

## Resumé

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### Education

*University of California at Davis, King Hall, School of Law, Juris Doctor(J.D.), 1981*

*University of California at Santa Barbara, Bachelor of Arts (B.A.) (Italian), 1974*

### Legal, Policy Advocacy, and Training Experience

Admitted to the practice of law, California State Bar Association (1981) and U.S. District Court, Eastern District of California

#### **Multiforum Advocacy Solutions (MAS). December 2000 - present**

*Founder and Principal* of successful small law firm providing policy analysis, technical assistance, training, legislative and administrative advocacy, and litigation, primarily on health care, social services, and related issues affecting low-income individuals and families.

- Consult with community-based organizations on major federal and California health care policies and laws; legislative and administrative advocacy on behalf of low-income consumers
- Serve as lead counsel in statewide actions to enforce health care rights
- Provide training and technical assistance to community-based organizations engaged in policy reform and systematic change
- Develop funding opportunities for social justice non-profits, assist with grant-writing

Major clients have included:

Alameda Health Consortium  
California Association of Alcohol and Drug  
Program Directors  
California Dental Health Foundation  
The California Healthcare Foundation  
The California Partnership  
California Primary Care Association  
California School Health Centers Association  
California Women, Infants and Children  
Association

Children's Advocacy Institute and Public Interest  
Law Center of the University of San Diego  
The Hemophilia Council of Northern California  
The Henry J. Kaiser Family Foundation  
Kaiser Commission on Medicaid and the Uninsured  
L.A. Health Action  
Maternal and Child Health Access  
Maternal, Child, and Adolescent Health  
Directors Action  
Planned Parenthood Affiliates of California  
UCLA Center for Health Policy Research

## **Fulbright Specialist, Rwanda (2006 - 2010) and Italy (2009)**

*Rwanda:* In collaboration with two Rwandan Law Schools and Women's Equity in Access to Care and Treatment (WE-ACTx), developed legal education and advocacy programs for women and children with HIV/AIDS and community leaders. Site visits to Rwanda for six weeks a year; long distance technical assistance to the Legal Project Director in Kigali.

*Italy:* With Law Schools based in Torino and Catania, provided technical assistance, back up and support for joint Rwanda-Italy Migrants Rights Project, focused on unaccompanied minors and Sub-Saharan Africans pushed back from the Mediterranean to Libya.

### **Legal Services for Prisoners with Children, San Francisco, CA. 2001 - 2003**

*Special Projects (part time).* Health care, mental health and income assistance for incarcerated parents and their families and economic independence for formerly incarcerated parents.

### **National Center for Youth Law, Oakland, CA. February 1998 - November 2000**

*Staff attorney.* Successfully sponsored major health care legislation and provided support to Legal Services and other non-profit organizations on federal and state health issues affecting low-income children, youth and families.

### **Western Center on Law and Poverty, Sacramento, CA. March 1995 - January 1998**

*Staff attorney and registered lobbyist.* Advocated on all aspects of the California legislative process affecting health care for low-income families and medically indigent adults. Successfully sponsored major health care legislation. Lead counsel in statewide class action that preserved Medi-Cal pregnancy-related benefits for undocumented women after 1996 federal welfare reform.

### **University of Namibia (UNAM), Windhoek, Namibia. January - December 1994**

*Fulbright lecturer and researcher at the Human Rights and Documentation Centre (HRDC) of the UNAM Law School; assistant to HRDC Director.* Within a coordinated national effort undertaken shortly after independence, worked with the HRDC Director to establish the Centre at UNAM, repeal apartheid-era legislation, and draft comprehensive post-apartheid child welfare laws. With the HRDC and Namibian NGOs, designed and taught human rights seminars for educators and leaders in rural communities. Grant-writing and other technical and administrative assistance to HRDC.

### **Legal Services of Northern California, Butte Regional Office. 1983 - 1993**

*Senior Attorney.* In the areas of health, welfare, housing, immigrants' and migrants' rights, conducted litigation in state and federal court, administrative advocacy, and community legal education and training. With local community-based organizations, coordinated efforts to identify and combat root causes of rural poverty. Supervised paralegals, interns; mentored new attorneys.

### **California State University, Chico, California. 1986-87 and 1988-89 Academic Years**

*Lecturer.* Courses taught: *The Law of Civil Rights and Civil Liberties* and *Law and the Disadvantaged*

**Other Advocacy Experience:** Court Appointed Special Advocate for foster youth, S.F. (2012-15); S.F. 10-Year Plan Implementation Council to End Chronic Homelessness (2007-08); Pro bono political asylum cases, Central America (1997), Africa (2001), Dilley, TX (2018).

