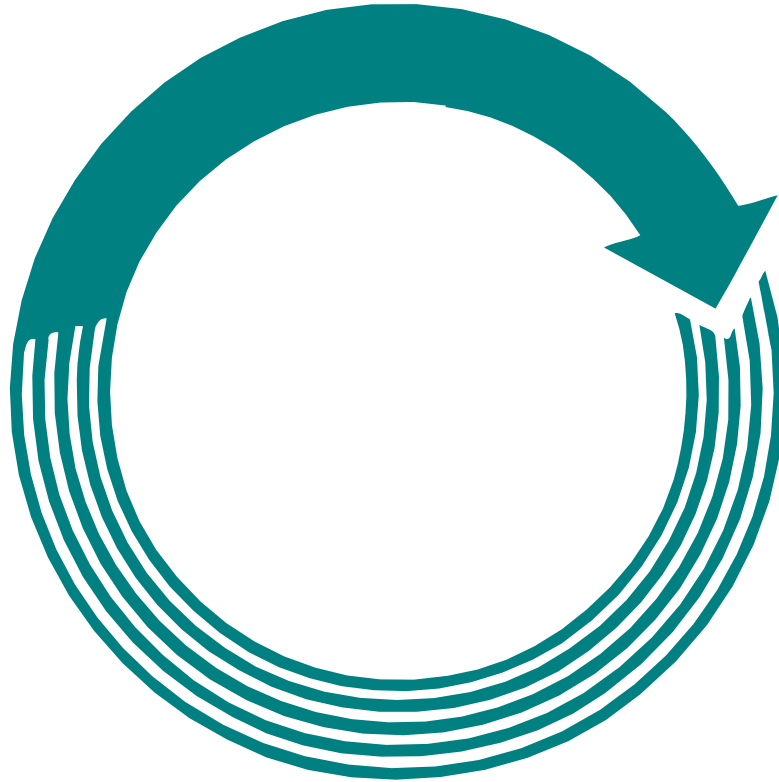


Ryan White Part A Quality Management



Legal Services Service Delivery Model 2014

Broward County/Fort Lauderdale Eligible Metropolitan Area (EMA)

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Ryan White Part A Quality Management

Legal Services Service Delivery Model

Definition:

People living with HIV/AIDS experience a range of issues including the lack of advance directives, denial of state and federal public benefits, housing discrimination relating to client's HIV status and a wide range of legal issues. Legal Services ensure client access to basic health and supportive services often denied as a result of their HIV status. Through coordination of the service with other core medical and support services, client's quality of life can in many cases be improved and maintained over an extended period consistent with Public Health Service's Guidelines and other treatment protocols.

Legal Services provides legal representation to clients for preplanning activities including: durable powers of attorney documents; do not resuscitate orders; wills; and trusts. Legal Services shall provide interventions to ensure access to eligible benefits and to prevent an individual's denial of access to housing or eviction due to HIV status, discrimination or breach of confidentiality litigation as it relates to services eligible under the Ryan White HIV/AIDS Treatment Extension Act. This includes assistance with public benefits, which encompasses legal intervention following denial of Social Security benefits. The provision of Legal Services also includes the preparation of advance directives concerning guardianship of the eligible individual and the guardianship or adoption of the eligible person's children, but does not cover legal services or proceedings, which occur after the eligible person's death.

This service is designed to provide legal services by/or under the supervision of an attorney licensed by the Florida Bar Association.

