

AIDS Law Project of Pennsylvania
Quality Assurance Review
Public Benefits
July 1 - September 30, 2024

The AIDS Law Project strives to provide high quality legal services. We proactively created a Quality Assurance Review to internally monitor our performance. Given the attorney's duty of confidentiality to clients and the sensitive nature of the attorney-client privilege, all our quality assurance reviews are done in-house.

To assess the quality of our work, we review annually the benefits cases we completed and closed in the third quarter of the previous year (July 1 – September 30). Benefits cases include those involving state-funded programs, federal-funded programs, and private insurance.

In the third quarter of 2024, **we closed 97 cases for 86 clients who contacted the AIDS Law Project requesting legal assistance with public or private benefits.** We provided direct representation and/or advocacy, legal information/advice, or referrals in 89 cases which is **92% of all cases closed during that period.**

A thorough intake interview with an attorney, paralegal, or legal intern is conducted for every call, visit, or on-line request seeking legal advice. Cases are triaged for crisis. The intake ends with an explanation of AIDS Law Project's intake process. Each case is then reviewed by the Intake Team to determine an appropriate course of action.

Sometimes staff will represent clients in administrative law judge hearings. Other times, staff will negotiate 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, Veterans Affairs benefits) are referred to appropriate counsel. Callers seeking information on their legal rights receive follow-up phone calls, meetings, or written information.

This survey was performed by legal interns Jax Hebner, Laura Feeney, and Jordan Diamond, who reviewed the benefits cases closed in 2024. The team pulled the files for the cases and reviewed each one individually. Using the outcome section of our closing form as a guide along with the file notes, we determined the outcome of each of these cases, compiled data, and completed the report.

The word "cases" refers to the number of individual legal issues raised and the word "clients" refers to each individual with an open case file. As categorized below, some clients had multiple cases that required different types of responses. However, these are not exclusive categories and are merely a tool to help us understand the areas in which we are impacting our community.

Accordingly, clients may be counted under more than one issue category below. As clients have multiple issues in one or more cases, the number of cases we worked on may exceed the number of clients. In

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

In the third quarter of 2024, the AIDS Law Project of Pennsylvania **closed 97 cases for 86 clients requesting legal assistance with a benefits-related matter.**

- In 20 cases, clients received representation and/or advocacy. This category covers any instance when the AIDS Law Project represented a client in a hearing or contacted a third party on their behalf.
- In 62 cases, we provided legal information/advice to clients. This is the broadest outcome category and includes any time the AIDS Law Project provided information to a client after an intake, such as explaining Medical Assistance rules or advising on application procedures following a Social Security disability benefits denial.
- In 7 cases, clients were provided with a referral. To best utilize our limited resources, we occasionally refer clients to the private bar, other public-interest law firms, or social service organizations.
- In 8 cases, no services were provided either because a client became unreachable after the initial intake, the services requested were not services provided by the AIDS Law Project, or the client's issue was resolved without further intervention.

Below, each of these 97 cases is analyzed further as one of three issue types: state-funded benefits, federal-funded benefits, and private benefits. Each case has been assigned to one of these three categories.

State-Funded Benefits

25 Cases

Medical Assistance

11 Cases

Representation and Advocacy - 3 Cases

In one case, we represented a client in establishing Medical Assistance (MA) as the primary insurance after their Medicare was suspended.

In one case, we successfully appealed a client's MA termination and represented them in a transfer to waiver services.

In one case, we successfully appealed an MA termination and got the client's benefits reinstated.

Legal Information/Advice - 7 Cases

In two cases, we assessed health insurance alternatives and medical assistance programs to supplement Medicare and Medicaid and advised clients on their options.

In one case, we reviewed a client's grievance against their MA managed care provider Keystone First and assisted them in understanding the Insurance Commission appeals process.

In one case, we advised a client to appeal the termination of their MA and provided information about MA resource limits and detailed his options for appeal or benefit reinstatement. We were unable to file the appeal because the client stopped responding, and was not able to be reached by phone or email.

In one case, we advised a client of their options when their provider is no longer in the MA managed care network. The provider ultimately returned to the client's network.

In one case, we advised a client on how an anticipated financial settlement could impact their eligibility for MA.

In one case, we reviewed a client's notice from the Department of Human Services (DHS) and advised that the notice did not impact their MA.

Referral - 1 Case

In one case, we referred an interviewee who was not living with HIV to North Penn Legal Services.

Medical Assistance for Workers with Disabilities (MAWD)

3 Cases

Legal Information/Advice - 3 Cases

In two cases, we provided clients with their eligibility advice for the MAWD program.

In another case we advised a client about general MAWD income limits and program eligibility.

