

***RYAN WHITE PART A PROGRAM
SERVING THE MIDDLESEX, SOMERSET, HUNTERDON
TRANSITIONAL GRANT AREA***

Service Standards for Legal Services
Ryan White HIV/AIDS Treatment Extension Act of 2009

Approved on February 7, 2017

Prepared by

**Service Standards and Integrated Care Plan Committee of the
Middlesex-Hunterdon-Somerset HIV Health Services Planning Council**

Legal Services Definition:

HRSA definition: 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 (SSDI)
- 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 power 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 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 for custody options for legal dependents including standby guardianship, joint custody, or adoption
- Income tax preparation services to assist clients in filing Federal tax returns that are required by the Affordable Care Act for individuals receiving premium tax credits.

(US Dept. of Health and Human Services, Health Resources and Services Administration, (HRSA), HIV/AIDS Bureau (HAB) 2009 Ryan White HIV/AIDS Treatment Modernization Act of 2006)

Disclaimer: All legal services are exclusively for civil matters. Legal services exclude criminal defense and class-action suits unless related to access to services eligible for funding under RWHAP.

Agency Service Standards (Legal Services)

Table 1. Agency Related Issues			
Policy Number	Activity/Issue	Minimum Acceptable Threshold of Service	Accountability Mechanism
1.1	Definition of services	Agency has description of services on file.	100% of agencies will define services they provide.
1.2	Licensure	Agency has current licenses on file from appropriate licensing agency.	100% of attorneys are qualified to practice law in the state of New Jersey.
1.3	Hours of operation	Agency has documentation of operating hours on file.	Staff is available to answer incoming calls during agency's normal operating hours. If client calls within operating hours, staff will respond within one business day or the first business day after a weekend or holiday.
1.4	Emergency services	Agency has policy on file outlining emergency service procedures related to the service they provide.	100% of agencies will have policies in place to handle emergencies/crises that occur outside of normal operating hours.
1.5	Special service needs	Agency complies with Americans Disabilities Act (ADA).	100% of agencies have policies to respond to special needs clients.
1.6	Cultural/Linguistic diversity	Agency has written policy on file including process for language translation.	100% of agencies have policies in place for responding to cultural and linguistic diversity (including translation services).
1.7	Client referrals	Agency has written referral policy on file.	100% of agencies will have a referral process for care of HIV related problems outside of their direct service area.
1.8	Linkages	Agency has written policy for establishing linkages and record of linkages on file.	100% of agencies will develop and maintain linkages with primary health care, support and other service providers.

Table 1. Agency Related Issues

Policy Number	Activity/Issue	Minimum Acceptable Threshold of Service	Accountability Mechanism
1.9	Provider communication	<p>Agency has written policies on file that allow for communication between different programs.</p> <p>Documentation of consent is required.</p>	<p>100% of providers document communication regarding patient care (HRSA funded services and others.)</p>
1.10	Policies and procedures	<p>Agency has written staff policies on file.</p>	<p>100% of agencies have written policies for staff which include (but are not limited to):</p> <ul style="list-style-type: none"> • Agency policy and procedures • Agency has a description of the Ryan White Treatment Extension Act of 2009 • Standards of professional behavior • Compliance with the Health Insurance Portability and Accountability Act [PL 104-191] • Client confidentiality • Release of information • Communication about agency issues • Health and safety procedures including universal precautions • Complaint and grievance procedures
1.11	Staff evaluation	<p>Agencies have procedures in place to evaluate staff.</p>	<p>100% of agencies have evaluation procedures on file.</p> <p>100% of agency staff has a working knowledge of evaluation procedures.</p> <p>100% of agency staff receive an annual performance evaluation.</p>

Table 1. Agency Related Issues

Policy Number	Activity/Issue	Minimum Acceptable Threshold of Service	Accountability Mechanism
1.12	Quality management	Agencies have procedures in place to evaluate the quality and effectiveness of legal services on an ongoing basis.	100% of agency has written procedures on file to evaluate legal services. Agency participates fully in TGA Quality Management activities including data and chart review processes.
1.13	CAREWare data collection	Monthly reports are sent to grantee and are available on request. CAREWare is used to ensure data is collected in a uniform manner.	100% of monthly reports with grantee are put into Care Ware in a timely basis.
1.14	Planning Council attendance	Agency representatives must attend monthly Planning Council meeting.	Agency must attend 75% of monthly Planning Council meetings.

