Department of Human Services

Articles in Today's Clips

Thursday, April 27, 2006

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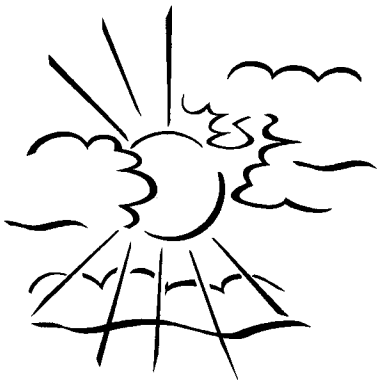
Prepared by the DHS Office of Communications (517) 373-7394



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DN
Thursday, April 27, 2006

GOP welfare reform plan makes sense for Michigan

Tougher federal rules require welfare-to-work reform

Michigan welfare reform is on the agenda again, and this time it should stick. House Republicans offered a revised plan Wednesday that highlights accountability, but also provides better measures to help people get off public assistance.

Reform is needed because Michigan stands to lose about $100 million in federal money in the next year if more welfare recipients don't find their way into the work force. It's also necessary because many Michigan residents who get public aid do so longer than those in many surrounding states and have little incentive to separate themselves from the system.

Under the revised plan, which would save the state an estimated $47 million, welfare benefits would be capped at four years with no one getting more than 24 months consecutively. That's similar to a proposal that Gov. Jennifer Granholm vetoed in December, but it's an appropriate and fair benchmark she should support.

If approved, Michigan would have a longer benefit window than Ohio's two-year limit and Indiana's three-year cap. There also are provisions in the legislation that help those with extenuating circumstances, Grand Rapids Republican Rep. Jerry Kooiman said Wednesday.

For example, if someone lives in an area where unemployment exceeds 10 percent (among other circumstances), their welfare window can be extended. Also, Kooiman said, the revised proposal includes some of the measures the governor said she wanted in a welfare reform package such as expanded education and training opportunities.

The proposal is similar to one implemented in Georgia that prompted 64 percent of recipients to get jobs, up from 16 percent a year and a half ago.

It is essential that the state's welfare system train people for full-time jobs that make them self-sufficient, not just employed. Pilot programs being

coordinated by the state in select counties are working toward this end, but don't include the time limit on benefits, which needs to be included.

There are 211,000 people enrolled in Michigan's assistance program and there is no limit to the time they can receive benefits.

Michigan fares poorly against federal rules. At least 50 percent of welfare recipients who are single parents, for example, must have jobs, according to federal rules. In Michigan, only about 23 percent meet that requirement, Kooiman said.

Federal officials will begin monthly checks in October and levy fines to states that don't meet the guidelines.

Welfare reform must be achieved delicately to avoid hurting those who truly need it. But there also must be limits to the public assistance available. The governor should work with legislators to pass this legislation and help get people back to work.

MIRS
April 26, 2006

Are Kids Better Off With Family?

Debate about the effectiveness of the Family-To-Family strategy, which is run under the eye of the Department of Human Services (DHS), dominated today's Senate Family and Human Services Committee meeting.

The Family-To-Family strategy attempts to get birth families, community members and neighborhoods involved in coming up with a strategy for foster child placement. The focus of the strategy is to keep children with their birth families, a philosophy that has specifically come under attack because Ricky **HOLLAND**, who was allegedly murdered by his foster parents, was put back in his home after being removed due to reports of abuse.

Though the program has obtained its goal to keep more kids with families — in 2001 35 percent of the kids in the Family-To-Family program were placed with relatives whereas 45.1 percent were placed with relatives in 2005 — no real data has shown if these placements are beneficial to the child.

Sen. Bill **HARDIMAN** (R-Kentwood) asked the DHS to provide data or at least a way of measuring whether relative placements are the best immediate solution for all children in the child welfare system.

DHS Director of the Children's Services Administration Jim **HENNESSEY** said the program is still being built and would be willing to develop a benefit analysis, but because the program is new, no real cost-benefit data has been recorded.

However, by sitting down and talking to the child, the family, community members and people working with the child, the department has a better idea of how to serve the children, which is also an intended outcome of the strategy, Hennessey said.

"There's a lot of work we need to do and this is admittedly," Hennessey said.

Despite a lack of data, Hennessey said he believes the program is working because it unites many people involved in a child's life, which increases his or her chance of survival. Also, by asking for community involvement in the child's life, the program can change the environment the child is raised in, Hennessey said.

"What percentage of the total foster care program do we want this to be before we have the data with the costs and benefits to kids?" Hardiman asked.

Cost was a motivating factor for private foster care providers who testified in front of the committee. John **SCHMIDT**, with the Association of Accredited Child and Family Agencies (AACFA), questioned the validity of the Family-To-Family strategy but also questioned the department, which has come under great scrutiny after Holland's death.

"I'm concerned they're disinigrating," Schmidt said of the DHS.

Schmidt asked Ty **PARTRIDGE**, an associate professor of psychology at Wayne State University, to talk about the Family-To-Family strategy.

Partridge called the strategy a "cookie-cutter" approach, especially when applied to children whose biological family members live in poverty. Kids who live in poverty often live in bad neighborhoods and become "exponentially at risk from negative environments," Partridge said.

Because none of the states using the strategy have presented evidence showing that returning a child to the environment he or she grew up in is beneficial, Partridge said he could not believe sending a child back to poor neighborhoods with gangs and drugs just to keep him or her near family was a good idea.

