

Other Professional Services (Legal)

SERVICE CATEGORY DEFINITION

Other Professional Services (Legal):

Other Professional Services allow for the provision of professional and consultant services rendered by members of particular professions licensed and/or qualified to offer such services by local governing authorities. Such services may include:

- Legal services provided to and/or on behalf of the individual living with HIV and involving legal matters related to or arising from their HIV disease, including:
 - Assistance with public benefits such as Social Security Disability Insurance
 - Interventions necessary to ensure access to eligible benefits, including discrimination or breach of confidentiality litigation as it relates to services eligible for funding under RWHAP
 - Preparation of:
 - Healthcare power of attorney
 - Durable powers of attorney
 - Living wills
- Permanency Planning to help clients/families make decisions about the placement and care of minor children after their parents/caregivers are deceased or are no longer able to care for them, including:
 - Social service counseling or legal counsel regarding the drafting of wills or delegating powers of attorney
 - Preparation of custody options for legal dependents including standby guardianship, joint custody, or adoption

Unallowable services include criminal defense and/or class-action suits unless related to access to services eligible for funding the Ryan White HIV/AIDS Program.

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CLIENT INTAKE AND ELIGIBILITY

All agencies are required to have a client intake and eligibility policy on file. It is the responsibility of the agency to determine and document client eligibility status, as outlined in the Ryan White Part A—Cleveland TGA Eligibility Policy.

Eligible clients must:

- Live in the Cleveland TGA (Cuyahoga, Ashtabula, Lake, Lorain, Geauga, or Medina County)
- Have an HIV/AIDS diagnosis
- Have a household income that is at or below 500% of the federal poverty level
- Be uninsured or underinsured

Services will be provided to all Ryan White Part A-qualified clients without discrimination on the basis of: HIV infection, race, creed, age, sex, gender identity or expression, marital or parental status, sexual orientation, religion, physical or mental handicap, immigrant status, or any other basis prohibited by law.

PERSONNEL QUALIFICATIONS

All legal counsel services must be performed by trained professional staff. Attorneys must have current licensure to practice before a court with jurisdiction in the Cleveland TGA.

Paralegal staff or other non-licensed staff must be supervised by an attorney.

CARE AND QUALITY IMPROVEMENT OUTCOME GOALS

The overall treatment goal of legal services is to address legal matters directly necessitated by an individual's HIV status so that the client can ensure adherence and maintenance to primary medical care treatment.

Clinical Quality Improvement outcome goals for legal services are:

- 100% of all client files include a completed legal assessment.
- 80% of legal service clients are linked to medical care as documented by at least one medical visit, viral load or CD4 test in the measurement year.

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SERVICE STANDARDS			
	Standard	Measure	Goal
Cleveland TGA Service Standard of Care	1. * Legal services are provided by licensed professionals.	* Documentation of current licensure to practice before a court with jurisdiction in the Cleveland TGA made available to review.	100%
	2. * Paralegal staff or other non-licensed staff must be supervised by an attorney.	* Documentation that paralegal and other non-licensed staff are supervised by an attorney with supervisory records kept on file and made available for review.	100%
	3. Client file includes a description of how the legal service is necessitated by the individual's HIV status.	Documentation of how the legal service is necessitated by HIV status is included in the file of all clients receiving services in the measurement year.	80%
	4. * Client files include a completed legal assessment.	* Documentation of completed legal assessment is included in the file of all clients receiving services in the measurement year.	100%
	5. Client is linked to medical care.	Documentation that client had at least one medical visit, viral load, or CD4 test within the measurement year evident in the client record (can be client report).	80%
	6. Client had less than 200 copies/mL at last HIV Viral Load test during the measurement year.	Documentation of viral load test outcomes evident through Cleveland TGA CAREWare Performance Measure.	80%

* Indicates Local TGA Standard of Care
 All other standards derived from the
 HRSA/HAB National Monitoring Standards
 and/or the HRSA/HAB HIV Performance
 Measures

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CLIENTS RIGHTS AND RESPONSIBILITIES

Agencies providing services are required to have a statement of consumer rights and responsibilities posted and/or accessible to the client. Each agency will take all necessary actions to ensure that services are provided in accordance with the consumer rights and responsibilities statement and that each consumer understands fully his or her rights and responsibilities.

CLIENT RECORDS, PRIVACY, AND CONFIDENTIALITY

Agencies providing services must comply with the Health Insurance Portability and Accountability Act (HIPAA) provisions and regulations and all federal and state laws concerning confidentiality of consumers Personal Health Information (PHI). Agencies must have a client release of information policy in place and review the release regulations with the client before services are received. A signed copy of the release of information form must be included in the client's record. Information on all clients receiving Ryan White Part A-funded services must be entered in the HRSA sponsored, Cleveland Part A managed, CAREWare Database.

CULTURAL AND LINGUISTIC COMPETENCY

Agencies must provide effective, equitable, understandable, and respectful quality care and services that are responsive to diverse cultural health beliefs and practices, preferred languages, health literacy, and other communication needs. (Pulled from the National Standards on Culturally and Linguistically Appropriate Services).

CLIENT GRIEVANCE PROCESS

Each agency must have a written grievance procedure policy in place which provides for the objective review of client grievances and alleged violations of service standards. Clients will be routinely informed about and assisted in utilizing this procedure and shall not be discriminated against for doing so. A signed copy of the grievance procedure policy form must be included in the client's record.

CLIENTS RIGHTS AND RESPONSIBILITIES

Each agency providing services should have a case closure protocol on file. The reason for case closure must be properly documents in each client's file. If a client chooses to receive services from another provider the agency must honor the request from the client.