**Awards:** Public Interest Law Award, UC Davis, King Hall, School of Law, 2002; California State Assembly Resolution No. 3096, October 2001, by Assemblymember Keith Richman, M.D. (Republican) and Senator Liz Figueroa (Democrat) for "exemplary record of service. . . and extraordinary amount of policy and strategic support" in health care.

**Languages:** Fluent in Italian; basic Spanish; some spoken French, read French well.



## Law Reform Litigation Summary, 1983 - May 2020

*Rivera, et al. v. Kent*, 37 Cal.App.5th 529 (2019), *review granted* (2019) (S257304). Hundreds of thousands of low-income people waited in an application backlog for Medi-Cal in 2014 for as long as ten months, many with urgent, even life-threatening health problems. Petitioner Rivera's adult son, Robert, died of a treatable lung condition during a months' long delay. Under a preliminary injunction issued by the Alameda County Superior Court in January 2015, over 185,000 backlogged applicants finally received their Medi-Cal benefits, and another 70,000 were given notice of the right to a hearing to prove eligibility. Judgment for plaintiffs, entered in December 2015, was reversed by the Court of Appeal in June 2019. The California Supreme Court granted review in October 2019, and briefing on the merits was completed in May 2020.

*Marquez v. Dept. of Health Care Services*, 240 Cal.App.4th 87 (2015). A person may qualify for Medi-Cal even when they have private insurance, such as when a low-income child is covered by a non-custodial parent's health plan. In such situations, it's generally the private insurance that must pay. This case challenged the state's failure to: a) consider whether a Medi-Cal beneficiary's private coverage actually provides the medical care the individual needs before Medi-Cal services are denied; or 2) give notice of the right to a hearing to contest the denial on the basis that private coverage is purportedly available. The Court of Appeal upheld the trial court's ruling for the state. However, many of the access barriers plaintiffs challenged have been corrected through related advocacy.

*Maternal and Child Health Access (MCHA) v. Dept. of Health Care Services, et al.* (S.F. County Superior Court, No. CPF-09-509769, filed 2009). At the time suit was filed in 2009, most low-income families were submitting Medi-Cal applications for their children on-line or by mail to a "single point of entry" (SPE) in Sacramento instead of going to a local county office to apply. Yet a key Medi-Cal program had been omitted from the eligibility screening performed at the SPE. As a result, eligible children were missing out on no-cost Medi-Cal and being enrolled in a different program instead (Healthy Families), which charged premiums and co-pays and covered fewer services. The trial court ruled for plaintiffs in December 2010 and issued further compliance orders in July 2012 to ensure that eligible children were enrolled into no-cost Medi-Cal.

*MCHA v. Managed Risk Medical Insurance Board* (S.F. County Superior Court, No. CPF-08-508296 (2008)). This case successfully challenged a California statute that excluded otherwise eligible pregnant women from the Access for Mothers and Infants (AIM) program if the woman had not been a California resident for at least six continuous months immediately prior to applying. The statute's durational residency requirement was struck down under the U.S. Constitution's guarantees of equal protection and the right to travel and freely establish a residence in any state.

*Armando Doe. v. State Dept. of Health Services (Bontá)*, 124 Cal.App.4th 13 (2004). The trial court enjoined the state from illegally terminating Medi-Cal for thousands of low-income infants on whose behalf families had sought coverage through a new Internet-based enrollment system at clinics and pediatricians' offices. The infants were deemed eligible by law because their mothers had had Medi-Cal for the delivery. The Court of Appeal reversed. By that time, however, the state had already modified the system, benefitting over 69,000 infants a year.

*Plata v. California Dept. of Corrections* (N.D. Cal. C-01-1351-THE; (2001)). None of the named plaintiffs in this statewide class action challenging health care services in all 33 of California's state prisons was a woman. After women class members objected to the proposed settlement agreement in May 2002, pregnancy-related and other essential women's health services were added.

*La Frenz v. Bontá* (S.F. County Superior Court, No. 311 196 (2000)). This action enforced the state's obligation to "redetermine" Medi-Cal eligibility on all possible bases before terminating benefits, protecting millions of low-income Californians who rely on Medi-Cal for their medical care.