However, Partridge was testifying on behalf of Schmidt, who is vying for more of the department's money. Private providers who provide services for foster kids get $18.48 a day per child but want to get $22 per child per day.

Providers use the money to take children places, pay administrative costs and pay the people who work with the kids. They haven't gotten a per diem increase for two or three years and their costs are increasing because of high gas prices and programs like the Family-To-Family program, which requires private providers to have more meetings and spend more resources working with Family-To-Family ideas.

Hennessey said he would be willing to look at the funding private providers receive from the department. He said other department costs should also be looked at.

"I think this is the wrong discussion," Hennessey said about the Family-To-Family strategy being the main focus of the budget hearings. "What we're really concerned about is getting the right services to families."

The program is a small portion of the DHS budget but Hardiman and others are still questioning how much money, if any, should go to the program.

Gongwer
April 26, 2006

STATE CHILD POLICY CHALLENGED BEFORE COMMITTEE

The state's still-developing policy to determine where to place children in troubled households by trying to include a child's parents in initial discussions was questioned by one organization largely for keeping children in damaging and dangerous neighborhoods on Wednesday.

The "Family to Family" policy that is still to be rolled out to all the state's counties by the Department of Human Services is problematic by not removing children from dangerous neighborhoods where the children could still be subject to abuse, spokespersons for Association of Accredited Child and Family Agencies told the Senate's Human Services Appropriations Subcommittee.

And the chair of the subcommittee, Sen. Bill Hardiman (R-Kentwood) questioned the state head of the Children's Services Administration on whether the state has data on the actual benefits to children.

That data is still being developed, Jim Hennessey told the committee.

While questions were being raised on some state policies, a common theme of many of those testifying was that more money was needed for the various services.

John Schmidt of the Methodist Children's Home and the Association of Accredited Child and Family Agencies said the current state fee of $22 a child a day for foster care services was not enough when families had to cope with rising fuel prices and with increased state reporting requirements.

And Robin Slaton of Advocates for Better Child Care said there have been no increase in child care funding for 13 years and with the state's minimum wage increases slated to begin in October many child care agencies may be forced to close their doors.

If the state simply changed its reimbursement system from an hourly paying system to a weekly payment system, agencies would be able to budget more realistically, she said.

The Family to Family program is now being used in 38 counties, and the Department of Human Services said it intends to roll out the program in another 28 counties this year.

Mr. Hennessey said the program, which is also in use in a number of other states (including New York where critics said there have been four deaths of children in the care of their parents under the system) is an effort to minimize the need to remove children from their homes by consulting with a child's parents and community officials.

Mr. Hennessey said 64 percent of birth mothers took part in these meetings, and 34 percent of the birth fathers. In 43 percent of the cases, the children were removed, often with the parents concurring that was the best outcome, Mr. Hennessey said.

In addition, the program talks with the children about what they want, which is important since they often want to minimize changes to their lives.

But Ty Partridge, a developmental psychologist at Wayne State University, said leaving children in poor neighborhoods, where schools are effectively failing and criminal activity is more common, compounds any in-home risks a child faces. Children in those environments tend to have greater feelings of hopelessness, he said, feelings that can be largely mitigated if they are in safer, more positive environments.

LOCAL: VOLUNTEERS FROM LOCAL CHURCHES HELP

THE MONROE Evening
WWW.MONROENEWS.COM AN EMPLOYEE-OWNED NEWSPAPER
Since 1825 – NO. 115 (USPS 359-400) MONROE, MICH. Wednesday, April 26, 2006

Woman arrested; baby suffered five blows to the head

BY RAY KISONAS
rayk@monroenews.com

Police on Tuesday arrested a Monroe woman in connection with the beating death of a 17-month-old girl who apparently had been injured in two previous incidents.

A warrant charging Sonya Moussaed, 27, with open murder was issued Tuesday by the Monroe County Prosecutor's Office. Ms. Moussaed was booked into the Monroe County jail and was to be arraigned in First District Court today.

She is the girlfriend of Joseph Simmons, the father of Gracie A. Simmons, the 17-month-old girl who died Thursday.

Ms. Moussaed was arrested at the Monroe County Courthouse about 4:30 p.m. after a hearing in which her child was removed from her custody. Monroe police Detective Cpl. Brett Ansel said probate court officials gave custody of the 2-year-old boy to the woman's mother.

The custody hearing was held in response to a warrant being issued against Ms. Moussaed. She attended the hearing, then was taken

▶ To hear the 911 call made to Monroe County Central Dispatch or for updates on the story as it progresses, go to **www.monroenews.com**.

SONYA MOUSSAED

perhaps a burn, on her ankle, police said, and signs of shaken baby syndrome, police reported.

"It's sick, it's sad, it's hard to comprehend," Detective Ansel said.

He added that it appeared no weapon was used. The detective did not want to elaborate as to how the toddler suffered the blows to the head.

Two other previous incidents had been reported to authorities. One was in July, when the baby's mother, Holly Preston, called police to report bruising near Gracie's collar bone and face.

"Her child was taken away from her," Detective Ansel said. "The child is in safe hands."

Ms. Moussaed is accused of causing the death of Gracie sometime Thursday morning. The baby's father reportedly returned from work to the couple's home at 812 Hubble St. at 7:30 a.m. and went to bed. The 911 call was made about 9:30 a.m.

A medical examiner's report showed that the baby suffered five blows to the back of the head, which resulted in a skull fracture. She also suffered bruises to her ribs and injuries to her kidneys, the report said. Those injuries could have been caused by squeezing, police said.

