



U.S. Department
of Veterans Affairs

CONNECTICUT
VETERANS
LEGAL
CENTER



New Beginnings: Strengthening the Partnership between M & L for a New Elder Law MLP

Presented by:

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Presentation Overview

How did the VA and CVLC Elder MLP start?

- (1) Identifying the need
- (2) Determining extent of legal assistance
- (3) Improving the referral process
- (4) Introducing the new program to clinician groups
- (5) Strengthening the partnership
- (6) Where the Elder MLP is today

Identifying the Need / Legal Issue

January 2021 – April 2021

Case example

- 73 year old Army Veteran
- Admitted to the hospital in November 2021 for weakness, inability to care for himself, and housing instability – “Social Admit”
- Voluntary conservatorship, referral to SNF
- Multiple barriers to discharge – remains hospitalized (5 months)

Does this case sound familiar?

How can we improve outcomes for the patient?

How can we ensure providers feel effective?

Anecdotes from our Social Workers

“Conserved veteran in hospice, EPS involved, conservator refusing to use funds to pay for funeral and asking estranged daughter to pay out of pocket”

“Aid and attendance impacting Medicaid eligibility”

“Veteran facing financial trust issues, unable to obtain lawyer to assist, no POA in place or reliable family to assist”

“Family requesting financial POA, patient lacks capacity due to dementia, family advised to pursue financial conservatorship, however family refused”

“Veteran who would like to apply to increase service connection so he can access nursing home when he needs it; has not had luck applying on his own”

“Veteran needs help with LTC planning, recent mortgage taken out, POA needed”

“Legal issues are a MAJOR barrier for a lot of my Veterans. Especially regarding LTC planning, T19 (with complicated financial situations) and completing POA documentation”

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“Aid and attendance impacting Medicaid eligibility”

“Family POA due adv. cons fam



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An Ongoing Problem

- Older adults face legal barriers to adequate housing, appropriate care, income, financial benefits, VA and state resources
- VA clinicians are unable to refer to elder law attorneys

Surveying Legal Needs of Older Adults

- Conducted electronic survey of providers at the VA who worked with older adults and most likely to encounter relevant legal issues
- 36 Responses via Survey Monkey

Survey Question 1 & 2: Information about Providers

Legal Needs of Older Veterans

The Social Work System Process Improvement Committee is assessing how to support providers in meeting complex legal needs of older adults. As a provider to this group of Veterans, please help us by answering the following questions.

1. What department do you work in?

2. What is your discipline?

3. How important is it that the following legal issues are addressed for older veterans? (1 = Not important at all, 5 = Extremely important)

Survey Question 1 & 2 Results

- Range of departments represented that included social work, home based primary care, psychiatry, palliative care, inpatient psychiatry
- Disciplines include social workers, physicians, nurses, nurse practitioners, dietitians, neuropsychology, physical therapy

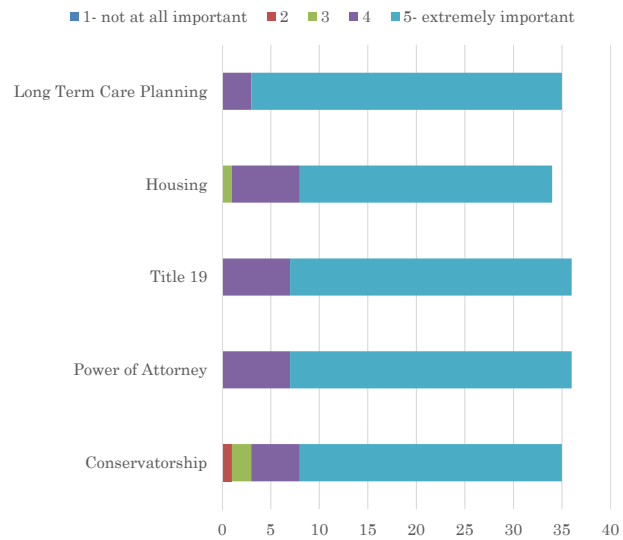
Survey Question 3: Gauging importance of older veterans' legal issues

