

Helping a Vulnerable Population

Poverty creates health risks.

Some families have to choose between food and heat. A young girl's asthma will not improve if she lives in an apartment infested with mold. A teen who is wheelchair-bound cannot maneuver around his apartment.

Some medical problems need legal intervention.

An illness caused by a family forced to choose between food and heat in the winter months cannot be treated with a prescription. And someone with asthma will never breathe clearly if she returns from the health clinic to a mold-infested apartment.

To help keep patients healthy and safe, healthcare providers with low-income patients increasingly turn to lawyers who practice poverty law. The Medical Legal Partnership brings lawyers into the healthcare setting to reduce barriers to healthcare and help patients navigate the complex legal systems that often hold solutions to social determinants of health.



Doctors and lawyers now partner at over 180 hospitals and health centers nationwide, serving children, pregnant women, cancer patients, the elderly and other vulnerable populations. Through successful appeal of denied Medi-

icaid and disability applications, children and families get insurance coverage they need and access to preventive primary care.

Direct Legal Representation

The MLPP represents clients in matters relating to:

- **Housing**
Habitability, disability discrimination
- **Disability Benefits**
Supplemental Security Income (SSI) Appeals
- **Public Benefits**
Cash Assistance, food stamps
- **Access to Medical Services**
Denial-of-Coverage Appeals for necessary care
- **Educational Rights**
Support for disabled children and children needing access to special education services
- **Immigration**
Access to healthcare and educational services for new arrivals and refugees
- **Civil Rights**
Adolescent confidentiality, privacy, and emancipation

Improving the Life of a Disabled Child

With the bravado only an eleven year old can muster, Marco decided his wheels could navigate the rocks in the road and he sped up as he approached. His wheels flew out from under him when he hit the rocks and he was dumped onto the roadway.



The story would have a simpler resolution if Marco had been on a bicycle, but Marco navigates in a power wheelchair. He suffers from Spinal Muscular Atrophy Type II – he has no lower body strength and only limited motion in the top half of his body. A broken wheelchair was only the latest problem for Marco and his mother Millie.

Marco's medical problems meant that Millie had to carry him when he had to use the bathroom or the shower. While not a perfect system, this worked when Marco was little, but he now weighs almost 100 pounds. This past summer, Millie fell when lifting Marco and they both wound up in the emergency room.

Based on his medical needs, Marco receives ongoing care and support from the Connecticut Children's Medical Center Orthopedic Department. Clinicians determined that installation of a lift system in the house – a track installed on the ceiling that allows the user to sit in a sling and navigate through relevant rooms – would prevent further danger to Marco and Millie.

To the dismay of the family and CCMC's Orthopedic Department, the request for the lift system (durable medical equipment) was denied by Millie's Medicaid/HMO insurance carrier. Marco's orthopedist called the Medical-Legal Partnership for guidance. Our MLP attorney worked with the clinicians and the family to assess the insurance denial and secure this important equipment for the family. Connecticut's legal standard for such equipment is medical necessity, which is defined as "health care provided to correct or diminish the adverse effects of a medical condition."

After taking pictures, making diagrams and gaining a new appreciation for the practical as well as legal definition of medical necessity, the MLP filed an Appeal of Denial with the State of Connecticut Department of Social Services. Within days, an attorney from the Medicaid HMO called to discuss a resolution for the family.

Marco has many hurdles to face, including a spinal fusion in the near future. Some challenges will be eased with the installation of the newly approved lift equipment that will make his life, and his mother's, easier and much safer.

Multidisciplinary Education and Training

The MLPP provides multidisciplinary training to medical, social work, and legal providers on site at healthcare partner locations and in the community.

MLPP attorneys cover issues that affect children's health outcomes, and the multidisciplinary nature of the training program provides "cross training" by medical experts for legal advocates.