There also was a mark,

According to [illegible] reports, [illegible] viewed [illegible] was listed as the [illegible] and she [illegible] involvement. Police [illegible] incident was [illegible] but no charges [illegible]

In another [illegible] cie suffered [illegible] feet that Ms. [illegible] authorities [illegible] the spilling of [illegible] she was boiling the [illegible] ti, police said.

That incident was not reported to police, [illegible] the Department of [illegible] Services apparently [illegible] of the hot water [illegible] and documented [illegible] there were unavailable [illegible] morning.

Cpl. Ansel said he does not believe any other [illegible] in the case are forthcoming.

Baby's death ruled homicide

BY RAY KISONAS
rayk@monroenews.com

The death of a Monroe baby girl has been ruled a homicide and police say they are actively pursuing the case.

Monroe County Medical Examiner Dr. Carl Schmidt said on Monday that Gracie A. Simmons, 17 months, died of head trauma.

"She suffered multiple blows to the head," Dr. Schmidt said.

Monroe police detectives have conducted several interviews in their investigation, said Cpl. Brett Ansel. No arrests have been made. However, that could change soon, he said.

"We intend to have this resolved in a short period of time," he said. "We're moving forward."

The baby died Thursday after suffering massive head injuries that proved to be fatal. Neither Dr. Schmidt nor police would elaborate as to what might have caused the injuries. An autopsy was performed and test results are pending.

Cpl. Ansel said he and other investigators have interviewed several people in connection with the case. He is expecting to interview the father's girlfriend, Sonya Moussaed, today.

"We are more than interested to speak with the last people who were with Gracie when she was last alive," Cpl. Ansel said.

Cpl. Ansel said Ms. Moussaed was home alone with Gracie Wednesday night while the baby's father, Joseph A. Simmons, was at work.

According to police reports, he arrived at his home in the 800 block of Hubble St. about 7:30 a.m. Thursday after working the midnight shift and went to bed. Ms. Moussaed, who lives in the house, then reportedly brought the child to him and told him she was not responding. Ms. Moussaed then called 911. It was about 9:30 a.m.

"She's not breathing ... She's cold," the

See BABY, Page 11A

Baby (cont.)

caller, who identified herself as "Moussaed," said to a 911 dispatcher, according to a Monroe County Central Dispatch tape obtained by The Evening News after a Freedom of Information Act request.

The conversation between the dispatcher and the woman was calm. The caller's voice was shaky but not frantic.

Police said a previous assault incident involving the child was reported last July. They declined to elaborate.

When the 911 call was completed, emergency crews rushed Gracie to the hospital, where she was later pronounced dead. The funeral was held Monday. The Rev. Stephen Rooney, pastor of St. Michael Catholic Church in Monroe, said during such difficult circumstances, faith and family are the only means to console the grieving.

Father Rooney, who officiated during the services, said he was worried about the father and mother, Holly Preston.

"My concern is for the welfare of the parents," he said. "Anybody who loses a child suffers an incredibly painful experience. They're a young couple whose hearts were broken and lives have been shattered."

At least 60 vehicles were in the funeral procession. Father Rooney said that in addition to the grief, mourners were having a considerably difficult time coming to terms with how Gracie died.

"With the death of a baby there is tremendous loss and sadness," he said. "People are just bewildered."

Father Rooney said he offered support and reiterated the comfort of faith.

"God never deserts," he said. "God is right beside the child."

4-25-06

Published April 27, 2006
[From the Lansing State Journal]

Monroe woman ordered held in 17-month-old's beating death

Suspect in April 20 slaying denied bond due to prior record

Associated Press

MONROE - A woman accused of beating her boyfriend's 17-month-old daughter to death was ordered jailed without bail Wednesday.

Sonya Moussaed, 27, of Monroe, was arrested Tuesday on a warrant charging her with open murder in the death of Gracie Simmons. Her next court appearance was scheduled for May 8.

Gracie, the daughter of Joseph Simmons, died April 20. A medical examiner's report showed that the baby suffered a skull fracture, bruises to her ribs and injuries to her kidneys, The Monroe Evening News reported on its Web site.

Holly Preston, the toddler's mother, attended Wednesday's arraignment along with her parents and fiance.

The family has declined to comment publicly on the case.

Moussaed's parents and at least one brother also attended the hearing.

Moussaed's father told District Judge Jack Vitale that he would make sure his daughter appears in court if she was released on bond. Defense attorney Lawrence Coogan of Monroe also argued that she was not a flight risk and would appear for her next court date.

But Prosecutor William Nichols told Vitale that Moussaed has a history of marijuana convictions and once failed to appear for a sentencing.

When the judge said he was concerned about the past incidents and denied bail, many in the courtroom applauded.

Baby clings to life in hospital

Thursday, April 27, 2006

By Scott Hagen
shagen@citpat.com -- 768-4929

A 4-week-old Jackson girl was being kept alive by life support this morning as a man suspected of inflicting head trauma on her sat in jail.

Doctors told police that the girl, born March 29, was officially brain-dead, being kept alive pending the mother's permission to harvest her organs.

Once she is pronounced dead, the mother's 25-year-old boyfriend, arrested Wednesday at C.S. Mott Children's Hospital in Ann Arbor on a charge of felony child abuse, could face a charge of felony murder, Jackson Police Lt. Aaron Kantor said.

The Citizen Patriot generally does not print the names of suspects unless formal charges have been filed, nor does it generally identify living children who are alleged victims of child abuse.

