



**AIDS Law Project Quality Assurance Review
Public and Private Benefits
July-September 2012**

We are always concerned with the quality of our services, and 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, every year we review the public benefits cases we completed and closed in the 3rd quarter of the year (July 1-September 30). Benefits cases include cases involving: The Department of Public Welfare and the benefits it oversees (food stamps, cash assistance, medical assistance); the Social Security Administration and its benefits (Supplemental Security Insurance, Social Security Disability Insurance); and other Public Benefits programs. **In 2012, we closed 62 files of people who contacted the AIDS Law Project requesting legal assistance with public benefits. We successfully provided direct representation, legal advice and/or referrals to 95% (59) of them.**

Each individual who calls with a legal question receives a thorough intake interview with a trained paralegal or certified legal intern who handles calls immediately and provides triage for persons in crisis. Each case is then reviewed by the Intake Team (comprised of attorneys, paralegals and legal interns), who determine an appropriate course of action. Sometimes staff will represent the client in administrative law judge hearings. Other times, staff will help by informally negotiating an agreement with another party, such as the Social Security Administration. Clients needing assistance in a practice area outside our scope of expertise (e.g., VA benefits) are referred to a volunteer attorney. Callers who simply want information on their legal rights receive follow-up phone calls, meetings or written information.

This quality report examines the outcome of all public benefits cases that were closed in July, August, or September of 2012.

This survey was performed by paralegal Michael Gluk, who reviewed the public benefits cases we closed in the third quarter of 2012. Michael pulled the files for those cases and reviewed each individually. Using the outcome section of our intake form as a guide along with the file notes, Michael determined the outcome of each of these cases, compiled the data, and created the following report.

In analyzing outcomes, three categories were used:

1. Represent/Advocate: 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.
2. Legal Advice/Information: this is the broadest outcome category and includes almost anytime a staff member spoke to a client whether it was to explain a person's rights regarding Medical Assistance or to advise a client to appeal an SSI denial.
3. Referral: AIDS Law Project sometimes refers clients to other agencies, organizations, and lawyers if it feels a client would be better served or if a case falls outside of its area of legal expertise.

Social Security Disability Benefits 29 Intakes

SSI/SSD Eligibility—22 Intakes

We provided legal assistance to 22 people unable to work and in need of Social Security disability benefits and to 1 AIDS Services professional seeking advice about a client's appeal. 2 clients were not reachable after their initial intakes.

Representation and/or Advocacy

We represented and/or advocated on behalf of 5 clients. We successfully secured benefits for 4 clients after representing them at an Administrative Law Judge (ALJ) hearing. 1 client sought our assistance in determining the status of an appeal.

Obtained Benefits

We successfully secured benefits for all 4 clients we represented at an Administrative Law Judge (ALJ) hearing.

Legal Advice

We gave legal advice and/or information to 11 clients seeking information on applying for disability benefits.

Referrals

We referred 4 clients to private attorneys or other public interest law firms, as appropriate.

No Response

2 clients became unreachable after the initial intake.

Overpayments—3 Intakes

An individual's monthly Social Security disability benefit may be reduced if the Social Security Administration believes that the recipient has received an overpayment in the benefit amount. We received 3 calls from people whose monthly benefit was reduced because of an overpayment. We restored benefits to their full amount for 1 client. We were able to help 1 other client lower their rate of repayment. In 1 case, we advised a client on the rules regarding a request for overpayment.

Medicare—4 Intakes

4 clients had Medicare-related problems. 2 of them had questions regarding the extent of their Medicare coverage. Another received advice that helped them successfully enroll in Medicare programs. We represented 1 client in a case to recover four months of withheld Medicare Part B premiums, but were unable obtain those payments.

General Assistance (GA), Medical Assistance (MA), and Food Stamps 18 Intakes

GA/MA Eligibility—7 Intakes

7 people called either seeking advice about their eligibility for GA/MA or because the applications for GA/MA were denied. We successfully represented 1 of these clients in an appeal to obtain public benefits. 4 others received advice that helped them obtain these benefits. 1 client was referred to the appropriate resources due to a conflict.

Medical Assistance for Workers with Disabilities (MAWD)—9 Intakes

9 clients called because they were ineligible for Medical Assistance due to excess income or resources. Through direct representation, we assisted 5 clients obtain health insurance through the Medical Assistance for Workers with Disabilities (MAWD) program. We provided advice to 4 other clients who had questions regarding their eligibility and/or the application process.

Buy-In—1 Intake

We assisted 1 client obtain Buy-In coverage (in which DPW pays a person's Medicare premium) by providing direct representation.

Other MA Issues—1 Intake

We advised 1 client with private insurance regarding eligibility for MA.

Back to Work

5 Intakes

5 clients contacted the AIDS Law Project with questions about how returning to work would affect their benefits. We provided all 5 of them with legal advice and/or information. In addition, we advocated for 1 of the 4 and obtained an affordable repayment plan.

Other Public Benefits

5 Intakes

3 clients with criminal records called requesting assistance with obtaining benefits. We gave advice to 1 of the three and successfully represented another in a case to obtain public benefits despite a criminal record. We referred the third client to Community Legal Services for help getting a criminal charge expunged from their record. 2 clients sought information regarding their eligibility for a Medical Assistance-related AIDS Waiver.

Private Benefits

3 Intakes

3 clients contacted the AIDS Law Project about issues with their private benefits. We advised one of these clients about the extent of their private benefits coverage and represented a second client, successfully obtaining medical coverage from her employer. We referred 1 client to the appropriate resources about a grievance hearing against her private insurer.

**Miscellaneous
2 Intakes**

2 clients contacted the AIDS Law Project with public benefits issues not encompassed by any of the preceding categories. One client called with questions regarding VA benefits. One client was advised to file a claim with the federal EEOC (Equal Employment Opportunity Commission) regarding a benefits-related discrimination issue.

Total: 62 Intakes

Founded in 1988, the AIDS Law Project of Pennsylvania is the nation's only independent public interest law firm dedicated to AIDS and HIV. It has risen to the defense of more than 38, 000 people free of charge. It works at local, state and national levels to achieve fair laws and policies.

www.aidslawpa.org