

AIDS Law Project of Pennsylvania

Quality Assurance Report for 2010

Public Benefits Cases

We are always concerned with improving 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 strictly 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). **In 2010, we closed 85 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 88% 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 2010. 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.

This survey was performed by paralegal Jacob Eden. Robert Levesque, our database consultant, generated a list of public benefits cases closed in the third quarter of 2010. Eden pulled the files for those cases and reviewed each individually. Using the outcome section of our intake form as a guide, but also checking the attached case notes, Eden determined the outcome of each of these cases, compiled the data, and created the following report.

In analyzing outcomes, four categories were used:

1. **Obtained/Maintained/Restored/Increased Benefits:** A case had this outcome if the AIDS Law Project was able to help a caller obtain a benefit (e.g., a successful appeal of a SSI denial), maintain a benefit (e.g., avoid a termination of food stamps before the benefit was cut off), restore a benefit (e.g., restore a caller's SSI after bench warrant issue resolved), or increase a benefit payment to a caller (e.g., arrange an affordable SSA overpayment repayment plan).
2. **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.
3. **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.
4. **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.

This quality report was completed on August 10, 2011. It was reviewed by senior staff and approved on August 24, 2011.

Social Security Administration 51 Intakes

SSI/SSD Denials – 25 Intakes

We provided direct representation, legal advice and/or referrals to 18 people unable to work and in need of social security disability benefits. 7 people were unreachable after their initial intake.

Arithmetic Note for below: As individuals request more than one type of service, an individual client may be counted more than once.

Representation and/or Advocacy

We represented and/or advocated on behalf of 6 clients. For 5 of the 6, we represented them at an Administrative Law Judge (ALJ) hearing. 1 client requested that we determine the status of an appeal. After reviewing the file, we determined that an appeal had not been filed, and we assisted the client in filing the appropriate paperwork.

Obtained Benefits

Of the 5 clients we represented at an Administrative Law Judge (ALJ) hearings, we won benefits for 4. The 5th client decided, at the suggestion of the Administrative Law Judge, to withdraw the claim.

Legal Advice

We gave legal advice and/or information to 10 clients seeking information on applying for disability benefits.

Referrals

AIDS Law Project referred 6 individuals to private attorneys or other public interest law firms, as appropriate.

Presumptive SSI – 6 intakes

Presumptive SSI is an expedited disability benefit for low-income individuals. We successfully represented 4 clients in obtaining this benefit. 2 others requested legal advice and/or information about the benefit.

Overpayments – 5 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 5 calls from people whose monthly benefit was reduced -- either the entire SSD benefit or 10% of the SSI benefit -- because of an overpayment. We restored the full amount of the benefit for 3 clients. We were able to arrange affordable repayment plans for the other 2.

Non-Overpayment Reductions – 6 intakes

Monthly disability benefits may also be reduced for reasons unrelated to benefits. We received calls from 6 individuals whose benefits had been reduced. We restored the full amount of benefit for 5 of those clients. The other caller was unreachable.

Medicare – 3 intakes

3 callers had Medicare-related problems. 1 client was denied coverage for a liver transplant. We successfully represented the client at an Administrative Law Judge hearing in which Medicare was ordered to cover the cost of the transplant.

The other 2 callers needed assistance in enrolling in Medicare programs. After receiving direct representation and/or legal advice and advocacy, 1 caller enrolled in a Medicare Part D plan and the Low-Income subsidy program. The other caller received legal advice and/or information that assisted him in successfully enrolling in Medicare.

Questions and Miscellaneous issues – 6 intakes

6 people contacted us with questions regarding eligibility for Social Security benefits. We provided legal advice and/or information to: 2 callers regarding eligibility for non-citizens; 1 caller regarding the effect of an inheritance; 1 caller who had questions about overpayments; and 1 caller who asked about benefits for his family. The 6th caller had a clerical issue he resolved on his own.

General Assistance (GA), Medical Assistance (MA), and Food Stamps 27 Intakes

GA/MA denials – 6 Intakes

6 people called seeking assistance after their applications for GA/MA were denied. We assisted 5 clients obtained public benefits. The 6th client was ineligible because of his employment income. We provided legal information and an application for the Medical Assistance for Workers with Disabilities (MAWD) program.

3 of these callers had no health insurance when they contacted us. 1 was on Medicare, 1 was recently discharged from prison and 1 had adultBasic coverage -- a state-funded insurance program that has been discontinued.

Medical Assistance for Workers with Disabilities (MAWD) – 10 intakes

10 people called seeking Medical Assistance, but were ineligible because of excess income or resources. We assisted 7 clients obtain and 1 client regain health insurance through the Medical Assistance for Workers with Disabilities (MAWD) program.

5 of these callers had no health insurance when they contacted us. 2 had private insurance, but 1 client lost his coverage. 1 had lost medical assistance coverage due to income. The other 2 callers had questions about the MAWD program and both were provided with legal advice and/or information. 1 caller worked as an AIDS Service Organization case manager.

MA terminations (non-MAWD) – 3 intakes

3 callers were terminated from MA. We assisted 1 caller regain MA. 1 received legal advice and/or information, but became unreachable. The 3rd caller was unreachable after the initial intake.

Buy-In – 1 intake

We assisted 1 client obtain buy-in coverage (in which DPW pays a person's Medicare premium) after receiving representation and/or advocacy and legal advice and/or information.

MA/Special Pharmaceutical Benefits (SPBP) coverage issues– 3 intakes

3 people contacted us with questions about MA/SPBP coverage. We provided legal information to 1 caller. The 2nd caller was able to resolve the issue without our assistance. The 3rd caller was unreachable.

Questions – 4 Intakes

4 people called with questions regarding public benefits. We gave legal advice and/or information to all 4.

Back to Work

5 Intakes

4 people called with questions about returning to work. We provided all 4 with legal advice and/or information.

Other Public Benefits

2 Intakes

We provided 1 caller with legal advice and/or information regarding Railroad Retirement benefits. The other caller sought information regarding VA benefits and was referred to an appropriate source.

Total: 85 Intakes