The investigation started Wednesday morning when the mother, 21, and her boyfriend brought the girl to Foote Hospital, saying she was struggling to breathe.

Doctors examined the girl and found she had a contusion on her brain and numerous bruises on her body -- injuries consistent with shaken-baby syndrome, police said.

Hospital staff notified police and immediately flew the little girl to the trauma center in Ann Arbor.

An investigation and second interview with the boyfriend later in the day debunked his claim that the child suffered the injuries from rolling in her crib, Jackson police said.

He was arrested at the hospital and is being lodged at the Jackson County Jail.

Police are continuing to investigate any involvement the mother might have had in the incident, police said.

"She's claiming she knew nothing about it," Kantor said. "At this point in time we have no evidence that the mother was involved."

Man gets 121/2 years for CSC

Jackson Citizen Patriot

Thursday, April 27, 2006

A 31-year-old Jackson man caught in bed with a naked 5-year-old girl will spend up to 30 years in prison.

Jackson County Circuit Judge Charles Nelson on Wednesday sentenced Michael S. Cole to a minimum 121/2 years for second-degree criminal sexual conduct.

Cole was baby-sitting the girl and her 11-year-old sister Feb. 28 when the older girl said she discovered the two in a bottom bunk be

She told police Cole wore only a T-shirt and her sister was naked.

Prosecutors initially charged Cole with first-degree criminal sexual conduct. He pleaded guilty to second-degree criminal sexual conduct and was sentenced as a habitual fourth offender.

Prosecutors said Cole is a career felon who was a friend of the girls' mother.

Federal grand jury indicts psychologist in sex sting
Ann Arbor man detained without bond on charges

Thursday, April 27, 2006

By Ann Arbor News Staff

A licensed psychologist from Ann Arbor was indicted Wednesday in U.S. District Court in Atlanta on charges of traveling interstate to molest an 11-year-old girl and using a computer in an attempt to entice a child to engage in sexual activity.

Dr. Charles Bruce Fraelich, who has an office in Livonia, was arrested last week when authorities said he flew to Atlanta believing he was going to engage in sex acts with a mother and her pre-teen daughter. But Fraelich had been communicating with an undercover federal agent and was arrested.

A federal grand jury indicted the 58-year-old man Wednesday, and he was detained without bond.

Fraelich said in court Wednesday that he had a practice in Livonia and treated patients of all ages, including children, according to the U.S. Attorney's Office in the Northern District of Georgia.

Federal documents charged that Fraelich began communicating with the undercover agent in late February through a chat room called "openminded mom," and believed he was speaking with a 33-year-old mother with an 11-year-old daughter. He repeatedly and explicitly described sex acts he wanted to engage in with the young girl and made arrangements to visit them in Atlanta, the documents allege.

Fraelich was arrested Thursday outside the restaurant where he made arrangements to meet the mother and daughter.

NEED TO KNOW

Ann Arbor News

Thursday, April 27, 2006

Protect children on Internet

Attorney General Mike Cox warns families of Internet dangers and offers these tips for parents to protect children:

- If you suspect your child is being solicited online, report it immediately. Call Michigan State Police at 877-529-2373 or access the attorney general's Web site at www.michigan.gov/ag.

- Create clear and simple ground rules for children to follow regarding Internet use.
- Place the computer in a common area within the home where other family members walk by.
- Don't let children post identifying information online.

Man sentenced to prison for computer sex crime

Thursday, April 27, 2006

By ERIC ENGLISH
BAY CITY TIMES WRITER

TAWAS CITY - When 39-year-old Damin M. Allen used his computer to talk graphically about sex, the Oscoda man thought he was communicating with a 14-year-old girl.

He found out later, when police arrived to arrest him, that he had been talking to an undercover officer the whole time.

On Monday, Allen learned the consequences of his actions. A judge ordered him to serve three to 10 years in prison.

"I realize what I did was wrong. When I learned she was 14, I should have shut off the computer," Allen told Iosco County Circuit Judge Ronald M. Bergeron.

Allen previously pleaded guilty to four counts of using a computer to attempt to commit the crime of accosting a minor for immoral purposes. Bergeron sentenced Allen to 3-to-10 years on those charges, and ordered him to pay a fine of $500.

Allen also pleaded guilty to six counts of using a computer to distribute obscene material to a minor, which included video images of his genitals. He received a concurrent sentence of 18 months to four years on those charges.

Allen is one of two Iosco County men sentenced this month for computer-related sexual misconduct.

On April 17, 36-year-old James W. Jeske, of Oscoda, was ordered to serve 12 months in jail on a charge of possession of child-related sexually abusive material. Police who investigated the case alleged that Jeske's computer contained multiple images of child pornography.

Jeske also received a concurrent sentence of one day in jail and five years probation for using a computer to commit a crime. He was ordered to pay a $500 fine.

Attempted abduction of girl, 11, reported

Thursday, April 27, 2006

By Lisa Medendorp
CHRONICLE STAFF WRITER

Muskegon police are investigating an attempted child abduction that was reported Wednesday evening near Tri-Valley Academy on Valley Street.

Officers were dispatched to a residence in the 2200 block of Valley at 6:33 p.m. after a woman called to report that someone had tried to kidnap her 11-year-old daughter.

The mother said her daughter "came into the house, upset and crying," said Muskegon Detective Sgt. Monica Shirey, who has assigned a detective to investigate the incident.

