALICIA FRANKLIN, VANESSA)
LACHOWSKI, and KYANNA SHIPP, on)
behalf of themselves and all others)
similarly situated,)

Civil Case No.: 5:17-cv-00581-FL

Plaintiffs,)

v.)

MANDY COHEN, in her official capacity)
as Secretary of the North Carolina)
Department of Health and Human)
Services,)

Defendant.)

**ATTENTION MEDICAID BENEFICIARIES: NOTICE OF YOUR RIGHTS UNDER
HAWKINS v. COHEN**

Hawkins v. Cohen (5:17-CV-581 E.D.N.C.) is a federal lawsuit filed in 2017 on behalf of Medicaid beneficiaries in North Carolina. The case concerns improper terminations of Medicaid benefits.

The Court hearing the case has certified it as a class action. This means that the case is to help not just the people who filed the case but other Medicaid beneficiaries whose Medicaid has been or will be terminated improperly.

The Court has ordered the N.C. Medicaid agency to stop terminations or reductions of Medicaid benefits until eligibility under all Medicaid categories has been considered and advance notice of the right to a hearing has been mailed to you. For example, if you get Medicaid based on having a minor child who is turning eighteen years old, your county Department of Social Services must consider whether you are disabled before they stop your Medicaid.

If you have any questions about this lawsuit or about your rights, you may contact the attorneys who filed the case, the Charlotte Center for Legal Advocacy. You can reach these lawyers by calling this toll free number: **1-800-936-4971**. You can also send the lawyers an email at Hawkinsinfo@charlottelegaladvocacy.org.

You also may contact these lawyers if you want to report that you lost your Medicaid without a decision that you were no longer eligible for Medicaid under any category or without receiving advance written notice that your Medicaid would stop. There is no cost to you for any help that these lawyers provide to you.