



Legal Services

2010 Service Area Review Summary

HRSA Support Service

Essential Care Service—
Continuum of Care

Comprehensive Plan—NO

Legal Services - the provision of services to individuals with respect to powers of attorney, do-not-resuscitate orders and interventions necessary to ensure access to eligible benefits, including discrimination or breach of confidentiality litigation as it relates to services eligible for funding under the Ryan White Program. It does **not** include any legal services that arrange for guardianship or adoption of children after the death of their normal caregiver.

There is currently 1 contract with metro providers and 1 contract with greater MN providers to serve 122 and 12 clients respectively.

DATA SUMMARY HIGHLIGHTS

In the 2010 Comprehensive Needs Assessment of Minnesotans Living with HIV Disease, 86% of the 325 respondents indicated that they had not received assistance with legal issues related to their HIV status within the past year. Of those who had not received legal assistance in the past year (n=278), twenty-one people (8%) indicated that they needed legal assistance in the past year. The barriers or reasons listed by those people who needed to but were unable to access legal assistance during the past year included my case was not appropriate (6), no follow up by agency (6), I do not qualify for assistance (5), and agency understaffed (3).

The current provider offers legal services that stem directly from an individual's HIV status. Current services include:

Public Benefits: Assistance in Social Security (SSI and RSDI) cases, specifically denial of benefits, appeals and hearings, as well as some medical insurance and short or long-term disability questions. Staff or volunteer attorneys represent clients during the hearing stage of a benefits appeal (not initial application or request for reconsideration).

Estate Planning and Probate: Assistance with drafting wills, trusts, powers of attorney, health care directives, and other estate tools, as well support for court proceedings testing the validity of a will.

Employment: Assistance in cases involving discrimination on the job, job security, protections under the Americans with Disabilities Act, and general employment issues.

Confidentiality: Assistance with cases involving privacy, testing, and medical records.

Immigration: Assistance with HIV waiver, asylum, and other HIV-related immigration issues.

Debtor/Creditor: Assistance with resolving problems involving creditors and debt collectors.

Discrimination: Situations involving unfair treatment relating to HIV status by a government agency or employer, including corrections facilities when medical treatment is inferior or denied. Intake staff can accept calls from correctional facilities.

CURRENT RANKINGS

| COUNCIL (2008) | CONSUMERS (2010) |
|----------------------------|----------------------------|
| 19 out of 24 service areas | 11 out of 25 service areas |

ALLOCATIONS HISTORY

| FY | ALLOCATION | % CHANGE | SPENT | % UTILIZED |
|------|------------|----------|----------|------------|
| 2010 | \$103,100 | 8% | | |
| 2009 | \$95,500 | 21% | \$95,500 | 100% |
| 2008 | \$78,900 | 0% | \$78,900 | 100% |

UTILIZATION HISTORY

| FY | # Accessing Service Area or Activity | % of All HIV/AIDS Cases | % of Unduplicated RW Clients |
|------|--------------------------------------|-------------------------|------------------------------|
| 2009 | 253 | 4% (n=6,552) | 7% (n=3,700) |
| 2008 | 365 | 6% (n=6,221) | 8% (n=4,713) |
| 2007 | 361 | 6% (n=5,950) | 9% (n=4,038) |

ASSESSMENT OF NEED

| 2010 COMPREHENSIVE NEEDS ASSESSMENT (SELF ASSESSMENT BY CLIENTS n=325) | | |
|---|---|--|
| Accessed Service (Last 12 Months) n=47 | Didn't Access (Last 12 Months) n=278 | Didn't Access but Needed to (Last 12 Months) n=21 |
| 14% | 86% | 8% |

