

# Under court order, Oregon will restore in-home care services

## Families sued state over cuts

By **CLAIRE WITHYCOMBE**  
Capital Bureau

SALEM — The Oregon Department of Human Services will temporarily restore previous levels of in-home care services to people with intellectual and developmental disabilities under a court order won by plaintiffs who filed a federal lawsuit contesting recent cuts.

The department determines every year how many hours of in-home care someone with an intellectual or developmental disability is eligible for.

Disability Rights Oregon, an advocacy organization that filed the suit last week, objects to how those decisions are made, saying the process is opaque.

The lawsuit alleges that under federal law, the agency violated the civil and due process rights of Oregonians receiving these services, as well as the Medicaid requirement that the Office of Developmental Disabilities Services must provide such services "as needed."

### New assessment

Last year, the agency implemented a new assessment method on a rolling basis, which the lawsuit argues resulted in a reduction of in-home care hours for many people — although the amount of help they needed at home had not changed.

Not all people receiving in-home care services have yet felt reductions, because the changes have been implemented gradually.

Tom Stenson, litigation attorney with Disability Rights Oregon, said Wednesday's order means any new assessment method the state wants to use "effectively requires" court approval.

The lawsuit is still ongoing. The Department of Human Services is "working on (its) plan to implement the agreement," a spokeswoman said in an email.

Bob Joondeph, the executive director of Disability Rights Oregon, said that his organization also wants to make sure families had a transparent avenue to challenge a needs assessment.

"It's great if they change the formula to work better," said Joondeph, "But at the end of the day, what we want is that even with the new formula, we'd be able

to explain to people why there's a change and give them an opportunity to contest it."

Joondeph said his organization had raised the issue and proposed solutions in private meetings with the agency, but filed a lawsuit after the agency did not act.

### Federal funding

In 2013, after the expansion of Medicaid under the Affordable Care Act, and a specific federal funding option called the Community First Choice Plan that provided funds so people with disabilities could access community-based services, there were significant increases in those eligible for in-home care — and in costs to the state.

In 2015, state legislators agreed to pay for the unanticipated costs in the upcoming budget cycle, but asked the Department of Human Services to come up with a way to contain the rate of cost growth in the future. That became the method that advocates are now contesting in court.

Renee Kuhn, of Woodburn, says her daughter would need to enter adult foster care if the state cut her in-home care hours.

Khrizma Kuhn, 34, is severely disabled, requiring help with basic activities and care such as bathing and eating. She receives 20 hours of care a day, Renee Kuhn said. Her daughter underwent her annual assessment on Tuesday and she expected to learn the results Friday.

"We already told our caseworker to begin the steps to explore foster homes for our daughter, where she can access the services she needs," Renee Kuhn, who also advocates for other families with children who have intellectual and developmental disabilities, said.

### State budget

The Department of Human Services makes up a significant chunk of the state's approximately \$20 billion general fund budget, which lawmakers are busy trying to balance in the face of an approximately \$1.6 billion shortfall.

Reducing in-home care for people with intellectual and developmental disabilities by 30 percent, as the department had planned prior to the court order, would have saved the state's general fund \$6 million in the upcoming two-year budget.

*The Capital Bureau is a collaboration between EO Media Group and Pamplin Media Group.*

## WORLD IN BRIEF

Associated Press

### Additional 1,000 Oregon eclipse campsites quickly sell out

SALEM — State park officials opened 1,000 additional campsites for people coming to watch the summer solar eclipse from Oregon.

And it didn't long for them to fill. Parks Department spokesman Chris Havel says the campsites were made available for reservation at 8 a.m. Wednesday and it took just over an hour for them to be snapped up.

All state park sites available by reservation are now taken, though cancellations may return a few sites to the pool.

The highly anticipated eclipse will occur on the morning of Aug. 21.

### It's an orca! Last killer whale is born at a SeaWorld park

MIAMI — The last orca has been born in captivity at a SeaWorld park in San Antonio just over a year after the theme park decided to stop breeding orcas following animal rights protests and declining ticket sales.

