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DETROIT FREE PRESS

A PLEA ANSWERED

A last-minute maneuver keeps woman in her nursing home

By AMY KLEIN
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Inside the Clarkston nursing home, the dementia has eaten away at Madelene Drumm's mind. She raises her hand like a schoolgirl to ask when lunch will be served and later waits in her wheelchair for a Lincoln to whisk her away for a night on the town.

Outside IHS nursing home, a gaggle of lawyers, family members and federal agents struggled for two years to sort through the case of the 80-year-

old woman, who emigrated from Canada to Pontiac when she was a child and received a green card in 1944.

The card expired years ago. Without a current green card, Medicaid would not pay the \$56,000 nursing home bill Drumm accumulated during the past year.

While deportation was unlikely, the expired green card brought to light a tangle of government red tape, exacerbated by the Sept. 11 terrorist attacks.

At the eleventh hour Thursday, a day before lawyers say

the nursing home was prepared to involuntarily discharge Drumm, the Detroit office of Immigration and Naturalization Services came up with a temporary fix: It issued a letter confirming the woman's status as a legal resident.

INS authorized the letter only after weeks of pleading from Drumm's court-appointed guardian, her immigration lawyer and U.S. Sen. Carl Levin's office.

The letter is good for six

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PLEA | Woman stays in nursing home

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months and means Drumm qualifies for Medicaid while her guardian applies again for a green card.

Plans were in place to transfer Drumm, who suffers from Alzheimer's disease and other dementia, to a public nursing home in Detroit. Now, Drumm can stay in the home she has lived in for two years with her husband, John Drumm, as long as Medicaid funding comes through in the next few weeks, said an IHS spokesman.

As the Detroit and Washington INS offices swim in illegal immigrant reports, cases like Madelene Drumm's are increasingly in danger of falling through the cracks,

lawyers say.

"Things are slower, and there are delays across the board," said Michael Sherman, an immigration lawyer who worked to straighten out the expired green card. "If Sept. 11 had not happened, they would have been able to handle this by the deadline."

Drumm entered the Clarkston nursing home two years ago at the request of her son and daughter-in-law, who could no longer care for the ailing woman. When Drumm's application for Medicaid was rejected by the state, her son dipped into her savings to pay the \$4,200 monthly nursing home bill.

The money quickly ran out. As the state's Family Independence

Agency continued to reject Medicaid applications because of Drumm's expired green card, the elderly woman's children turned to the INS office in Detroit.

But the INS did not have a computer record of the original green card, said Pat Parks, Drumm's daughter-in-law. A federal law passed in 1989 requires green cards to be renewed every 10 years. No one had noticed Drumm's status.

Finally, fed up with the bills and the paperwork and the frustration, Parks and her husband asked Oakland County Circuit Court to appoint a guardian for Drumm in February. "I made phone calls and went to INS and

re-sent applications," said Park, who lives in Waterford.

Paul Default, the court-appointed guardian, said he had called and written letters to the Detroit office of the INS with no luck. He hired Sherman, the immigration lawyer.

The issue came to a head this week as today's deadline approached. And Levin had joined the cast of players trying to keep Drumm in the nursing home.

At 2 p.m. Thursday, the INS issued its letter declaring her status. The state then said it would consider a Medicaid application.

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GREEN CARD AND RED TAPE



J. KYLE KEENER/Detroit Free Press

Immigration attorney Michael Sherman worked to straighten out the confusion surrounding Madelene Drumm's expired green card. Drumm, who suffers from dementia, had been cut off from Medicaid benefits, and had racked up \$56,000 in nursing home costs.