Medical Assistance Waiver

5 Cases

Representation and Advocacy - 2 Cases

In one case, we successfully appealed a MA waiver termination, so that the client could maintain their home health aide.

In another case, we assisted a client appeal an MA waiver denial and request more home health aide coverage. Unfortunately, the client passed away during the appeal.

Legal Information/Advice - 3 Cases

In one case, we provided a client with advice on MA waiver eligibility.

In another case, we advised a client on MA estate recovery rules and how inheriting money will affect his eligibility.

In a third case, we provided advice to a client about MA waiver denial appeals and the reapplication process.

Supplemental Nutrition Assistance Program (SNAP)

6 Cases

Legal Information/Advice - 3 Cases

In one case, we reviewed a client's SSI denial letter and informed them that it did not affect their SNAP benefits.

In another case, we assisted a client in calculating her expected SNAP benefit amount.

In one case, we advised a client on how his SNAP benefits could be affected by the profits from selling a family home.

Referral - 1 case

In one case, the client lost his SNAP benefits because he couldn't prove he had lost his job and missed the deadline to apply for Unemployment Compensation (UC). We referred the client to Community Legal Services because they handle UC cases.

No Service - 2 cases

In two cases, clients did not follow up after reaching out to us seeking assistance with their SNAP benefits. We attempted to reach each client by phone and email, but they were unreachable.

Federal-Funded Benefits

59 Cases

Medicare

3 Cases

Legal Information/Advice - 3 Cases

In one case, we provided advice to a client about how a financial settlement might affect his Medicare eligibility.

In another case, we advised a client that he needed to be in-care for the condition that made him eligible for Medicare covered speciality services.

In a third case, we provided advice to a client about whether a Medicare lien could be attached to the proceeds of an accident settlement.

Medicaid Buy-In

4 Cases

Representation and Advocacy - 1 Case

In one case, we confirmed the termination out-of-state benefits for a client that moved to Pennsylvania and contacted PA DHS to start buy-in benefits.

Legal Information/Advice - 2 Cases

In one case, we provided advice to a client about how the sale of property may affect their buy-in eligibility.

In another case, we provided information to a client about Medicaid buy-in issues stemming from the client moving states.

No Service - 1 case

In one case, we could not reach a client by phone or email to follow up on her buy-in issue.

SSI/SSDI Eligibility, Applications, and Appeals

40 Cases

Representation and Advocacy - 4 Cases

In two cases, we successfully represented clients in their SSI appeals at administrative law hearings.

In one case, we successfully represented a client in an SSD claim at an administrative law hearing.

In one case, we filed a request for reconsideration after a client's SSD was terminated. The request was granted on the records submitted without need for a hearing.

Legal Information/Advice - 30 Cases

In one case, we provided advice to a client about Social Security Disability after their short -term disability ran out.

In one case, we advised a client on how his Social Security Disability could be affected by the profits from selling a family home.

In another case, we explained SSI Disability criteria to a caller and assessed his eligibility for benefits.

In one case, we assessed a client's Supplemental Security Income (SSI) eligibility based on change in household income and gave advice to their medical care manager about how to proceed with the field office.

In two cases, we assessed a caller's eligibility for SSI and advised her about the medical evidence she would need to prove her disability.

In another case, we advised a client that renting a room in his home to generate income would not affect their SSD or Medicare benefits.

In one case, a client wanted a higher SSI benefit and we informed her that she is receiving the maximum SSI benefit and explained the difference between and eligibility for SSI and SSDI.

In one case, we advised a client about benefits eligibility if he were to marry. We assessed the couple's eligibility for Social Security retirement, Medicare, and Special Pharmaceutical Benefits Program and advised accordingly.

In one case, a client who is earning over the maximum Substantial Gainful Activity amount wanted to apply for SSDI so we explained disability eligibility criteria and assessed their options for reducing SGA.

In two cases, we assessed a client's medical conditions and explained the SSA disability listings for their conditions, assessed his eligibility for benefits, and advised the client on how to proceed.

In another case, we advised a client and case manager about listings and the SSA disability determination process and assessed their eligibility.

In one case, we assessed a caller's SSI claim based on mental health impairments. The treatment records were insufficient to meet the listings requirements, as their condition was not severe and they were not in active treatment.

In one case, we provided advice to a caller about how to check the status of their SSI application.

In one case, a client reached out to us wanting to know how much he could earn before it affected his benefits. We advised him that since he is on Social Security retirement and is of full retirement age, his benefits would not be affected. We also advised him on his SPBP limits and provided information about resource limits for the waiver program, because his spouse has a waiver.

In one case, a client was hospitalized and reached out to us for assistance appealing an SSDI claim, denied due to lack of medical evidence. The client did not send the necessary documents, and was ultimately unreachable by phone or email.