The Orlando-based company said the orca — the last in a generation of whales bred in confinement — was born Wednesday afternoon. SeaWorld did not immediately name the calf because the park's veterinarians had not yet determined whether it was male or female.

The mother, 25-year-old Takara, was already pregnant when SeaWorld announced in March 2016 that it had stopped breeding its orcas. The gestation period for orcas is about 18 months.

SeaWorld decided to stop breeding orcas, and phase out its world-famous killer whale performances by 2019, after public opinion turned against keeping orcas, dolphins and other animals in captivity for entertainment. The backlash intensified after the 2013 release of "Blackfish," a documentary critical of SeaWorld's orca care. It focused on the orca Tilikum, which killed trainer Dawn Brancheau in Orlando in 2010, dragging her into the pool before shocked visitors after a "Dine with Shamu" show.

Tilikum, which sired 14 calves over nearly 25 years in Orlando, died of bacterial pneumonia in January.

### Once critical of global deals, Trump slow to pull out of any

WASHINGTON — The "America First" president who vowed to extricate America from onerous overseas commitments appears to be warming up to the view that when it comes to global agreements, a deal's a deal.

From NAFTA to the Iran nuclear agreement to the Paris climate accord, President Donald Trump's campaign rhetoric is colliding with the reality of governing. Despite repeated pledges to rip up, renegotiate or otherwise alter them, the U.S. has yet to withdraw from any of these economic, environmental or national security deals, as Trump's past criticism turns to tacit embrace of several key elements of U.S. foreign policy.

The administration says it is reviewing these accords and could still pull out of them. A day after certifying Iran's compliance with the nuclear deal, Secretary of State Rex Tillerson attacked the accord and listed examples of Iran's bad behavior. His tone suggested that even if Iran is fulfilling the letter of its nuclear commitments, the deal remains on unsure footing.

Yet with one exception — an Asia-Pacific trade deal that already had stalled in Congress — Trump's administration quietly has laid the groundwork to honor the international architecture of deals it has inherited. It's a sharp shift from the days when Trump was declaring the end of a global-minded America that negotiates away its interests and subsidizes foreigners' security and prosperity.

Trump had called the Iran deal the "worst" ever, and claimed climate change was a hoax. But in place of action, the Trump administration is only reviewing these agreements, as it is doing with much of American foreign policy.

### O'Reilly is out at Fox but influence endures; career too?

LOS ANGELES — Despite the inglorious end to Bill O'Reilly's two-decade Fox News Channel career, observers say his deep imprint on Fox and other cable news outlets and his influence on barbed political discourse are intact for the foreseeable future.



Chris Gotshall/SeaWorld Parks & Entertainment  
Orca Takara helps guide her newborn to the water's surface at SeaWorld San Antonio on Wednesday.

Fired on Wednesday amid a drumbeat of sexual harassment allegations, the vacationing host's "The O'Reilly Factor" was quickly redubbed "The Factor" and Fox News announced his time slot will be filled by Tucker Carlson, another adamantly conservative Fox host who dovetails with the channel's audience.

But it was O'Reilly who created the template for how to succeed in cable TV punditry, delighting his viewers with unapologetic attacks on liberal politicians and media members that he delivered with gusto.

"In many ways, he led Fox's cable news revolution," said Frank Sesno, a journalism professor at George Washington University and former CNN Washington bureau chief. "Cable news is someone standing on a mountain top shouting, and Bill O'Reilly was on the highest peak so he echoed across the landscape."

And he keeps echoing in the broader media landscape. O'Reilly's success at appealing to like-minded viewers made him and Fox into cable news leaders.

### Questions abound in aftermath of NFL star Hernandez's death

BOSTON — Aaron Hernandez's death in prison — just days after the former NFL star was cleared of additional murder charges — remains shrouded in mystery.

Why now? Is there more to the story? What happens to his estate?

Authorities offered few answers after Hernandez was found hanging from a bedsheet Wednesday in his cell in a maximum-security prison in Massachusetts, where he was serving a life sentence for the 2013 slaying of a onetime friend.

His death came hours before his former New England Patriots teammates visited the White House to celebrate their Super Bowl victory. Hernandez, 27, died five days after a jury acquitted him in the 2012 shooting deaths of two men whom prosecutors alleged he gunned down after one accidentally spilled a drink on him at a Boston nightclub.