Shirey said the girl had gone out to her mother's vehicle to get something and noticed a ball next to a tire. The girl kicked the ball, it rolled, and she went after it.

According to the girl's account, as she got closer to the ball, a man grabbed her from behind and started carrying her toward the woods. The woods are between Tri-Valley Academy, 2140 Valley, and the Trinity Village apartment complex, police said.

For some unknown reason, the man then put the girl down and ran off to the north, Shirey said. The girl immediately went to tell her mother.

"We have no reason to doubt her story," Shirey said.

The suspect is described as an African-American man who was bald and had a mustache. He wore a black hooded sweatshirt with a zipper front, a white T-shirt, jeans and white shoes.

On April 18, a suspicious occurrence was reported to police at 6:21 p.m. in the area of Madison Street and East Dale Avenue, which is less than a mile from Valley Street.

Shirey said girls were riding bicycles and a man pulled up in a vehicle in front of them in a driveway. The man reportedly got out of the vehicle and told the girls he wanted to put them in the back seat of his car. The girls then rode their bicycles away.

Shirey said no description of the man was obtained.

Teacher says he had romance, but not sex

Thursday, April 27, 2006

By TOM GILCHRIST
BAY CITY TIMES WRITER

SANDUSKY - A Cass City High School music teacher admitted he had a romance - but not sexual intercourse - with a teenage girl who was his student, and only after she turned 18.

"We began to develop feelings for each other" after the girl's 18th birthday in March 2004, Douglas P. Burtch Jr. testified at his trial Wednesday in Sanilac County District Court.

"When did the hugging and kissing begin?" Sanilac County Prosecutor James V. Young asked Burtch.

"In July (2004)," Burtch said.

The woman's age at the time of any sexual contact is important, because Michigan law makes it a crime for a teacher to engage in sex with a student under age 18.

The woman claims Burtch had intercourse with her twice in December 2003, when she was 17.

Prosecutors have charged the 29-year-old teacher with two counts of third-degree criminal sexual conduct. If convicted of either count, the Standish native would face up to 15 years in prison.

Burtch admitted taking the woman to Mackinaw City in August 2004 to spend the night with her in a hotel room with one bed. But he gave jurors an alibi for each of the nights that the alleged victim claims he had sex with her.

He said his grandparents, John V. Burtch and Dorothy Burtch, spent the night at his country home in Sanilac County's Greenleaf Township on one of the nights in question. And he told jurors he was at his parents' home in Standish on the other evening in December 2003.

Young told the teacher that the alleged victim's teenage cousin "indicated she saw the two of you holding hands and sitting next to each other prior to (the accuser's) 18th birthday."

"No, that did not happen," Burtch replied.

Burtch also testified he doesn't believe he made hundreds of cell-phone calls to the alleged victim's phone.

But Michigan State Police Detective Sgt. Brian Ferguson said Burtch's and the teenage girl's cell phones showed the pair made a total of at least 801 calls to each other from December 2003 to December 2004 - roughly when they ended the romance.

Those records include each time Burtch or the woman called each other using their own cell phones, but do not reflect how many times they actually reached the other person for conversation, Ferguson said.

Of the 801 calls, more than 250 occurred after 9 p.m. and before 6 a.m.

"There was no science to choosing that (late-night) time period, but I just thought that if it was a teacher calling my kid in a typical teacher-student relationship, it wouldn't be after 9 p.m.," Ferguson told The Times.

A 19-year-old woman - not the alleged victim in Sanilac County - also testified Wednesday, claiming Burtch tried to have sex with her at his home in September 2004, after Burtch had moved to Tuscola County.

The woman, a 17-year-old Cass City High School student at that time, testified Burtch began kissing her inside his home and asked her to go to his bedroom. She did, though she claims she told him on the way to bed that she would not have sex with him.

She claims the teacher tried to have intercourse with her.

"I said, 'No, I told you I wasn't going to have sex with you,'" the woman testified, saying she then exited the bedroom, put her clothes on and left the teacher's home. She said the entire incident lasted "no more than 45 minutes."

But Burtch's girlfriend, 24-year-old Cass City High assistant band director Kathryn King, testified that Burtch worked at a school carnival that day, leaving only to let a carnival worker use a school bathroom.

Burtch faces eight counts of criminal sexual conduct in Tuscola County in connection with that woman's claims.

In other testimony on Wednesday, Jessica Chappel, a 2005 Cass City High School graduate and a witness for the defense, told jurors that Detective Sgt. Ferguson interviewed her in July 2005 and leaned on her to say she was intimate with Burtch.

She testified on Wednesday that she was not intimate with Burtch and commented on Ferguson's interview techniques.

"It was just him trying to get me to admit that I had sexual relations with Doug Burtch," Chappel said. "It went for a long time, and it was just the same questions being rephrased."

NYT 4/27

Medicare Rule Guarantees Continuity Of Drugs

By ROBERT PEAR

WASHINGTON, April 26 — The Bush administration issued a new policy on Wednesday that protects Medicare beneficiaries against the sudden loss of coverage for drugs they are taking under the prescription drug program.

Under the policy, insurers can still change their lists of covered drugs, known as formularies. But if they drop any drugs or impose new restrictions, they must exempt beneficiaries who are now taking those drugs.

Dr. Mark B. McClellan, administrator of the Centers for Medicare and Medicaid Services, summarized the policy this way: "In general, a plan cannot change your coverage for the drugs you are using during the year. The stability of drug formularies is extremely important for many of our beneficiaries."

