

**The Role of
 Medical-Legal Partnership
 in Helping Vulnerable Populations**

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American College of Legal Medicine
 56th Annual Meeting
February 28, 2016

What is medical-legal partnership (MLP)?

- MLP is a healthcare delivery model that incorporates legal assistance into patient care to address health-harming legal needs.
- MLP lawyers work onsite in the clinical or hospital setting as auxiliary members of the healthcare team.



Some MLP lawyers, particularly in rural areas, work remotely from a law office.

- Favorable resolutions from national organizations
 - American Medical Association
 - American Academy of Family Physicians
 - American Academy of Pediatrics
 - American Bar Association

Distilling Poverty Law: I-HELP

Income & insurance

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"The relationship between patient and physician is based on trust and gives rise to physicians' ethical obligations . . . to advocate for their patients' welfare."

-AMA's Code of Medical Ethics, Opinion 10.015, "The Patient-Physician Relationship"

Sample Legal Issues: Income

- Wrongful denials, delays, or cuts in benefits, or claims of overpayment
 - Supplemental Nutrition Assistance Program (food stamps)
 - Temporary Assistance for Needy Families (cash assistance)
 - Women, Infants, & Children program
 - Social Security Disability Insurance or Supplemental Security Income

Sample Legal Issues: Insurance

- Wrongful denials of eligibility or tx/Rx coverage, reductions in coverage/services, or determinations of ineligibility
 - Medicaid
 - Children's Health Insurance Program
 - Medicare
 - Tricare
 - Private or other health plan

Potential Legal Remedies: Income & Insurance

- Potential legal remedies (income)
 - Informal oral/written advocacy
 - Appeal by administrative process/hearing
 - Appeal by lawsuit
- Potential legal remedies (insurance)
 - Internal appeal
 - Appeal by administrative process/hearing
 - Appeal by lawsuit

Distilling Poverty Law: I-HELP

Income & insurance

Housing

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Sample Legal Issues: Housing

- Denials of tenancy, threatened evictions, utility cut-offs, unhealthy conditions
 - Government rental housing (public, subsidized, Section 8, etc.)
 - Private rental housing
- Wrongful foreclosure

Potential Legal Remedies: Housing

- Informal oral/written advocacy
- Internal appeal
- Appeal by administrative process/hearing
- Appeal by lawsuit

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Income & insurance

Housing

Education & employment

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Sample Legal Issues: Education

- Refusal by school to test for disability
- Refusal by school to modify curriculum or accommodate disability per IEP/IBP/504 plan
- Refusal by school to enroll student due to kincaire, homelessness, or immigration status
- Inappropriate school discipline

Sample Legal Issues: Employment

- Discrimination
- Family and Medical Leave Act
- Unsafe working conditions
- Wage theft

Potential Legal Remedies:
Education & Employment

- Oral and written advocacy
- Appeal by administrative process/hearing
- Appeal by lawsuit

Distilling Poverty Law: I-HELP

Income & insurance
Housing
Education & employment
Legal status
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Sample Legal Issues: Legal Status

- Credit history
 - Bankruptcy
- Immigration
 - Unaccompanied minor
 - Remediable legal status
- Veterans
 - Wrongful less-than-honorable discharge

Potential Legal Remedies: Legal Status

- Affirmative request for relief
- Appeal by administrative hearing
- Appeal by lawsuit

Distilling Poverty Law: I-HELP

Income & insurance
Housing
Education & employment
Legal status
Personal & familial stability

Sample Legal Issues: Personal Stability

- Adult guardianship
- Advance care planning
- Divorce
- Kincares
- Powers of attorney
- Wills

Potential Legal Remedies: Personal Stability

- Drafting of legal documents
- Lawsuit

Case Study

Claudia, single mother of 2 children, is diagnosed with stage 2 breast cancer. She needs multiple healthcare visits for diagnosis and staging.

Claudia gets a lumpectomy and starts bi-weekly radiation treatments. She misses a lot of work and loses her job.

After losing her job, Claudia has no income, and she and her children are evicted, become homeless and live doubled up with friends.

Claudia loses her employer-based health coverage and is denied a new plan because she doesn't have a permanent address and stops radiation treatments.

MLP could have helped Claudia avoid losing her job by advising her about eligibility for Family Medical Leave Act and other employment protections.

MLP could have advised Claudia about eligibility for disability benefits during her illness, as well as other safety net services to avoid homelessness.

MLP could have helped Claudia provide sufficient documentation to meet application requirements so that she gets health insurance and continues radiation treatments.

MLP Methodology

Legal Assistance

Health and Legal Institution and Practice Transformation

Systemic Policy Change

60,000 patients treated annually

15,000 healthcare providers trained annually

152 hospitals

140 health centers

36 health schools

142 legal aid/nonprofit orgs

51 law schools

71 pro bono partners

\$38M+

Number of Healthcare Sites with an MLP

- 0
- 1
- 2-4
- 5-9
- 10+

Natl Ctr. for Med.-Legal P'ship, Partnerships Across the U.S. (Aug. 29, 2015), <http://medical-legalpartnership.org/partnerships/>

Law and Ethics Beyond the Patient's Issues

- Attorney Access to Electronic Medical Record
- Attorney-Client and/vs. Provider-Patient Confidentiality
- Attorney vs. Provider Professional Responsibility, Culture, & Values
- Healthcare Entity-Client Conflicts
- Healthcare Funding for MLP
 - Hospital Community Benefit
 - HRSA Case Management Services
 - HRSA Enabling Services
 - CMS Billing Codes (w/o Reimbursement)
- In-house Counsel
- Medical vs. Legal Patient/Client Research
- Unauthorized Practice of Law by Providers
- Number of MLP-related liability lawsuits? 0
- Number of MLP-related board/bar sanctions? 0

Contact Information

Austin Medical-Legal Partnership

PEOPLE'S COMMUNITY CLINIC

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