The apparent suicide left friends, family and his legal team shocked and in disbelief. Many were searching for an explanation to the tragic end of a young man whose football skills at one point earned him a five-year, \$40 million contract extension with the NFL's top franchise.

### AP Exclusive: Pesticide maker tries to kill risk study

WASHINGTON — Dow Chemical is pushing the Trump administration to scrap the findings of federal scientists who point to a family of widely used pesticides as harmful to about 1,800 critically threatened or endangered species.

Lawyers representing Dow, whose CEO also heads a White House manufacturing working group, and two other makers of organophosphates sent letters last week to the heads of three Cabinet agencies. The companies asked them "to set aside" the results of government studies the companies contend are fundamentally flawed.

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# TV LISTINGS

THE DAILY ASTORIAN | Evening listings THURSDAY | APRIL 20

THURSDAY EVENING												APRIL 20	
A	L	6 PM	6:30	7 PM	7:30	8 PM	8:30	9 PM	9:30	10 PM	10:30	11 PM	11:30
2	KATU	(2) KATU News at 6		Jeopardy!	Wheel of Fortune	Scandal "The Trail"		Scandal "Trojan Horse" (N)		The Catch "The Birthday Party" (N)		KATU News at 11	(35) Jimmy Kimmel
4	KOMO	(4) KOMO 4 News		Jeopardy!	Wheel of Fortune	Scandal "The Trail"		Scandal "Trojan Horse" (N)		The Catch "The Birthday Party" (N)		KOMO 4 News	(35) Jimmy Kimmel
5	KING	(5) NBC Nightly News	KING 5 News	KING 5 News	Evening	Superstore	Powerless (N)	The Blacklist "Dembe Zuma" (N)		The Blacklist "Requiem" (N)		KING 5 News	(35) Tonight Show
6	KOIN	(6) KOIN 6 News at 6	CBS Evening News	Extra	Ent. Tonight	Big Bang Theory	The Great Indoors	The Amazing Race (N)		The Amazing Race (N)		KOIN 6 News @ 11	(35) Colbert
7	KIRO	(7) KIRO 7 News	CBS Evening News	The Insider	Ent. Tonight	Big Bang Theory	The Great Indoors	The Amazing Race (N)		The Amazing Race (N)		KIRO News	(35) Colbert
8	KGW	(8) KGW News at 6:00 p.m.		Live at 7	Inside Edition	Superstore	Powerless (N)	The Blacklist "Dembe Zuma" (N)		The Blacklist "Requiem" (N)		KGW News at 11	(35) Tonight Show
9	KRCW	(9) Last Man Standing	Last Man Standing	Modern Family	Modern Family	Supernatural		H1Z1: Fight for the Crown (N)		KGW News at 10	Two and a Half	Two and a Half	Met Your Mother
10	KOPB	(10) Born to Explore	Business (N)	PBS NewsHour		Art Beat (N)	Oregon Guide	Midsomer M.	(45) Midsomer Murders	The Creeper	DCI Banks "A Little Bit of Heart"		
12	KPTV	(12) 6 O'Clock News		Family Feud	Family Feud	MasterChef Junior	"Tag Team" (N)	Kicking & Screaming "Fear Pong" (N)		10 O'Clock News		11 O'Clock News	2 Broke Girls
13	KPDJ	(13) Mike & Molly	Mike & Molly	Big Bang Theory	Big Bang Theory	FOX 12's 8 O'Clock News on PDX-TV		FOX 12's 9 O'Clock News on PDX-TV		Family Guy	Family Guy	American Dad	Cleveland Show
13	KCPQ	(13) Modern Family	Modern Family	Big Bang Theory	Big Bang Theory	MasterChef Junior	"Tag Team" (N)	Kicking & Screaming "Fear Pong" (N)		Q13 News at 10		Q13 News	The Simpsons