The policy addresses one of the chief criticisms of the Medicare drug benefit. Democrats and a few Republicans in Congress had said it was unfair that drug plans could change their formularies at will while most beneficiaries were locked into a drug plan for the full year. This disparity was a major concern for many consumer advocates and for some beneficiaries.

The new policy says, "No beneficiaries will be subject to a discontinuation or reduction in coverage of the drugs they are currently using," with some limited exceptions.

An insurer could, for example, remove a drug from its formulary if new research showed that the drug was unsafe for some patients, or if a new low-cost generic version of a brand-name product became available.

The Bush administration issued the policy with less than three weeks remaining before the May 15 deadline for people to sign up for Medicare drug coverage. People who miss the deadline will generally not have another opportunity until November and will then face higher premiums as a penalty for late enrollment. People can switch plans at the end of each year without penalty.

Karen M. Ignagni, president of America's Health Insurance Plans, an industry trade group, said her organization supported the new federal requirement even though "it does not reflect common practice in the private sector," where employers provide drug coverage to millions of workers and retirees.

Ms. Ignagni said the federal policy "will have a financial impact," increasing costs for insurers under Medicare. But, she said, "you need to balance that with the goal of providing continuity of drug coverage and peace of mind to beneficiaries."

In most states, 40 or more drug plans are available. They differ in premiums, co-payments, deductibles and other details. Some plans cover fewer than 100 drugs. Some cover more than 1,000.

Insurers have many tools to manage use of prescription drugs. They can, for example, require doctors to get prior approval for prescriptions and can limit the number of pills given to a patient each month.

The policy says that an insurer can remove a drug from its formulary, increase co-payments or impose new restrictions "only if enrollees currently taking the affected drug are exempt from the formulary change for the remainder of the plan year."

Dr. McClellan, the Medicare administrator, said his agency had received 4,600 requests from drug plans that wanted to change their formularies. About 3,100, he said, involve the addition of drugs or relatively minor changes. About 1,500 requests involve more significant changes that will be covered by the new requirement, he said.

In a memorandum being sent to insurers, the Bush administration says the policy is needed to protect beneficiaries against "bait and switch" tactics in the drug benefit program, known as Part D of Medicare.

"Medicare beneficiaries select Part D plans, in part, based on the formulary that is marketed during annual open enrollment and therefore have a legitimate expectation that they will have continuing access to coverage of the Part D drugs they are using throughout the plan year," the memorandum says.

Nothing in the new policy fills the gap in coverage found in most plans. After incurring $2,250 in drug costs, beneficiaries typically must pay all of the next $2,850, until catastrophic coverage kicks in.

The policy was issued just as Senator Max Baucus of Montana and other Democrats were putting the final touches on a bill to increase protections for Medicare beneficiaries.

Dr. McClellan said insurers had legitimate reasons for changing formularies because "drug therapies are constantly evolving as new drugs are developed and new medical knowledge becomes available."

WAYNE COUNTY

Wayne Co. may lose mental health funds

Authority battle could lead to cuts in agency services

April 27, 2006

BY ZACHARY GORCHOW
FREE PRESS STAFF WRITER

Wayne County's mental health agency could lose $228 million -- more than half its annual budget -- because it failed to spend state and federal money and, among other problems, improperly claimed expenses.

The figure, announced Wednesday by the interim director of the Detroit-Wayne County Community Mental Health Agency, was strongly rejected by the administration of Wayne County Executive Robert Ficano, which said negotiations with the state hopefully would reduce the amount owed to $15 million.

Interim director Richard Visingardi said only an independent authority would have the necessary skills and structure to reduce the $228-million risk to $15 million by working with the state.

It was the latest salvo in the debate over whether Wayne County should cede control of the agency to an independent authority because of problems with service delivery and financial management. The agency serves 40,000 people annually.

The financial concerns come as the county seeks to force out Visingardi. Members of a Wayne County Commission task force examining the authority question cited his claim of a potential $228-million impact to the county as a reason to move to an authority.

"I think that adds absolute incentive for the commission to act and act quickly," said Commissioner Philip Cavanagh, D-Redford Township, task force chairman.

The amount stems from money the county would have to repay the state from federal and state funds that were never used, improper expenses the county must pay back to the state, insufficient annual financial commitments to the agency and overspending on administrative expenses, Visingardi said.

Visingardi's estimate also includes $35 million in state funds that the Legislature is threatening to cut.

"Over the last several years, the county has demonstrated an inability to manage the various revenues and the risks associated with the Medicaid system and the mental health system, and there's nothing on the horizon that would suggest to me that they could quickly do this," he said of making the necessary changes to reduce the liability to $15 million.

But officials with Ficano's administration denounced the $228-million figure as a scare tactic designed to gain support for an independent authority with no role for the county.

"In this environment, people will probably exaggerate to fuel public sentiment and public unrest," said Teresa Blossom, a county spokeswoman.

Carla Sledge, the county's chief financial officer, also refuted the $228-million threat and said the county is taking all the necessary steps to ensure its maximum obligation to the state is $15 million.

T.J. Bucholz, spokesman for the state Department of Community Health, said the numbers cited by Visingardi -- minus the $35-million issue -- seem accurate. But Bucholz said the state wants to resolve the issue in a way that does not negatively impact services.

The county has put Visingardi on paid administrative leave. He says that is punishment for his public criticisms of the county's handling of mental health services. Ficano's staff say they did so because Visingardi requested leave at a critical time for the agency.

