

## **CLASS ACTION NOTICE**

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### **A FEDERAL COURT HAS CERTIFIED A CASE AS A CLASS ACTION INVOLVING PENNSYLVANIA CHILDREN AND YOUTH WHO ARE OR MAY BE ADJUDICATED DEPENDENT AND HAVE MENTAL HEALTH DISABILITIES.**

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Pennsylvania children and youth who now or in the future may be adjudicated dependent and who have mental health disabilities may be affected by a federal class action lawsuit. The lawsuit is called *S.R., et al. v. Pennsylvania Department of Human Services*, No. 1:17-cv-02332-JEJ, and is pending in the United States District Court for the Middle District of Pennsylvania.

You are receiving this Notice because you may be the representative of Class members or otherwise provide services or assistance to Class members. Class members are not being sued. Class members do not have to do anything to participate in this lawsuit. Class members will not be required to pay any fees or costs.

#### **What is the case about?**

In December 2017, six Pennsylvania youths who have been adjudicated dependent and have mental health disabilities filed this case against the Pennsylvania Department of Human Services ("DHS"). The lawsuit alleges that DHS has failed to assure that Class members have non-discriminatory access to mental health services in the most integrated settings appropriate to their needs. The lawsuit asserts that DHS is violating Class members' rights under the federal Medicaid law, the Americans with Disabilities Act, and the Rehabilitation Act of 1973. DHS denies the allegations in the lawsuit.

#### **What is the status of the case?**

In April 2018, the Court certified this case to proceed on behalf of a class defined as "all Pennsylvania children and youth under the age of 21 who, now or in the future, are adjudicated dependent and have diagnosed mental health disabilities." The Court appointed attorneys from Disability Rights Pennsylvania (DRP) to represent the Class.

The Court has not decided the merits of the class claims, and it may not do so for some time. The Class and DHS are taking discovery to obtain evidence and prepare to have the case decided by the Court. If the parties reach a settlement before the Court decides the merits, the Class counsel will send a notice of the settlement. Whether this case is resolved by a Court decision or a settlement, all Class members will be bound by the resolution.

### **How can you get more information?**

You can review certain legal filings in this case, including the Complaint and the Court's decision relating to class certification, on DRP's website, <https://www.disabilityrightspa.org/what-we-do/litigation/>. If you have other questions about this lawsuit or if you have information about matters at issue in this lawsuit that you want to share with Class counsel, you may contact DRP's Legal Assistant at 215-238-8070 ext. 206 or write to the following address:

Disability Rights Pennsylvania  
c/o S.R. Litigation  
1315 Walnut Street, Suite 500  
Philadelphia, PA 19107-4705