20	TBS	(20) Seinfeld	Seinfeld	Seinfeld	Seinfeld	Seinfeld	Seinfeld	Big Bang Theory	Big Bang Theory	Big Bang Theory	Big Bang Theory	Conan (N)	
22	KZJQ	(22) Two and a Half	Two and a Half	Last Man Standing	Last Man Standing	Modern Family	Modern Family	Q13 News at 9		Big Bang Theory	Big Bang Theory	Friends	Friends
29	ESPN	(29) We the Fans	We the Fans	Baseball Tonight (L)		SportsCenter		SportsCenter		SportsCenter		SportsCenter	
30	ESPN2	(30) SportsCenter Special		Boxing Golden Boy Card TBA (L)				SportsCenter Special "Mel & Todd's Mock Draft"		Jalen & Jacoby		NFL Live	
31	NICK	(31) Henry Danger	Henry Danger	The Thundermans	The Thundermans	★ Cheaper by the Dozen (2003, Comedy)	Bonnie Hunt, Hilary Duff, Steve Martin.	Full House	Full House	Friends	Friends	Friends	Friends
32	DISN	(32) Bunk'd	Bizaardvark	K.C. Undercover	Good Luck Charlie	★★ Harold and Kumar Go to White Castle	★★ Harold and Kumar Go to White Castle	Andi Mack	Andi Mack	Bunk'd	Jessie	Jessie	Jessie
34	FAM	(34) (4:00) The Proposal	Famous in Love "Pilot"		★ ★★ The Twilight Saga: Breaking Dawn Part 1	(11) Robert Pattinson, Kristen Stewart.		Famous in Love "Pilot"		The 700 Club		The 700 Club	
35	FMC	(35) Movie	(55) Think Like a Man Too	(14, Com) Terrence Jenkins, Adam Brody, Regina Hall.	(45) FXM Presents	★ ★★ Savages (2012, Crime Story)	Taylor Kitsch, Blake Lively, Aaron Taylor-Johnson.						(40) FXM Presents
36	LIFE	(36) (5:00) ★★ The Devil Wears Prada	(06) Anne Hathaway, Meryl Streep.		★ Married "Matchmaking Special" (N)			CNN Tonight With Don Lemon		MLB Baseball Seattle Mariners at Oakland Athletics		MLB Baseball Seattle Mariners at Oakland Athletics	
38	ROOT	(38) Mariners Access	MarinersPre-game	MLB Baseball Seattle Mariners at Oakland Athletics	Site: Oakland Alameda Coliseum			Post-game		MLB Baseball Seattle Mariners at Oakland Athletics		MLB Baseball Seattle Mariners at Oakland Athletics	
39	FS1	(39) UFC UFC Fight Night				MLB Whiparound (L)		Speak for Yourself		Skip and Shannon: Undisputed		Opinions on the biggest sports topics of the day.	
43	SPICE	(43) ★★ Fast Five (2011, Action)	Paul Walker, Dwayne Johnson, Vin Diesel.			Lip Sync Battle	Lip Sync Battle	Lip Sync Battle (N)	★ ★★ Fast Five (2011, Action)	Paul Walker, Vin Diesel.		★ ★★ Saving Private Ryan	(98) Matt Damon, Tom Hanks.
44	COKE	(44) (20) Futurama "In-A-Gadda-Da-Leela"	(55) South Park	South Park	South Park	South Park	South Park	Castle (2004, Comedy)	Kal Penn, John Cho.	The Daily Show (N)	@midnight (N)		
45	HIST	(45) Swamp People "Good Luck, Bad Luck"	Swamp People	"Busting Chops"	Swamp People	"The Cannibal" (N)	Swamp People	Nightwatch "Thin Blue Line" (N)	(05) Swamp People	"Busting Chops"	(05) Swamp People	"Busting Chops"	
46	A&E	(46) The First 48 "Snapshot"	First 48	"Bad Romance/Out of Control"	First 48	"The Invasion"	60 Days In "Bloods Rising" (N)	Nightwatch "Thin Blue Line" (N)	(05) The First 48				
