

AIDS Law Project of Pennsylvania

Quality Assurance Report for 2009

Public and Private 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 our public and private benefits cases closed between July 1st and September 30th by pulling and reading the closed files of people who contacted the AIDS Law Project of Pennsylvania for help. **We found that of the 92 people who needed legal assistance with public or private benefits, through a combination of direct representation, legal advice and referrals, we assisted 92% of them.**

Each individual who calls with a legal concern 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 five attorneys and five paralegals), who determine an appropriate course of action. Sometimes staff will represent the client in court. Other times, staff will help by informally negotiating an agreement with another party, such as a landlord. Clients who need assistance in a practice area outside our scope of expertise (i.e. medical malpractice, personal injury, criminal defense) 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 benefits cases that were closed in July, August, or September of 2009. 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); benefits associated with employment (long term disability, short term disability, COBRA, unemployment compensation, workers' compensation); life insurance; and health insurance.

This survey was performed by Intake Advocate Jacob Eden. Robert Levesque, our database consultant, generated a list of benefits cases closed in the third quarter of 2009. 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 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), or restore a benefit (e.g., restore a caller's SSI after bench warrant issue resolved).
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 COBRA 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 May 1, 2010.

SSI 29 Intakes

SSI Denials – 19 Intakes

We gave assistance, representation, advocacy, legal information, and/or a referral to 18 people. The nineteenth person, when contacted after her initial intake, said she no longer wanted AIDS Law Project's assistance. Two of these callers were denied both SSI and SSD.

Referrals

AIDS Law Project referred 5 callers. Three callers were referred to both Community Legal Services (CLS) and private attorneys. Two callers were referred to CLS only (we also provided legal advice and/or information to one of these callers).

Legal Advice

We gave legal advice and/or information to 14 callers. Of these, we represented and/or advocated for seven; two already had representation; we referred one to CLS; we provided legal advice and/or information only to four of these callers.

Representation and/or Advocacy

We represented and/or advocated on behalf of 7 callers. We agreed to represent six callers at their ALJ hearings. The seventh caller had a CRP issue which we were able to resolve.

Obtained Benefits

We obtained benefits for 5 of these callers – four via ALJ decisions and one via CRP. We withdrew representation from two callers because they became unreachable.

SSI Terminations – 3 Intakes

Three people came to us with SSI terminations. All 3 had their benefits reinstated. We advocated on behalf of two (the third person's issue was resolved before we contacted him). One of these was a Criminal Records Project issue in which the AIDS Law Project helped lift a caller's outstanding warrant.

Denial of Presumptive SSI – 1 Intake

One caller was denied Presumptive SSI. The AIDS Law Project obtained benefits for the person through representation and/or advocacy as well as provided caller with legal information and/or advice.

Other SSI Calls – 6 Intakes

We received six calls with questions about SSI. These questions varied greatly. We gave legal advice or information to 5 of these callers and 1 caller was unreachable.

SSD 16 Intakes

SSD Denials – 8 Intakes

We gave assistance, representation, advocacy, legal information, and/or a referral to 8 of the eight callers. Two of these callers also were denied SSI at the same time and are included in the above SSI report as well as here. Their outcomes were: 1) referral to CLS and private attorneys, and 2) legal advice and/or information.

Referrals

We referred 4 callers. We referred one to both CLS and private attorneys; two to private attorneys only (one of whom we also gave legal advice and/or information); and one to CLS only (and gave legal advice and/or information).

Legal Advice and/or Information

We provided legal advice and/or information to 6. One of these six we represented and obtained benefits for. Two of these we referred to CLS or private attorneys. One of these already had a lawyer. Two of these we gave legal advice and/or information only.

Represent/Advocate

We represented and/or advocated for 1 at an ALJ hearing.

Obtain Benefits

We obtained benefits for the 1 person we represented at an ALJ hearing.

SSD Terminated – 2 Intakes

Two people came to us because their SSD had been terminated. In both cases benefits were reinstated. We provided both with representation and/or advocacy as well as legal advice and/or information. One of these was also a Criminal Records Project and we provided the person with a referral since he was moving out of state.

SSD Overpayments – 3 Intakes

Three people came to us with overpayment issues. We represented and/or advocated for one, resulting in a payment arrangement the client could afford. We gave legal advice and/or information only to one. We successfully represented one with an overpayment waiver.

Medicare Reimbursement – 1 Intake

One person came to us seeking help collecting past Medicare premiums. We successfully represented this person resulting in a waiver of premiums and reimbursement of past premiums

SSD Applications – 2 Intakes

Two people called with questions about their SSD applications. One was referred to a case manager and one was unreachable.

**GA, MA and Food Stamps
19 Intakes**

Terminations – 14 Intakes

Of the fourteen people who called with termination of some combination of GA, MA and/or Food Stamps, 13 had their benefits reinstated. We represented and/or advocated on behalf of thirteen and gave legal advice and/or information to all fourteen. We also referred one caller to the Case Manager hotline.

Other Issues – 5 Intakes

Five people called with other issues regarding public benefits and we gave legal advice and/or information to 4 (and one of these 4 we referred to a case manager). We were unable to reach 1 of the five.

**STD/LTD/FMLA
7 Intakes**

Seven people called with problems and questions relating to Short Term Disability Benefits, Long Term Disability Benefits or the Family Medical Leave Act. We were able to maintain benefits for one of these callers after providing representation and/or advocacy as well as legal advice and/or information. We provided another caller with representation and/or advocacy and legal advice and/or information. For four of these callers we provided legal advice and/or information only. We also referred two callers to Philadelphia Unemployment Project (PUP)(one of whom we also provided legal advice and/or information).

**Unemployment Compensation
3 Intakes**

We provided all 3 callers with Unemployment Compensation problems with referrals to PUP. Of those three, we provided 1 with legal advice and/or information.

**Worker's Compensation
1 Intake**

We referred the only caller with a Worker's Compensation issue to the Chester County Bar Association.

**Health Insurance Information
5 Intakes**

We provided 4 of the five callers seeking health insurance information with legal advice and/or information. One of those four we also represented and/or advocated for with the result that the caller was able to obtain subsidized COBRA. The other caller no longer wanted our help.

**Life Insurance
5 Intakes**

Five people called with questions about life insurance and we provided all five with legal advice and/or information.

Back to Work

4 Intakes

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

Other Benefits Issues

3 Intakes

Three callers had problems that were not easily classifiable into the other groups:

One person needed our help in finding a dentist willing to remove braces from his teeth that were inserted in an emergency situation. We represented and/or advocated for the caller and found a dentist to remove the braces.

One person had trouble filling his prescription at a pharmacy. We represented and/or advocated for him, but eventually the caller became unreachable.

One person wanted help receiving his employee discount. We referred this caller back to his case manager.

Total: 92 Intakes