

AIDS Law Project of Pennsylvania Quality Assurance Review
Public and Private Benefits
July 1 – September 30, 2018

The quality of our services is of paramount importance. We proactively created a quality assurance team to internally monitor our performance. Given the attorney's duty of confidentiality to clients and the sensitive nature of the attorney-client privilege, all quality reviews are done in-house.

To assess the quality of our work, we conduct an annual in-house quality assurance review. We review the cases closed in the 3rd quarter of the preceding year (July 1 – September 30) alternating between our busiest practice areas: housing (22% of our annual workload) and public benefits (29%). This Quality Assurance Review addresses public benefits.

Public benefits cases include those involving: Pennsylvania Department of Human Services (DHS) and the benefits they oversee (food stamps, cash assistance, Medical Assistance – also known as Medicaid), the Social Security Administration (SSA) and its disability programs (Social Security Insurance, commonly known as SSI, Social Security Disability Insurance, commonly known as SSDI); and other public benefits programs.

Between July 1 and September 30, we closed 62 files of people who contacted the AIDS Law Project requesting legal assistance with public or private benefits. We successfully provided direct representation, legal advice, and/or referrals to 88.7% (55) of them.

Each individual who calls with a legal question does a thorough intake interview with an attorney, trained paralegal or legal intern, who provides triage for persons in crisis. Each case is then reviewed by the Intake Team (comprised of attorneys, paralegals and legal interns),

which determines an appropriate course of action. Sometimes staff will represent clients in administrative law judge hearings. Other times, staff will help by informally negotiating an agreement with another party, such as the SSA. Clients needing assistance in a practice area outside our scope of expertise (such as Veterans Affairs (VA) benefits) are referred to a volunteer attorney. Callers seeking information on their legal rights receive follow-up phone calls, meetings, or written information.

This Quality Assurance Review examines the outcome of all public and private benefits cases closed between July 1 and September 30, 2018.

In analyzing outcomes, we qualified an interaction as successful if we addressed the issue for which the client sought assistance.

We address clients' concerns in a variety of ways. In this report, the following categories are used:

Representation and/or Advocacy: This category covers any instance in which a staff member of the AIDS Law Project represented a person in a hearing or contacted any third party on behalf of a client.

Legal Advice/Information: This is the broadest outcome category and includes every time a staff member spoke to a client post-intake, whether it was to explain a person's rights regarding Medical Assistance or to advise a client to appeal an SSI denial.

Referral: To best utilize our limited resources, we occasionally refer clients to the private bar, other public-interest law firms, or other social service organizations.

Unreachable Clients: We attempt to assist all clients who contact us. Even those clients with whom we are unable to maintain contact, we attempt to provide referrals and/or legal advice.

State Funded Benefits

20 Intakes

Medical Assistance (MA)

8 Intakes

8 clients contacted AIDS Law Project of Pennsylvania with questions and/or issues regarding Medical Assistance eligibility.

Representation and/or Advocacy (5)

We successfully represented and/or advocated on behalf of 5 clients. We represented 4 clients in maintaining public benefits from notices of termination. 2 of these clients were sent notices of termination because their income was too high and we successfully argued that their benefits be reevaluated in the MAWD category instead. 1 client had his benefits terminated because he did not provide the documents that the County Assistance Office asked for and we helped the client obtain these documents. 1 client's appeal was based on the fact that his MA benefits were terminated and the CAO failed to send a notice. Finally, we advocated for 1 client who believed his MA benefits were terminated, but with advocacy to the Department of Human Services we learned that the client had a new managed care plan.

Legal Advice/Information (3)

1 client who was job-searching and without medical insurance and we provided information on the income limits for MA and MAWD. We provided information on managed care plans for 1 client when MA transitioned from fee-for-service to managed care plans. 1 client was concerned about his MA coverage when he received a bill that he thought he would not have to pay, but after ALPP asked him to send the bill to analyze and advise further the client subsequently reported it was no longer an issue.

Medical Assistance for Workers with Disabilities (MAWD)

7 Intakes

7 clients contacted us with issues regarding MAWD eligibility.

Representation and/or Advocacy (3)

We successfully reinstated one client's MAWD which DHS erroneously terminated, because his income was higher than the general MA eligibility, without applying the higher limits for MAWD.

We obtained retroactive MAWD coverage of a large medical bill incurred by a client during a period of no insurance.

A third client was sent a termination notice because the County Assistance Office stated he was behind in his premium payments. Our client paid by check and the CAO had failed to cash the check for nearly six weeks. We were able to resolve this issue and our client now pays by prepaid money orders.

Legal Advice/Information (3)

Two clients sought information on eligibility requirements; 1 asked about how to obtain the bank account and employer documentation required for the application, and the other asked if a settlement from a legal dispute would affect his benefits. A client who is a medical case manager sought advice on the earned income deductions for MAWD so he could better assist his clients. We advised on the rules and instructed the case manager to have any clients with issues to call us directly to conduct intakes.