47	TLC	(47) Nate Jeremiah Design "Global Coast"	My 600-lb Life	"Brittani's Story"	600 Life: Supersized	"Brittani and Sean"	Brittani has two more surgeries to go.	Skin Tight "Annette and Calisto"	My 600-lb Life	"Brittani and Sean"		Cooper's Treasure	
48	DIC	(48) Naked and Afraid XL "The Sickness"	Naked and Afraid	XL "The Last Roar"	Naked and Afraid	"Survive"	Naked and Afraid "The Lost World" (N)	Naked and Afraid "The Monster" (N)		Cooper's Treasure		Cooper's Treasure	
49	NGEO	(49) Alaska Salmon Shark	Extreme Alaska		Wild Alaska		Before the Flood	This team documents the effects of climate change.		Alaska's Glacier Bay		Alaska's Glacier Bay	
50	TNT	(50) (4:00) NBA Basketb.	NBA Basketball Playoffs			Inside the NBA		NBA Basketball Playoffs					
51	AMC	(51) (5:00) ★★ The Hunt for Red October	(90) Alec Baldwin, Sean Connery.		★ ★ 3:10 to Yuma (2007, Western)	Christian Bale, Logan Lerman, Russell Crowe.		★ ★★ Saving Private Ryan	(98) Matt Damon, Tom Hanks.				
52	USA	(52) Law & Order: S.V.U. "Shaken"	Law & Order: S.V.U.	"Sick"	Law & Order: SVU	"Star-Struck Victims"	Law & Order: SVU	"Fashionable Crimes"	Modern Family	Modern Family	Modern Family	Modern Family	Modern Family
53	FOOD	(53) Chopped "Basket Buzz"	Chopped	"Cheap Eats"	Chopped		Chopped	"Souper Chefs"	Beat Bobby Flay	Beat Bobby Flay	Beat Bobby Flay	Beat Bobby Flay	Beat Bobby Flay
54	HGTV	(54) Flip or Flop	Flip or Flop	Flip or Flop	Flip or Flop	Flip or Flop	Flip or Flop	House Hunters (N)	House Hunters (N)	House Hunters	House Hunters	House Hunters	House Hunters
55	FXX	(55) Taken 3 (2014, Action)	Famke Janssen, Maggie Grace, Liam Neeson.		★ ★★ White House Down (2013, Action)	Jamie Foxx, Maggie Gyllenhaal, Channing Tatum.		White House Down	Channing Tatum.			White House Down	Channing Tatum.
57	CNN	(57) Anderson Cooper 360	Soundtracks (N)		CNN Tonight With Don Lemon		CNN Tonight With Don Lemon	Soundtracks		CNN Newsroom		CNN Newsroom	
58	FNC	(58) Tucker Carlson Tonight	Hannity		The O'Reilly Factor		Tucker Carlson Tonight	Hannity		The First 100 Days		The First 100 Days	
61	CNC	(61) Shark Tank	Shark Tank		Shark Tank		Shark Tank	Paid Program		Paid Program		Paid Program	
63	BRVA	(63) Real Housewives "It Girl, Interrupted"	The Real Housewives	"A New Low"	Vanderpump R.	"Reunion Part 3" 3/3	Beverly Hills	"Reunion Part 2" 2/3 (N)	Housewives Atl.	"Reunion Part 1" 1/4	WatchWhat (N)	Southern Charm	
64	TCM	(64) (5:00) On the Town	(49) Gene Kelly.		★ ★★ By the Light of the Silvery Moon	(53) Gordon MacRae, Doris Day.		★ ★★ The Long, Long Trailer	(54, Comedy) Desi Arnaz, Marjorie Main, Lucille Ball.		Rear Window	(54, Susp) James Stewart.	
65	SYFY	(65) (5:00) Resident Evil: Retribution	Resident Evil: Apocalypse	(04) Sienna Guillory, Oded Fehr, Milla Jovovich.	★ ★★ Resident Evil: Apocalypse	(04) Sienna Guillory, Oded Fehr, Milla Jovovich.		★ ★★ Salt (2010, Action)	Liev Schreiber, Chiwetel Ejiofor, Angelina Jolie.		The Magicians		
162	RFD	(162) SF Machinery	Small Town	Rural America "Live" "AARP"	Steve Lantvit	Rural Eve. News	Market Journal	IGA Farm Monitor	SF Machinery	Small Town	Time Life Library		