OUTCOMES, OUTCOME INDICATORS, STRATEGIES AND DATA SOURCES

| Client Outcomes | Outcome Indicators | Inputs | Strategies | Data Source |
|---|---|--|--|---|
| 1. Increased access to benefits for which the Client is eligible. | <p>1.1. 80% of clients whose cases are accepted for representation at a Social Security Administrative Law Judge hearing will win approval of cash benefits and/or medical benefits thus improving their financial stability.</p> <p>1.2. 60% of clients whose cases are accepted for representation at the Social Security Appeals Council will win approval of cash benefits and/or medical benefits or will have their case remanded for a hearing before an Administrative Law Judge.</p> | <p>Funding</p> <p>Clients</p> <p>Staff</p> <p>Facilities</p> <p>Supplies</p> | <p>1.1.1. Collaborate with client to assess client legal needs.</p> <p>1.1.2. Document progress toward approval of cash benefits and/or medical benefits.</p> <p>1.1.3. Provide legal interventions to ensure client access to eligible benefits.</p> <p>1.2.1. Represent client for appeals following denial of Social Security benefits.</p> <p>1.2.2. Document progress toward approval of cash benefits and/or medical benefits.</p> | <p>1.1.1.1. Legal Check-up Form</p> <p>1.1.2.1. PE 1.1.2.2. Billing records 1.1.2.3. Client records</p> <p>1.1.3.1. PE 1.1.3.2. Billing records 1.1.3.3. Client records</p> <p>1.2.1.1. PE 1.2.1.2. Billing records 1.2.1.3. Client records</p> <p>1.2.2.1. PE 1.2.2.2. Billing records 1.2.2.3. Client records</p> |

STANDARDS FOR SERVICE DELIVERY

| Standard | Indicator | Data Source |
|--|---|--|
| 1. Legal services adhere to professional standards and regulations. | 1.1. 100% of Attorneys are licensed to practice law in the state of Florida and have a minimum educational level of a doctorate in Jurisprudence. 1.2. Non-licensed staff members are supervised by attorneys. | 1.1.1. Staff records 1.2.1. Agency's Policies & Procedures Manual |
| 2. Legal service providers are knowledgeable, accepting, and respectful of the needs of individuals with HIV/AIDS. | 2.1. 100% of agency paid legal staff and contractors complete HIV-specific training. | 2.1.1. Personnel files |
| 3. Clients are kept informed and work together with staff to determine the objective of the representation and to achieve goals. | 3.1. 100% of clients receive a copy of the service agreement between client and agency | 3.1.1. Service agreement |
| 4. Client referrals and inquiries are responded to in a reasonable time. | 4.1. 100% of clients' telephone calls and referrals are responded to within 3 business days. | 4.1.1. Client records 4.1.2. PE |
| 5. Clients complete an intake form. | 5.1. 100% of clients' records show intake form. | 5.1.1. Legal Check-up Form |
| 6. Clients receive disposition or resolution of legal issue. | 6.1. 100% of legal services document progress toward resolution of presenting issue. 6.2. Desired outcomes achieved in at least 50% of legal services. | 6.1.1. Client records 6.1.1. PE 6.2.1. Client records 6.2.2. PE |
| 7. Legal services provides assistance services and/or self-representation assistance based on client specific needs. | 7.1. 100% of clients are provided legal services based on individual needs. | 7.1.1. Client records 7.1.2. PE |
| 8. Clients receive appropriate referrals to secure eligible benefits. | 8.1. 100% of clients receive referrals. | 8.1.1. Client records 8.1.2. PE |

PROTOCOLS

The Legal Services Protocol identifies the specific ways to implement the Legal Services Standards and processes inherent to legal services. Service delivery shall be conducted with cultural competency by culturally competent service providers. Providers are also expected to comply with applicable standards and guidelines that are relevant to individual service categories (i.e., HAB HIV Performance Measures, etc.).

Service Components

Funds may be used to support and complement pro bono activities. All legal assistance will be provided under the supervision of an attorney licensed by the Florida Bar Association. Only civil cases are covered under this Agreement. Therefore, the service provider will assist eligible Ryan White Program clients with civil legal HIV-related issues which will benefit the overall health of the client and/or the Ryan White care delivery system in the following areas:

- Preplanning activities including durable power of attorney documents; do not resuscitate orders; wills; and trusts.
- Public benefits assistance including legal interventions following denial of Social Security benefits.
- Discrimination or breach of confidentiality litigation as it relates to services eligible under the Ryan White HIV/AIDS Treatment Extension Act.
- Preparation of advance directives concerning the guardianship of the eligible individual and the guardianship or adoption of the eligible person's children.