3. How important is it that the following legal issues are addressed for older veterans? (1 = Not important at all, 5 = Extremely important)

| | 1 - Not Important At All | 2 | 3 | 4 | 5 - Extremely Important |
|-------------------------|--------------------------|-----------------------|-----------------------|-----------------------|-------------------------|
| Title 19 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Long term care planning | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Power of Attorney | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Conservatorship | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Housing | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Other (please specify)

Survey Question 3 Results: Gauging importance of legal issues



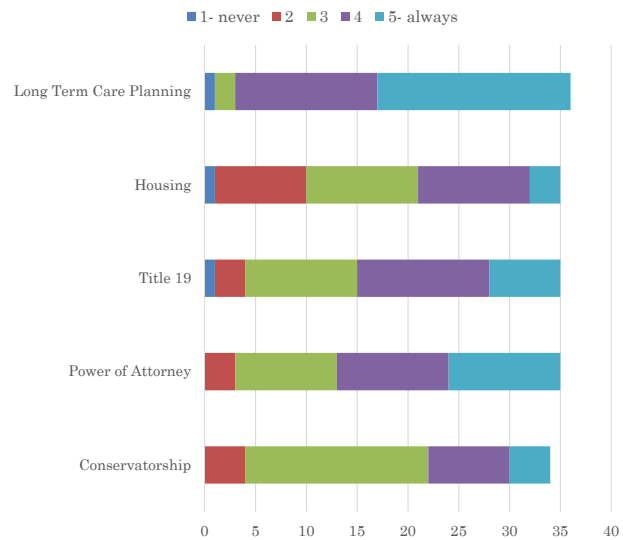
Survey Question 4: Frequency of legal issue encountered

4. As a VA provider for older adults, how frequently do you encounter each of the following issues? Rank 1 to 5 (1 = Never, 5= Always)

| | 1 - Never | 2 | 3 | 4 | 5 - Always |
|-------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Conservatorship | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Power of Attorney | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Title 19 | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Housing | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Long term care planning | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Other (please specify)

Survey Question 4 Results: Frequency of legal issue



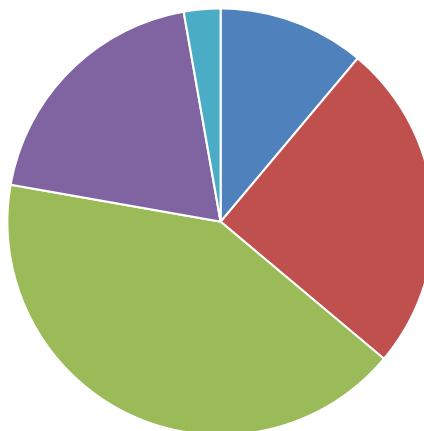
Survey Question 5: Provider confidence in addressing legal needs

5. How confident are you in your ability to address legal needs of older veterans?

- Not confident at all
 Very confident
 Not so confident
 Completely confident
 Somewhat confident

Survey Question 5 Results: Provider Confidence

■ Not Confident At All ■ Not So Confident ■ Somewhat Confident
■ Very Confident ■ Extremely Confident



Additional Survey Questions Asked

- Question #6: Are resources available at VACT to help older veterans with their legal needs?
- Question #7: How confident are you in resources at VACT to meet the legal needs of older veterans?
- Question #8: To what degree has the urgency of legal needs changed for the veterans you with since COVID-19?
- Question #9? What other comments or concerns would you like us to know about?

Other Comments & Concerns

- Legal support for veterans and social worker's assisting veterans is crucial. With the aging population increasing, we are seeing an increased need for legal support. Specifically on the inpatient unit, we are often working with individuals who need placement and are interfacing with the West Haven Probate Court frequently.
- I think that access to legal expertise would be very helpful for older Veterans and their families.
- Although there are legal services available it does not address the timing and needs of older Veterans adequately.
- I rely on [seasoned social worker] and her excellent expertise to address these issues

Overall Impression of Survey Results

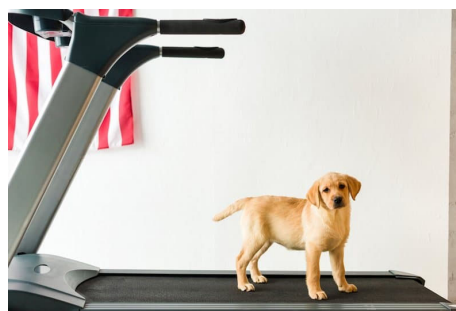
- Long term care planning, power of attorney, T19, conservatorship, and housing are all important legal issues
- Providers generally do not feel confident in addressing these legal issues
- Legal issues are complex and unique
- Further support is needed to help address