*Milagro Doe v. Belshé* (L.A. County Superior Court, No. B 181779 (1998)). After federal welfare reform in 1996, the state sought to eliminate eligibility for Medi-Cal's pregnancy-related care program for undocumented women. This statewide class action was brought on behalf of the estimated 70,000 women who rely on the program each year to protect their health and that of their newborns. The trial court enjoined the state from making the cuts and was upheld by the Court of Appeal. The California Supreme Court denied review.

*Crespin v. Davis* (Alameda County Superior Court (1988)) and \**Crespin v. Shewry*, 125 Cal.App.4<sup>th</sup> 259 (2004). In 1999, the trial court ruled that the 1996 federal welfare reform law had not undermined an injunction issued nearly 10 years earlier prohibiting the state from withholding life-saving kidney dialysis and nursing home care to undocumented immigrants enrolled in Medi-Cal. Upheld on appeal.

*Crespin v. Kizer* (1990) 226 Cal.App.3d 498 (*Crespin I*). The original *Crespin* action also challenged the state's authority to ask women applying for Medi-Cal about their immigration status when determining eligibility for pregnancy-related care. The trial court granted plaintiffs' motion for a preliminary injunction, and the Court of Appeal upheld. Based on a statute enacted later, the Court of Appeal then reversed in \**Crespin v. Coye* (1994) 27 Cal.App.4<sup>th</sup> 700 (*Crespin II*). In 1998, plaintiffs succeeded administratively in achieving the original *Crespin* privacy protections for immigrant women.

*Bowden v. Davis* (S.F. County Superior Court (1992)). During the California state budget impasse of 1992, plaintiffs brought this action on behalf of themselves and thousands of other severely disabled low-income beneficiaries of the In-Home Supportive Services (IHSS) program and their minimum-wage care providers to prevent disruption in IHSS payments to the providers. Without these payments, many of the providers could not afford to continue their work, and the IHSS beneficiaries would have been left without life-sustaining care. The state was enjoined from suspending IHSS payments during the lengthy state budget stalemate.

*Dowling v. Davis* (E.D. Cal, CIV-S-90-866-RAR-EM (1990)). Medi-Cal beneficiaries and IHSS providers and beneficiaries intervened in this class action to prevent the state from failing to pay the providers during the budget impasse of 1990. A preliminary injunction was issued, and the state's emergency motions to the Ninth Circuit for a stay were denied. As a result, over \$600 million in Medi-Cal and IHSS services that would have otherwise been suspended during the budget impasse continued without interruption, benefiting thousands of severely disabled individuals.

*In re Stephen W.* (1990) 221 Cal.App.3d 629. An indigent Butte county woman seeking drug treatment services during her pregnancy found that none were available in Butte or any of the surrounding counties. Her quest for treatment coincided with the local District Attorney's plan to incarcerate women using drugs during pregnancy. Although the woman avoided jail, Child Protective Services removed her newborn from the hospital almost immediately after birth. Although the woman's writ petition to be reunited with her son was denied by the Court of Appeal, drug treatment services for pregnant women became available in Butte County for the first time as a result of this case.

*Board of Supervisors, County of Butte v. McMahon*, 219 Cal.App.3d 286 (1990). The state sued Butte County over a referendum measure that would have prohibited the county from using local funds to make welfare payments. In a suit of its own, the county challenged the constitutionality of state welfare mandates on local government. The two suits were consolidated, and a group of welfare recipients intervened. The Court of Appeal vindicated interveners' position that state welfare laws constitutionally impose a duty on county government to aid and assist the poor, despite Butte County's claim of fiscal impossibility.

*Cooke v. Superior Court* (1989) 213 Cal.App.3d 401. The Court of Appeal held that a county's failure to provide basic dental services to medically indigent adults violates its obligation under Welfare and

Institutions Code Section 17000 to provide medical care. The case confirms that the counties' duty extends beyond emergency care, and *Cooke* remains a watershed in defense of the uninsured.

*Sumpter v. County of Butte* (Butte County Superior Court (1984)). This class action involved a challenge, one of the first in California, to a local requirement that applicants for General Assistance income benefits, including the homeless, supply a "fixed address" as a condition of eligibility. In a stipulated settlement, the fixed address rule was dropped.

*C.H.I.P. v. City of Gridley* (E.D. Cal. CIV-S-83-1325 MLS (1983)). Plaintiffs brought this class action in federal court under the Federal Fair Housing Act to enjoin the city from imposing discriminatory zoning conditions on a project to build houses for farmworkers and other low-income families in rural Butte County. On the eve of trial, the city agreed to a consent decree. Two separate collateral attacks by other local government entities were then brought in state court; these were removed to federal court where they were both ordered dismissed.