Unreachable Clients (1)

1 client stated in his intake that his MAWD had been terminated, but he became unreachable after the intake process.

Special Pharmaceutical Benefits Program (SPBP)

1 Intake

We assisted 1 client with an issue relating to the state-run AIDS drug assistance program.

Legal Advice/Information (1)

We provided advice to 1 client who was confused about his eligibility for renewal. His SPBP was renewed shortly after the intake.

Supplemental Nutrition Assistance Program (SNAP)

3 Intakes

3 clients contacted us for assistance with SNAP.

Representation and/or Advocacy (1)

We successfully advocated for 1 client to the County Assistance Office that had incorrectly assumed that she was ineligible for SNAP, because of her immigration status.

Legal Advice/Information (2)

We advised 2 clients of their eligibility for SNAP. Both were concerned about the impact of their criminal records on their eligibility. We discovered that 1 client was actually ineligible because he had failed to complete the required interview and we advised him to reapply. We assured the other client that criminal records do not affect SNAP eligibility.

Reduced Fare Transportation

1 Intake

1 client contacted us with an issue with his reduced fare card that he receives through the state.

Legal Advice/Information (1)

1 client called us asking for assistance for replacing a reduced fare SEPTA card. We provided advice on where to replace it, but the issue had resolved by the time we contacted the client.

Marriage

2 Intakes

2 clients called us with questions about how marriage would impact their benefits.

Legal Advice/Information (1)

We advised 1 client on the effect marriage would have on SSD.

Unreachable Clients (1)

1 client became unreachable after the initial intake process. We sent this client a letter requesting more information in order to provide specific advice, but he did not follow up.

Back to Work

7 Intakes

We assisted 7 clients with back to work issues.

Representation and/or Advocacy (2)

We successfully represented 2 clients in maintaining their benefits when going back to work.

Legal Advice/Information (5)

We provided information about the back to work rules to 5 clients.

Federally Funded Benefits

29 Intakes

SSD/SSI Eligibility, Appeals, and Applications

20 Intakes

Representation and/or Advocacy (9)

We successfully represented 9 clients. We advocated on behalf of 1 client in applying for benefits and obtained benefits for him. We confirmed benefits for 2 clients via advocacy with the SSA. We successfully represented 3 clients in appealing from terminations of their SSI or SSD benefits: 1 of whom the SSA believed was married and terminated her benefits, but we proved that she was unmarried. For another 1 of these clients, the SSA had counted her student loans as resources. We reminded SSA that student loans are not resources. We represented 1 client in an appeal of his cessation of benefits from a Continuing Disability Review and the client's SSD benefits were maintained. We represented 3 additional clients in SSA appeals, but 1 client failed to appear to the hearing, 1 decided to withdraw to go back to work, and we discovered that 1 client was ineligible and withdrew representation.

Legal Advice/Information (7)

We provided legal information to 7 clients. 3 requested information about eligibility, 1 requested information about reporting resources, and 1 had questions about representative payees. 1 person asked for assistance with applying for benefits and we provided basic information. We advised 1 client on the Continuing Disability Review (CDR) process and which forms to submit. We did not represent this client because she was already represented by her medical case manager who worked with

a medical team.

Referrals (1)

We provided a referral for 1 Pennsylvania client whose geographic location prevented ALPP from representing him.

Unreachable Clients (3)

3 clients became unreachable after completing intakes on SSA matters.

Overpayments

5 Intakes

Legal Advice/Information (4)

We advised 4 clients on overpayment issues. After receiving information on 1 of these client's income and expenses, we assisted that client in entering a payment plan to address his overpayment issue.

Unreachable Clients (1)

We could not reach 1 client after he conducted an intake on an overpayment issue.

Medicare

4 Intakes

Representation and/or Advocacy (2)

We successfully advocated for 2 clients in Medicare coverage: we represented 1 client in applying for Medicare Part B, and we advocated for 1 client in getting a medical bill paid by the hospital, even though it was not covered by Medicare.

Legal Advice/Information (2)

We provided legal advice to 2 clients about Medicare issues. 1 client sought advice about when to apply for Medicare and we provided

information for covering the 20% gap that Medicare does not cover for 1 client.

Private Insurance

1 Intake

Legal Advice/Information (1)

We provided legal advice to 1 client seeking assistance with short-term disability. This client's application for short-term disability was denied because the insurance company decided that the medical records did not support documentation of a restriction from work. We determined that this client did not have a basis for appealing the decision for short-term disability and notified her accordingly.

Criminal Records Resolution Program

3 Intakes

Due to the increase of policing in our communities, many people have a criminal record that affects their ability to receive benefits. We created a program to expunge non-convictions, summary offenses, and some basic misdemeanors from our client's records.

Legal Advice/Information (1)

We advised 1 client that because her record was in New York, we could not assist her.

Referral (1)

We referred 1 client to the public defenders to assist her in her case.

Unreachable (1)

1 client became unreachable after conducting an intake regarding CRP.