Determining Extent of Legal Assistance

April 2021 – August 2021

Setting realistic MLP goals

- Based on clinician survey results, CVLC had to decide how best to assist aging veterans while considering CVLC capacity
 - Long-term care planning was found to be the most important and most frequently occurring legal issue
 - Title XIX, housing, conservatorships and POAs were also found to be important and frequently occurring
 - No immediate funding available to hire new attorney at CVLC



Applying for Funding

CVLC first fine-tuned MLP
legal assistance goals:



- (1) Assist low-income aging veterans to increase their service-connected disability rating to 70% or higher so that VA could cover nursing home care
- (2) If veteran is not eligible for increased rating, CVLC could assist with Title XIX applications to obtain nursing home coverage or Medicaid waiver for care at home

Submitted project proposal to AARP to support low-income aging veterans and was awarded a 3-year grant

Improving Referral Process

October 2021

Improving Referral Process: VA Clinician to CVLC

- CVLC already had a referral process in place with existing VA MLP
- Worked off original form and drafted a long form with questions specific to long-term care planning
- Sent draft of new form to Sam and Lorena for feedback
- Referral form should focus on questions specific to MLP goals and language used by clinicians



Housing and Health

- Where does the veteran currently reside?

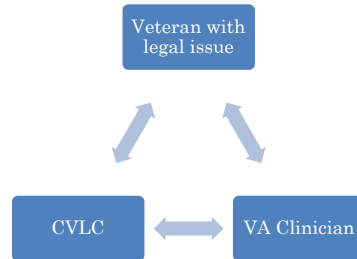
| | | |
|---|--|--|
| <input type="checkbox"/> At home and is the homeowner | <input type="checkbox"/> Renting Apartment | <input type="checkbox"/> Nursing Home Facility |
| <input type="checkbox"/> Residential Care Home/Semi-Independent Senior Apartments | | |
| <input type="checkbox"/> Shelter | <input type="checkbox"/> Other: _____ | |
- Household members and relationship to Veteran: _____

- Veteran needs assistance with:

| |
|---|
| <input type="checkbox"/> Nothing - Completely independent / receiving minimal assistance |
| <input type="checkbox"/> Activities of Daily Living (ADLs) eg: bathing, dressing, eating, toileting, ambulating, transferring If so, please specify: _____ |
| <input type="checkbox"/> Instrumental Activities of Daily Living (IADLs) eg: med mgmt., financial mgmt., housekeeping, using transportation, shipping, meal prep, using phone If so, please specify: _____ |
| <input type="checkbox"/> Homemaker services: _____ (# of times/week or month) |
| <input type="checkbox"/> Home health Aide: _____ (# of times/week) |
| <input type="checkbox"/> Skilled Visiting Nursing: _____ (# of times/week or month) |
| <input type="checkbox"/> Personal Care Companion: _____ (# of times/week or month) |
| <input type="checkbox"/> VA Home Based Primary Care: _____ (# of times/week or month) |
| Other: _____ |

Improving Referral Process: CVLC to Veteran

- With a more detailed referral form that includes questions focusing on MLP goals, this also improved screening process between CVLC and the veteran
- Provided training to CVLC intake paralegal on basic Medicaid rules

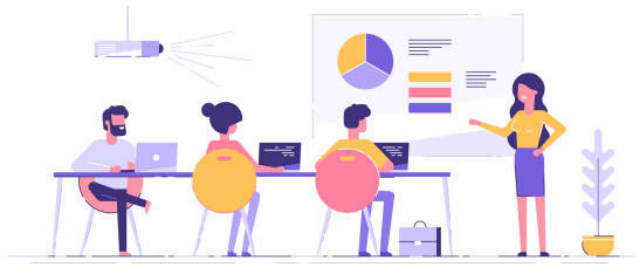


Introducing New Program and Strengthening Partnership

October 2021 – present

Introducing New Program to Clinician Groups

- Created presentation to introduce CVLC's new Elder MLP – included brief history of CVLC, clinician survey results, Elder MLP goals, and new referral form.



