



Missouri Department of Social Services working with Medically Complex Children, their Families and Advocates to Improve Access to In-Home Nursing Services through Settlement

Kansas City, MO - Seven children with medically complex conditions and the Caring for Complex Kids Coalition have reached a [settlement](#) with the Missouri Department of Social Services in the case [S.J. et. al v. Knodell](#). [Legal Services of Eastern Missouri](#) and the [National Health Law Program](#) filed the case on behalf of the children and the Coalition two years ago, arguing that the Medicaid Act and the Americans with Disabilities Act require the Missouri Medicaid agency to take steps to ensure that approved in-home nursing services are available. Among other things, the settlement agreement incorporates measures to improve the availability of in-home nursing and care coordination services for these children.

"The Missouri Department of Social Services is proud to have worked with the plaintiffs, their families, Legal Services of Eastern Missouri, and the National Health Law Program to reach this settlement which is a continuation of our joint efforts to solve a nation-wide problem," said Todd Richardson, Director of the MO HealthNet Division. "MO HealthNet was actively undergoing efforts regarding increasing nursing services and options for medically complex children, and this settlement gives us the unique opportunity to continue to collaborate with the Plaintiffs and their advocates, as well as with industry stakeholders, to bring creative solutions to address nursing shortages and to support these children and families in the best ways possible. We look forward to continuing our work together to improve resources not only for those involved in this case, but to all MO HealthNet participants."

Families of the plaintiffs and their attorneys also praised the settlement.

"Missouri families caring for children with medical complexities face so many challenges. Our goal, like the goal of every family, is to make sure our children can thrive and flourish," said M.S., Grandmother of Plaintiff T.S. "This settlement is a big step forward for children who have serious medical needs and their families. I look forward to working with the State and others to improve access to services that will keep children healthy and at home with their families where they belong."

"Under this settlement, the MO Healthnet Division will modify its policies and practices to improve vulnerable children's ability to receive the services they need," said [Joel Ferber](#), Director of Advocacy Legal Services of Eastern Missouri. "We all agree that it is

far preferable for kids with medically complex conditions to live in their own homes and communities rather than in hospitals and other institutions. While this settlement won't solve every issue facing these children and families, we think we have an excellent agreement that commits both sides to continue working together to meet the needs of Missouri's children."

"Today's settlement avoids protracted litigation and means that these children will get improved access to the care and services they need," said [Jane Perkins](#), Legal Director at the National Health Law Program. "We are proud to have worked with the State of Missouri to obtain the settlement and to have partnered with our state-based Health Law Partnership, the team at Legal Services of Eastern Missouri, to effect real, positive change for children like T.S. and the other plaintiffs. The stark reality is that there are Medicaid-enrolled children with complex medical needs in states across the country who are not receiving the in-home nursing care they need. The stakes are life and death for these children, and the strain it places on families is tremendous. We hope this settlement will be helpful to other states as they work to improve coverage."

For additional comment from Jane Perkins or Joel Ferber, please contact NHeLP's Director of Communications, Andy DiAntonio, at communications@healthlaw.org. Any questions for the Department of Social Services may be directed to Caitlin.Whaley@dss.mo.gov