Legal services do not include guardianship or adoption of children after the death of their legal caregiver, criminal defense, discrimination or class action litigation unrelated to Ryan White services.

Access to Service

The provider shall give access to individuals who are Broward County residents with HIV/AIDS who earn less than or equal to 300% the Federal Poverty Guidelines, have barriers to economic stability and have no other means or funding source to receive services. New clients shall access legal services through a referral from their case manager, CIED, any other service provider, or self-referral. Clients shall be certified through Provide Enterprise before they receive legal services.

Eligibility Verification

The legal service provider shall verify client's eligibility is established by reviewing the certification in the designated HIV MIS System. The legal staff shall perform an eligibility and financial assessment at each visit in addition to reviewing client's eligibility certification in the designated HIV MIS System. Legal staff will review client's eligibility for all funding streams and services for which client may qualify. MCM's will follow-up with referrals as appropriate. The purpose of the assessment is to ensure 1) client's access to all services client may be eligible for and 2) the status of Ryan White as payer of last resort.

Client Intake

Legal services staff shall contact clients within three (3) business days of a service request or referral and schedule the next available appointment at that time. Legal staff shall provide the client with an orientation to include:

- Client grievance procedures
- Client confidentiality
- Client Rights and Responsibilities
- Client Legal Check-up Form

Legal staff shall assess client needs by completing all sections of the Legal Check-up document and/or designated HIV MIS System. Orientation shall be documented in the client's file. Legal services staff shall ensure client signs and dates the Client Legal Check-up Form. Provider shall have a client grievance process that shall be discussed with client during intake. Provider shall explain that if a client is dissatisfied after

completing the agency grievance process, the client has a right to present a grievance to the Broward County Ryan White Part A Program Office. Provider shall briefly explain the process for filing a grievance with the Ryan White Part A Program Office including posted grievance instructions.

Service Provision

Working with the client or guardian, the provider should develop a service agreement that includes the level or type of service and a signed consent form authorizing the provider to discuss the plan with other service providers as appropriate.

Legal services staff, with the active participation of the client will determine the course of action of reach of the client's legal issues. Services are individualized and tailored to the needs expressed by the client. Client participation is maximized by being kept informed and working together with staff to determine the objective of the representation, to make decisions regarding the case and to achieve the goals in a timely fashion. Legal services staff will also undertake reasonable efforts to identify needs in addition to those specifically expressed by the client throughout the course of counseling and/or representation.

Programs will conduct appropriate action on behalf of clients to meet their legal needs. Such action includes providing relevant legal advice and counseling, referrals to other providers/programs, referrals to pro bono attorneys and representing clients in court and administrative proceedings where appropriate. Services will also assist clients with accessing, maintaining and adhering to primary health care and other support services. Documentation of these efforts shall be maintained in the client record.

Legal service providers will inform clients fully about the nature of service offered, including their rights to engage in the generation and review of any legal goals and/or strategies, confidentiality and their ability to terminate services at any time.

In certain circumstances, legal services may conduct home or hospital visits when clients are physically unable to come to the office. Special arrangements will also be made for working clients who have difficulty coming to the office during regular business hours.

Case Closure

Legal service providers will develop criteria and procedures for case closure. All attempts to contact the client and notifications about case closure will be documented in the client records, along with the reason for case closure. Cases will be closed when the client's legal or benefit issue has been resolved. Cases may also be closed when the client:

- has had no direct program contact in the past six months
- has become ineligible for the service
- has been deceased
- no longer needs the service
- decides to discontinue the service
- is improperly utilizing the service
- has not complied with the client services agreement

Access to Primary Medical Care

Providers shall assess if clients are receiving primary medical care. Clients not in primary medical care shall be offered a referral to Ryan White Part A Outpatient Ambulatory Medical Care.