Cavanagh said the task force will draft a proposed authority plan that hopefully would appease all sides and be approved within a month.

*Contact **ZACHARY GORCHOW** at 313-223-4536 or zgorchow@freepress.com.*

The Argus-Press • Owosso, Michigan • Tues., April 25, 2006

Mental health board looks to purchase offices

Says move from lease to purchase will save funds

By CHERYLL WARREN
Argus-Press Staff Writer

The Shiawassee County Community Mental Health Authority Board is interested in owning the building on West Main Street in Owosso which houses its administrative offices.

The SCCMHA Board voted Monday night, following a closed session discussion, to present a purchase proposal to Indian Trails for the building at 1975 W. Main St.

SCCMHA currently leases the main floor of the building for administrative offices, while the Shiawassee County Department of Human Services leases the lower level of the building.

The board designated three representatives of SCCMHA to present a proposal to Indian Trails, including board chairperson Dean McConkey, executive director, Scott Gillman and board member Jan Orrin.

The proposed purchase is seen as a cost-saving move.

"We are continually looking for ways to reduce administrative costs," said Gillman. "Purchasing versus leasing is one way we are exploring to reduce those costs."

Argus-Press Photo/Cheryll Warren

THE SHIAWASSEE County Community Mental Health Authority Board is interested in purchasing the building which it currently leases, located at 1975 W. Main St. in Owosso.

"Owning our own real estate would save a considerable amount of money," said McConkey. "It would benefit our consumers."

SCCMHA also leases space at 1484 N. M 52, which houses several of its programs, including the day program, supported employment and the senior day program.

See **PURCHASE** on Page 5

"The Indian Trails board meets in June," said McConkey. "We want to present a proposal to them before their board meeting."

McConkey also said the board has had the real estate appraised.

"We want to feel them out to see if our proposal is acceptable," he said.

SCCMHA currently pays $112,496 in lease costs for the M 21 property and $112,560 for the property on M 52.

Shiawassee County Community Mental Health gained authority status April 1, 2004. As an authority, the board has the ability to own its own real estate.

The appraised value of the property has not been made public.

Lansing State Journal Letters

April 27, 2006

Push entry plan

In his April 14 Viewpoint, ("Don't rush into entry system") Reginald Carter makes a good point regarding funding for creating Single Point of Entry systems. Yes, Michigan is in a budget crisis and yes it may take more than $60 million to implement SPE agencies.

However, the fiscal analysis of House Bill 5389 shows $36 million would be transferred from existing Home Help and MI Choice Waiver funds, leaving $30 million to be funded by the state. Also, this analysis shows SPEs would save approximately $40.1 million if the nursing home average census was reduced by 2.9 percent (880 people) - an outcome that is consistent with the SPE approach in other states.

It has been shown that when given a choice, more people will choose home- and community-based service. It is reasonable to expect the SPE system will pay for itself and possibly save money.

Kathryn Wyeth
Holt

Pass entry bill

Michigan needs a Single Point of Entry system that would provide "one-stop shopping" for long-term care needs. Thirty-two other states and the District of Columbia have already implemented SPE programs.

Michigan House Bill 5389 would create such a system here.

Opponents have spread misleading information about the legislation. Reginald Carter, president of the Health Care Association of Michigan ("Don't rush into entry system," April 14), asserts the state should first complete an SPE pilot project before passing enabling legislation. But the truth is, passage of HB 5389 now is essential so that consumers in certain areas will be required to use an SPE pilot project to access Medicaid.

Creating an SPE system is a core recommendation of Michigan's Medicaid Long Term Care Task Force, whose deliberations included every provider group. To spread misinformation now is disingenuous and a disservice to Michigan's citizens.

Steve Gools
Michigan state director
AARP

Community Foundation doles out heating relief

Thursday, April 27, 2006

By Greg Chandler
The Grand Rapids Press

Facing a winter where requests for heating assistance rose significantly, several organizations banded together to submit an application to the Allegan County Community Foundation for funding to help meet those calls for help.

Community Foundation Executive Director Theresa Bray suggested the joint application, which was submitted by the Christian Neighbors groups in the northwest and southeast portions of the county, Allegan County Crisis Response Services, Project Hope in the northeast portion of the county, St. Margaret's Catholic Church and Martin Resource Center.

"My fear was that these organizations' budgets would be stretched with the sharp increase in heating costs this past winter," Bray said. "If they were taking funds to cover this, some other area of their services would suffer."

The Community Foundation awarded a $12,000 grant for the joint initiative, one of the largest grants awarded during the foundation's recent annual awards.

The foundation approved 42 grants, totaling more than $175,000.

Wings of Hope Hospice, an Allegan-based agency, was the largest recipient of grant funds, getting $15,000 from the foundation's Legacy Fund for a pain-management program for its patients.

"When we can help patients have the experience at the end of life be as smooth as it can be, it can make the grief process smoother for the families," said Theresa Lynn, the agency's executive director.

04/27/2006

Jury selection for murder case begins

Unger accused of killing wife at a resort

BY PATRICK SULLIVAN
psullivan@record-eagle.com

BEULAH - Jurors walked into Benzie County's circuit court by the dozens to profess their impartiality, explain a bias or make an excuse about why they shouldn't serve on the jury for Mark Unger's murder trial.

Jury selection - the case is expected to run through late May or early June — began Wednesday morning and was expected to resume today.

Unger, 45, of Huntington Woods, is accused of killing his wife, 37-year-old Florence Unger, as the couple spent an October weekend at the Watervale Resort in southwest Benzie County in 2003.