In three cases, clients reached out to us for assistance with SSA denials, and we accessed their claims. They did not respond to follow up communication, and were unable to be reached by phone or email.

In three cases, we gave advice to callers about their SSI appeals.

In another case, we advised a caller that they must file a new claim, because it was too late to appeal the denial.

In one case, we advised a client to submit a request for reconsideration of an SSI denial with the assistance of their medical case manager.

In one case, we advised a client to set up an online portal account for SSA with their medical case manager as they waited for a decision on their request for reconsideration. We advised the client to call us back if their request was denied.

In one case, we reviewed a client's notice from DHS and advised them that the notice was about state supplemental payments linked to their SSI eligibility.

In another case, we assessed a caller's SSI eligibility and advised him about the merits of his claim. SSA awarded him benefits.

In another case, we advised a client that we would not represent them at Appeals Council, after the Administrative Law Judge found the client sufficiently able to do certain types of work. We assessed their disability and provided advice about the medical evidence needed to prove their claim if they file again.

In one case, we informed a caller that we do not file SSA disability applications.

Referral - 3 Cases

In one case, a caller reached out for assistance regarding an SSA hearing. However, due to their location, we could not provide representation and instead referred them to MidPenn Legal.

In another case, a caller reached out for assistance regarding an SSI denial. However, because they live outside of Philadelphia, we referred them to North Penn Legal Aid.

In another case, a caller reached out for representation in an SSD/SSI appeal. We provided a referral to our attorney network.

No Service - 4 Cases

In one case, we informed a caller that we do not file SSA disability applications and the caller did not follow up for any further service.

In another case, a caller did not have an active legal issue.

In two cases, callers were not reachable after they reached out to us for support.

SSI/SSDI Overpayment

8 Cases

Representation and Advocacy - 7 Cases

In one case, we represented a client at an Administrative Law Judge hearing and negotiated a repayment plan, in which monthly benefits will be reduced by 10% until the debt is satisfied.

In two cases, we represented clients in obtaining affordable repayment plans.

In three cases, we represented clients at SSA conferences in which their overpayments were administratively waived.

In another case, we successfully represented a client in an overpayment appeal and the client was not required to repay any money.

Legal Information/Advice - 1 Cases

In one case, we provided legal advice to a client about SSA overpayment and the appeals process.

SSA Retirement/Widow/Survivor

2 Cases

Legal Information/Advice - 1 Case

In one case, we assessed a client's eligibility for SSA survivor's benefits and provided advice on the application process.

No Service - 1 case

In one case, a client contacted us about her widow's benefits, but we are unable to reach her by phone or email.

SSD/SSI Rep Payee

2 Cases

Legal Information/Advice - 2 Cases

In one case we advised a client on having their case management agency serve as their rep payee instead of their mother.

In another case, we advised a client on terminating their rep payee so that they could receive their benefits directly.

Private Benefits

13 Cases

Life Insurance

2 Cases

Representation and Advocacy - 1 Case

In one case, we represented a client who sought ownership of a life insurance policy previously owned by his late mother. The client was the insured life. Once ownership was transferred to him, he redeemed it for the cash value.

Legal Information/Advice - 1 Case

In one case, we gave advice to a client about surrendering their life insurance policy.

Health Insurance

4 Cases

Representation and Advocacy - 1 Case

In one case, we helped a client assess her insurance options after she had concerns about HIV privacy in filling her prescriptions at her employer's pharmacy. We successfully advocated with SBPB to permit her to use a pharmacy unaffiliated with her employer.

Legal Information/Advice - 3 Cases

In one case, we provided advice about a client's employer-provided health insurance and MAWD.

In another case, a client reached out to us for assistance with medical insurance options and we provided information about their options.

In one case, we provided advice to a client about their employer-provided health insurance.

Long-Term Disability

5 Cases

Representation and Advocacy - 2 Cases

In one case, a client contacted us for assistance with Long Term Disability recertification and we submitted the proper documentation for recertification to the provider.

In another case, we worked with a client's Long Term Disability provider so that he was awarded benefits.

Legal Information/Advice - 2 Cases

In one case, we provided advice to a client who reached out to us for help with receiving benefits after leaving a job that could not accommodate her disability.

In one case, we provided advice to a client about Long Term Disability options after he had open heart surgery.

Referral - 1 Case

In one case, a client reached out to us for help with Long Term Disability, and we referred a client to CLS for assistance with unemployment compensation.

Short-Term Disability

1 Case

Legal Information/Advice - 1 Case

In one case, we provided a client with advice about his Short-Term Disability claim after it was denied.

Private Retirement Benefits

1 Case

Referral - 1 Case

In one case, we referred a caller to a pension rights organization for further advice after they called us for help with his private pension.