

PLEASE DO NOT RESPOND TO THIS LISTSERV MESSAGE

TO: County Directors of Social Services
Medicaid Staff

FROM: Carolyn McClanahan, Deputy Director
Member Operations

RE: Proposed Settlement of *Franklin v. Kinsley*

DATE: November 3, 2022

Please find attached a copy of the “Notice to Class of Proposed Settlement of *Franklin v. Kinsley*.” *Franklin et al. v. Kinsley*, formerly known as *Hawkins et al. v. Cohen*, is a federal lawsuit filed in 2017. This case was certified by the Court as a class action lawsuit on behalf of N.C. Medicaid beneficiaries.

In this lawsuit, the Plaintiffs allege that the N.C. Medicaid agency, along with county Departments of Social Services (DSS), was terminating and reducing Medicaid benefits without considering eligibility under all Medicaid categories and without first providing timely and adequate written notice, in violation of federal Medicaid statute and the U.S. Constitution. The Defendant denied those allegations.

The Court has ordered that class members be notified of the proposed Settlement Agreement.

The attached notice in both English and Spanish is required to be posted in a prominent location within every county department of Social Services no later than Tuesday, November 15, 2022, and on local agency websites, no later than Wednesday, November 16, 2022. The notice must remain posted for at least six weeks.

This notice contains important information regarding details of the Settlement Agreement:

- Where the full Settlement Agreement can be found for review
- Beneficiary rights to object the lawsuit dismissal.

It is ***imperative*** for this notice to be posted for no less than six weeks.

All local agencies are required to respond by email to sransome@ncacdss.org no later than Friday, November 18, 2022, that all posting requirements have been met.

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