The trial caused congestion around the courthouse, but despite national and Detroit-area media in attendance, most of the chairs placed before a big-screen closed circuit television in a courthouse overflow room remained empty.

Three local students who showed up to write reports about the case were gone by the afternoon.

Circuit Court Judge James Batzer began by reading a list of names of about 85 witnesses and asked whether any of the first panel of prospective jurors knew any witnesses.

The list included doctors who will testify about how they believe Florence Unger died, police officers, friends of the Ungers, people connected to Watervale Resort and others.

Some prospective jurors were excused for health reasons, others because serving on such a long trial could pose a financial hardship, and one because he knew the lead detective in the case while in school.

When Batzer finished, the trial lawyers became more philosophical.

"Would you agree with the statement that some things happen in this world everyday for reasons you and I don't understand?" assistant Attorney General Donna Pendergast asked.

The question seemed to indicate that motive would not play a role in the case, but Pendergast assured jurors that evidence of a motive would be presented.

Florence Unger died after she fell or was pushed from a boathouse roof and wound up in Lower Herring Lake. The Ungers were at the resort that weekend with their two young children despite ongoing divorce proceedings and even though a witness at the preliminary examination testified he'd had an affair with Florence Unger.

Pendergast said although she isn't required to provide a motive, "it will be clear."

Defense attorney Robert Harrison countered by asking whether potential jurors believed that sometimes things happen for no reason and no one is to blame.

Harrison began his questioning by calling himself a "downstate fudgie."

He said most of the lawyers in the case are from the Detroit area — three of Unger's attorneys are from downstate and the Michigan Attorney General's office took over the prosecution from Benzie County's prosecutor.

"Will you hold it against us because most of us are not from Benzie County? Anybody feel we shouldn't be here?" Harrison asked the jurors.

Harrison later asked Unger to stand up and face the jurors.

"As you look at him right now, do you see an innocent man? "¦ in truth, in your heart, honestly?" he asked the jury.

One woman raised her hand, but Unger's attorneys did not question her in front of the other jurors.

Harrison braced the jury for testimony about his client's history of alcohol and prescription drug abuse and gambling addiction and asked jurors if they could look beyond that. He told the panel that Mark Unger went to rehab for several months beginning in September 2002 and has been clean since.

One juror said he had formed an opinion "about the investigation and how it was handled," but Batzer interrupted him before he could finish his thought and he was excused.

Another juror said he could be impartial, but police once pulled him over three times in one night in northern Michigan because he was driving at "prime drunk time."

Another juror said her religious beliefs could get in the way because she believes only God can sit in judgment.

The trial is expected to run Tuesdays or Wednesdays through Fridays through late May, but Batzer warned that the trial could last into June.

Thursday, April 27, 2006

Wayne Briefs

Reporter / The Detroit News

Highland Park

Two shelter officials charged in fraud case

Two top officials from a Highland Park nonprofit homeless shelter were arraigned in federal court Wednesday on conspiracy, tax evasion and fraud charges. Metro Emergency Services Inc. president Jon Rutherford, 57, of Orchard Lake, was released on $10,000 unsecured bond. So was Judith Bugaiski, 47, of Sterling Heights, Rutherford's financial controller. Both stood mute in U.S. District Court in Detroit and had not guilty pleas entered for them. The indictment alleges they diverted about $750,000 from the nonprofit agency over four years to make illegal political donations. Rutherford also paid himself about $2 million in undeclared income and withheld about $1.1 million from employees for tax purposes without passing the money to the federal government, the indictment alleges.

Thursday, April 27, 2006
Editorial Rebuttal

GOP targets worries about new wage law

I 'd like to provide an important update to The News' editorial concerning Michigan's new minimum wage law ("Lawmakers create headaches with wage hike," April 4). After debate on the issue, colleagues on both sides of the aisle approached me with concerns on the bill. We realized then there could be some unintended consequences, so we made an agreement to get together to further discuss the issue.

I believe we all agree that changes need to be made.

One change I'd like to see regards college and high-school students. I will introduce legislation allowing those less than 18 and have not graduated from high school to make $1 below the minimum wage, while also allowing colleges and universities to employ students at a rate of 85 percent of the minimum wage. Previously Michigan allowed students to work for their colleges on campus for 80 percent minimum wage. I also plan to address the concerns raised in the editorial regarding federal overtime rules within the Federal Fair Labor Standards Act.

These proposals will protect the working poor while still addressing concerns of business owners, especially small-business owners, who employ high-school students in their restaurants, shops and hardware stores.

House Republican lawmakers fully understand there are concerns about the new law, and we are working diligently to address those concerns.

State Rep. Bill Huizenga
Chair
House Commerce CommitteeR-Zeeland

Economist lectures on how to stop global poverty

HOMETOWN HEADLINES

FLINT

THE FLINT JOURNAL FIRST EDITION
Thursday, April 27, 2006

By Kris Turner
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Jeffrey Sachs, a Harvard professor who is known worldwide for his work with the United Nations, told a Flint audience Wednesday that everyone has a role in ending global poverty.

By providing things such as mosquito nets and medical supplies to Africa, millions of lives can be saved, he said.

Speaking at a critical issues forum sponsored by the University of Michigan-Flint at the Northbank Center, Sachs said people can't just worry about themselves any more because the world has become too crowded.

"We need to stop blaming the poor for their plight," he said. "You focus on things that are holding these people back."