Documentation

Service provider shall document all services provided to the client and all contacts with or made behalf of the client in the client records. The legal staff will document the progress on meeting the goals addressed in the service agreement in the client's record.

Continuous Quality Improvement

Service provider shall conduct quarterly chart reviews to ensure documentation of service, referrals, and follow-up.

Physical Plant Safety

Legal services shall be located in physical facilities which meet fire safety requirements, meet criteria for ADA compliance, and are clean, comfortable, and free from hazards.

Payer of last resort

An applicant may not be eligible for services from Ryan White Part A Program if the applicant is already receiving or is eligible for the same benefits/services from other programs. The services provided by Ryan White may be utilized for HIV related services only when no other source of payment exists.

An applicant cannot be receiving services or be eligible to participate in local, state, or federal programs where the same type service is provided or available. This requirement does not preclude an individual from receiving allowable services not provided or available by other local, state, or federal programs, or pending determination of eligibility from other local, state or federal programs. Ryan White Part A services is the payer of last resort. All community resources should be explored with clients prior to obtaining and receiving Ryan White Part A services

Professional Requirements

To provide this service staff must meet one of the following criteria:

1. Recognized by the State of Florida as a paralegal (associate's degree or equivalent legal experience); or
2. Qualified by Florida Bar Association to render legal services in the State of Florida

LEGAL CHECK-UP

NAME _____ PHONE NO. _____

What language do you speak and understand best? _____

PLEASE ANSWER YES OR NO AFTER READING EACH QUESTION:

YES NO

1. Are you 60 years of age or older?
2. Are you struggling to make mortgage payments, condo or homeowner association payments or to pay property taxes on your home?
- 2a. Would you like information regarding loan modifications of your home mortgage or available assistance with such payments.
3. Are you a legal immigrant who is 60 years or older and interested in becoming a U.S. citizen?
4. Have you served in the United States Military?
5. Has your husband/wife/boyfriend/girlfriend recently physically harmed you? Has he/she slapped, punched, shoved, stalked, or imposed controlling behavior on you? Has he/she threatened you to the extent you felt you or your children were in imminent danger?
6. Are you having trouble with a husband/wife/boyfriend/girlfriend regarding sharing time with your child?
7. Do you want to file for divorce?
8. Are you at risk of being unable to pay your mortgage or homeowners fee?
9. Do you need help in defending hospital collections/garnishments?
10. Have you signed a contract for a home improvement or repair where the work has not been done, or it has been done poorly.
11. Do you have any problems with paying rent, or other problems with your landlord?
12. Has your landlord sent you any written notices terminating your tenancy, or threatening to evict you?
13. Is your rental apartment in very bad condition?
14. Did you or anyone in your household recently become unemployed and/or applied for unemployment compensation benefits?
15. Do you have a disability for which you believe you are entitled to public benefits?
16. Do you need assistance with any of the following:
- Food Stamps
 - Medicaid/Medicare
 - SSI/Social Security Disability
 - TANF/Cash Assistance
 - Transportation
 - Utilities Shut Off (FPL/Water/Gas)
17. Do you need access to:
- Food
 - Clothing
 - Medical Care
 - Housing
 - GED/Training/Technical Training/College Courses
18. Do you live on the street, in your car, in a shelter, with someone temporarily or are you currently living in a drug or alcohol treatment program?

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- 19. Is your child having any of the following problems in school: behavior, suspensions, expulsions, academic, in need of special services or special education?
- 20. Has your driver's license been suspended?
- 21. Do you have a Federal Income Tax problem with IRS? If so, please describe on back.

**If you have been told that you do not qualify for our services because your income is too high and you have not disclosed to our intake worker that you are HIV+, please ask the intake worker whether you would qualify under the HIV+ guidelines.

Initials _____ Date _____