Staff Service Standards (Legal Services)

Table 2. Staff Related Issues			
Policy Number	Activity/Issue	Minimum Acceptable Threshold of Service	Accountability Mechanism
2.1	Staff hiring	All staff will have necessary skills and experience determined by <ul style="list-style-type: none"> • Written application • Resume • References • Personal interview 	100% of staff have application, resume, and communication with personal references documented in personnel files.
2.2	Staff qualifications	Staff are either attorneys or qualified paralegals working under the supervision of an attorney.	100% of attorneys are qualified to practice law in New Jersey. 100% of the paralegals possess the appropriate qualifications.
2.3	Staff job descriptions	All staff will be given a written job description. The job description includes definition of legal services.	100% of staff has job description documented in personnel file.
2.4	Staff training	All staff are trained and knowledgeable on: <ul style="list-style-type: none"> • HIV/AIDS and the affected tri county community including disease process, co-morbidities and psychosocial effects of the disease • Cultural sensitivity • Entitlement programs, benefits to clients, and community resources/support services • Client confidentiality, client rights, agency grievance procedures 	Training is documented in 100% of personnel files.
2.5	Staff continuing education	All staff has the opportunity to take advantage of continuing education training that is available and appropriate. Staff attends at least one in-service or specialized training a year on topics related to their position.	Training is documented in 100% of personnel files.

Table 2. Staff Related Issues

Policy Number	Activity/Issue	Minimum Acceptable Threshold of Service	Accountability Mechanism
2.6	Staff supervision	All supervisors are knowledgeable about Ryan White HIV legal services and procedures including fiscal and program. All staff will receive appropriate supervision.	100% of staff will receive appropriate supervision. . Supervision is documented in the case file.
2.7	Referral to Legal Services	In order to qualify for Ryan White Legal Services, consumers must have an internal referral from Ryan White Provider Agency.	100% of Ryan White Consumers have referrals from Ryan White agencies as demonstrated in CARE Ware.
2.8	Policies and procedures	Signed form is documented in personnel file.	100% of staff agrees to follow agency policies and procedures (See 1.10).
2.9	Documentation	All staff will keep written documents of contact with clients in accordance with RW data collection procedures.	100% of all contacts are documented in client files.

Client Service Standards (Legal Services)

Table 3. Client Related Issues			
Policy Number	Activity/Issue	Standard of Care Minimum Acceptable Threshold of Service	Accountability Mechanism
3.1	Client Eligibility	In order to be eligible for services, individuals must meet the following: <ul style="list-style-type: none"> • HIV+ • Residing or receiving services in the Middlesex, Somerset, Hunterdon TGA • Income no greater than 500% of the Federal Poverty Level 	90% of clients have documentation of HIV + status, residence, and income.
3.2	Client intake	Intake tool completed within thirty (30) days of initial visit that includes (but is not limited to): <ul style="list-style-type: none"> • Identify and obtain appropriate release of information • Confidentiality and grievance policies • Client rights and responsibilities • Description of Ryan White CARE Act, case management services and other available services. • Needs assessment that includes available legal assistance • Eligibility for services (i.e. H.O.P.W.A, Ryan White, TANF, SSI/SSD etc.) 	90% of clients have their intake documented in their file.
3.3	Client case plan development	Develop a case plan with clients within 60 days of intake that includes (but is not limited to): <ul style="list-style-type: none"> • Short-term needs • Long-term needs • Plans to meet needs • Specific services and referrals needed 	90% of clients have a signed and dated service plan in their file.
3.4	Client case plan implementation	All client case plans will be implemented according to the developed plan.	90% of clients' files will document case implementation plan.
3.5	Client case plan monitoring	All client cases will be monitored.	90% of clients' files document monitoring of client case.
3.6	Closure of client case	All concluded client cases will be closed.	90% of clients' files document closure of client case.