

MLPP News

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Medical-Legal Partnership Project News

MLPP Joins Forces with McCarter & English to Provide Pro Bono Legal Assistance.

The Center for Children's Advocacy's *Medical-Legal Partnership Project* has reached an agreement with the prestigious law firm of McCarter & English to provide additional resources and advocacy on behalf of Connecticut's poorest children. Attorneys from McCarter & English, a national law firm with offices in New York, Newark, Philadelphia, Baltimore, Wilmington, Stamford, and Hartford, will work with MLPP attorneys to provide direct legal representation on cases involving issues that affect children's health and well-being.

The MLPP-McCarter & English joint venture is the latest in a series of steps taken to expand MLPP outreach and legal advocacy intervention to more families served by its collaborative partners. The collaboration gives the MLPP an opportunity to handle more cases and allows additional pediatric patients and their families access to quality legal representation by a major law firm. The collaboration is being run by McCarter & English associate Kirkandre Durant, who will coordinate and triage the cases referred by the MLPP.

Drawing in law firms to handle additional MLPP cases is an excellent opportunity to broaden interdisciplinary access and increase advocacy to the regions' poorest residents. Going forward, the MLPP hopes to involve McCarter & English and other area law firms in an attempt to broaden its systemic advocacy agenda – through both policy advocacy and litigation.

For more information on MLPP's pro bono network, please call Jay Sicklick, MLPP Director, at 860-714-1412.

HUSKY Update: Changes Clinicians Need to Know

Gladys Nieves, MLPP Staff Attorney

The Connecticut Legislature has made several administrative changes to the Husky Program after ongoing sessions in June 2005 and a special session in November.

- The legislature has reduced the period of Transitional Medical Service (TMA) from two years to one year. All families with TMA on July 1, 2005 will maintain their Husky benefits for no more than 12 months.
- Presumptive eligibility for Husky A children was restored effective July 1, 2005. Expedited eligibility for pregnant women remains in effect, however, the Department of Social Services (DSS) has up to five days, versus 24 hours, to act on "non-emergency" applications submitted by pregnant women.
- DSS is prohibited from imposing premiums on Husky B Level 1 families, families with incomes between 185% and 235% of the federal poverty level (FPL). Husky B Level 2 families, families with incomes over 235% and under 300% of the FPL, will pay the old premium of \$30 per child with a maximum of \$50 per family.
- The Department of Social Services is no longer mandated to increase premiums for higher-income families and premium levels will now be codified for this group. Moreover, the bill requires the state to pay refunds - totaling \$2.2 million - to any families with Husky B, Level 1 or Level 2, who paid the new or higher premiums, which took effect October 1, 2005.

Contact Gladys Nieves at gnieves@ccmckids.org, or call 860-545-8581.



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Katy's Case: Family Income and Provision of Basic Needs



The family's situation was dire ... impending homelessness, loss of household income, and educational issues plaguing a young child.

Jay Sicklick, MLPP Director

Katy's case illustrates how MLPP's multidisciplinary approach and involvement can assist a family in acute distress even when the child's medical issues are not directly at issue.

In this case, the MLPP attorney triaged a case referred to the project by an adult mental health clinician at a local health center. The family's situation was dire ... impending homelessness, loss of household income, and educational issues plaguing a young child. The MLPP's involvement resulted in a short-term solution, with a commitment to ongoing legal intervention and support for this family at risk.

Case Background

Katy is a nine year old child who receives her health care at the Charter Oak Health Center in Hartford. Katy's mother, Jessica, is also seen at Charter Oak – where her mental health clinician recently referred her case to the MLPP for immediate intervention. Jessica's Section 8 housing voucher had been terminated by a housing authority in Puerto Rico and she had recently been evicted from her apartment in the Hartford area. In addition, Jessica indicated that her public assistance case was on the verge of being closed by the state Department of Social Services (DSS) because of a failure to report information to DSS in a timely fashion. Finally, Jessica's clinician at Charter Oak referred the case to the MLPP for investigation in light of some troubling issues plaguing Katy in school.

MLPP Intervention

The MLPP director and legal intern immediately began to investigate the housing and public benefits crises. A brief investigation revealed that Jessica's Section 8 voucher had been terminated in Puerto Rico – but with some brief but persistent advocacy with the authorities in San Juan, Jessica's case was reopened and the voucher status reevaluated. Contemporaneous with the housing advocacy, the MLPP intern began to aggressively pursue information and strategies regarding Jessica's public assistance case. DSS eventually indicated that in addition to her case being closed, Jessica was not receiving an appropriate amount of benefits based on her family size because she was not able to report identifying information

regarding Katy's father. When DSS balked at reopening the case, the MLPP instituted a request for an administrative fair hearing based on the premise that DSS had not provided Jessica with a reasonable accommodation in failing to assist her to obtain medical and other critical information due to her mental disability, and that the failure to provide a full benefit amount for the family violated DSS' own policy for "good faith" exceptions to the provision of information about absent parents. By utilizing information directly provided by the Charter Oak clinicians, the MLPP advocated with DSS to demonstrate that Jessica's mental health condition precludes her from working at this time – thereby rendering her eligible for ongoing cash benefits.

Case Outcome and Ongoing Advocacy

The MLPP's request for a fair hearing stemmed the case closure issue and DSS agreed to reinstitute the provision of cash benefits. In addition, the agency restored the benefits to an amount reflecting a full family composition – agreeing in essence that Jessica had complied with its request for information regarding Katy's father. Finally, the housing issue slowly began to improve for Jessica as she eventually received her voucher from Puerto Rico. The MLPP's intervention allowed Jessica to seek the ongoing mental health treatment she needed, and increased the income in this at-risk household. The collaboration with the health center providers continues to assist Jessica in an ongoing educational matter with the local school system.

If you have a case to refer to the MLPP, please call Jay Sicklick at 860-714-1412 or email jsicklic@kidscounsel.org

We want to hear from you!

Submit questions
for the next edition of MLPP News to jsicklic@kidscounsel.org or, call Jay Sicklick at 860-570-5327. For information about the Medical-Legal Partnership Project, please check the MLPP website at www.ccmckids.org/mlpp or, the CCA website at www.kidscounsel.org

MLPP is a joint medical-legal collaboration between the Center for Children's Advocacy, Connecticut Children's Medical Center, Charter Oak Health Center, Community Health Services, Inc., and Saint Francis Hospital and Medical Center. The project is funded through generous grants from Hartford Foundation for Public Giving, Universal Health Care Foundation of Connecticut, Connecticut Health Foundation, Hartford Courant Foundation, Bob's Discount Furniture Foundation, and Connecticut Bar Association.