Introducing New Program to Clinician Groups

| What we can do | What we can't do |
|---|--|
| <ul style="list-style-type: none"> • VA Benefits applications/ appeals for service-connected disability and non-service connected pension + aid and attendance and homebound benefits • Medicaid/Title XIX questions and referrals • VA Family Caregiver application | <ul style="list-style-type: none"> • Advanced directives • Estate planning • POAs • Conservatorships |

- Introductions to key player groups helped to inform clinicians of MLP as a new resource, expand out to a full partnership, and increased referrals

Strengthening the Partnership

- The introduction presentations also gave CVLC an opportunity to survey clinicians regarding what topics they are interested in learning about
- Having regular check in meetings with Sam & Lorena (currently – bi-monthly)



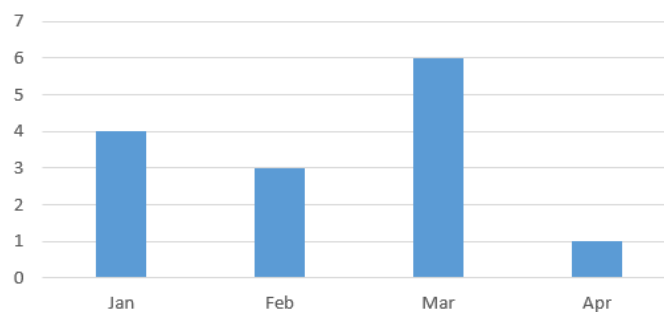
Where the MLP is Now,
Ongoing Goals & Future Plans

Where MLP is Now: Medical – VA Side

- Feedback from clinicians
- Encouraging referrals
- Changing culture (utilizing MLP as a resource)

Where the MLP is Now: Legal – CVLC Side

- CVLC elder referrals stats January – April 2022

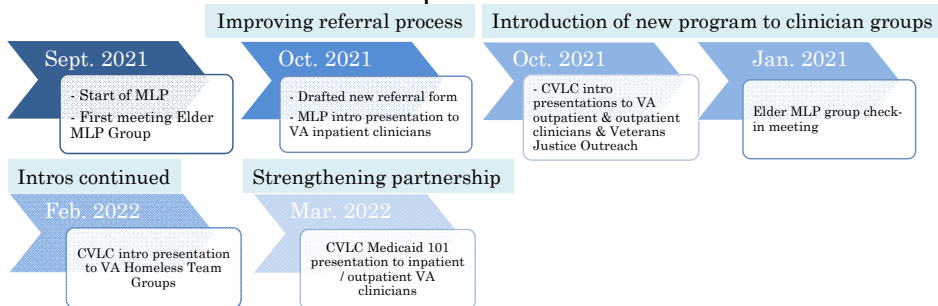


Elder MLP Timeline – Year 1

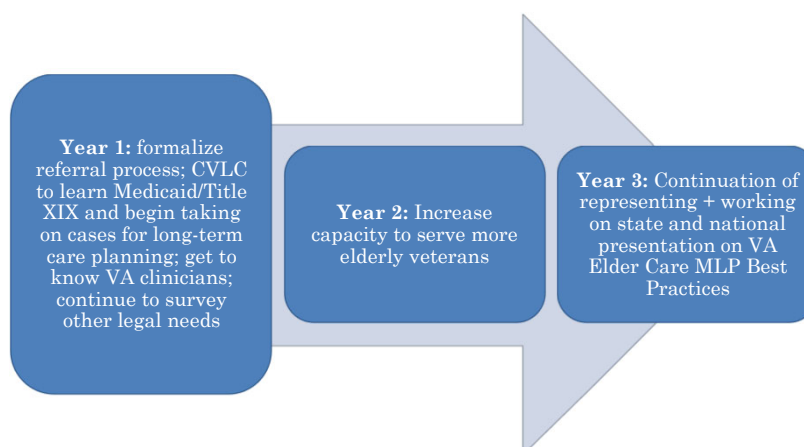
Early development phase of MLP: Feb. – Aug. 2021



Official launch of MLP: Sept. 2021 - Present



Elder MLP Ongoing Goals & Future Plans



Questions / Comments?

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