The MLPP conducts the following training opportunities:

- Large group, plenary training sessions, such as grand rounds, hospital-wide trainings and legal advocacy seminars for legal practitioners
- Small group training sessions, such as in-service trainings to pediatric departments
- Individual consultations to medical and social work staff involving medical-legal issues that directly affect children's care and health outcomes
- Conference presentations to medical, social work and legal providers involving medical-legal issues
- Residency training programs in pediatric medicine and psychiatry through the University of Connecticut School of Medicine

Systemic Advocacy

The MLPP, in collaboration with its health care partners, works to identify certain health related issues that require systemic intervention to improve children's health and quality-of-life outcomes.

Improving the Lives of Many Children

Guaranteeing medically necessary coverage under the state's HUSKY plan for children with disability.

The MLPP's successful intervention expanded coverage for medically necessary nutritional supplements for children with autism and intellectual disabilities by the state's managed care Medicaid providers.

Ensuring access to appropriate educational services for limited English proficiency students.

Advocacy challenges school districts' violation of immigrant and refugee students' civil rights through a federal complaint seeking appropriate relief under federal Title VI of the Civil Rights Act.

National collaboration to ensure inclusion of national medical-legal partnership demonstration project in the federal healthcare reform bill.

Ongoing work with Congressman Chris Murphy and Senator Christopher Dodd's office to ensure that medical-legal partnerships become part of the healthcare landscape for the future.

Introduction and advocacy on important legislation.

Ensuring that the state's disabled children receive medically necessary physical, occupational and speech/language services outside the home.



Helping a Girl Who has Suffered Abuse

When Alina first looks at you, you see a quiet teenager with soft brown eyes. When you look more closely, her eyes reveal a lack of focus that gives pause for great concern.

Alina's family moved from Puerto Rico to Massachusetts two years ago. Her stepfather had been offered work and the family found housing close to his job. After a short time, the extreme domestic violence the family had suffered in Puerto Rico began again; Alina's stepfather beat both the girls and their mother. Alina was raped repeatedly, and her mother finally took action, escaping with the girls to Hartford to seek refuge with family.

Alina's history of abuse at the hands of her stepfather, and the domestic violence she continually witnessed as a young girl, contributed to problems that had begun to manifest years earlier. She suffered from ongoing seizures and auditory hallucinations that directed her to harm herself.

Years of violence had left the mother with disabling trauma, making it very difficult for her to find full time work. Alina was so emotionally disabled that she could not attend school on a regular basis and needed constant care.

Alina's pediatrician was very concerned about the family's well-being and tried to help them get assistance from the Department of Social Services (DSS). The mother's application to DSS had been denied and Alina's application for disability from the Social Security Administration (SSA) was rejected. Alina's pediatrician called CCA's Medical Legal Partnership for help and the MLPP contacted DSS to explain the family's need for assistance.

Successful legal advocacy led to emergency DSS financial assistance for the family. At Alina's SSA disability hearing, the MLPP submitted evidence of Alina's psychiatric impairments, and educational records that documented significant learning disabilities exacerbated by her psychiatric condition. The Court ruled in favor of Alina's appeal based on submitted documentation.

Alina's physical and emotional challenges continue, but she is moving in a positive direction. The MLPP helped Alina secure an appropriate educational setting and continues to carefully monitor the family's progress.

Publications and Presentations

The MLPP offers many publications for pediatric care providers, child advocates and families who need medical-legal advocacy. Publications are available at www.kidscounsel.org/publications or call CCA at 860-570-5327.

Medical-Legal Partnership Project

Center for Children's Advocacy

65 Elizabeth Street, Hartford, CT 06105

www.kidscounsel.org 860-570-5327

Jay Sicklick, Esq., Deputy Director, CCA; Director, MLPP
860-714-1412 (St. Francis Hospital & Medical Center)
Bonnie Roswig, Esq., MLPP Senior Staff Attorney
860-545-8581 (Connecticut Children's Medical Center)