

CIVIL LEGAL AID SUPPORTS FEDERAL EFFORTS TO HELP PEOPLE ACCESS HEALTH CARE

THE NEED

Many low-income individuals face serious obstacles to health care. These include high costs, lack of insurance, cultural and linguistic barriers, lack of knowledge or awareness of available information, and limited community-based preventative services, primary care, and mental health and substance abuse treatment. When people lack health care treatment and preventive services, avoidable long-term medical expenditures increase and overall wellness and health decline. This lack of health care has a detrimental effect on society by increasing disability, lowering productivity, and placing an increased burden on the health care system.

Young adults, racial and ethnic minorities, the unemployed, and low-income individuals and families are among those most likely to be uninsured and less likely to receive necessary health care. Uninsured individuals are more likely to delay or forego necessary medical care, which can lead to more serious health problems and can result in hospitalizations brought about by preventable health problems.

EXAMPLES OF THE FEDERAL RESPONSE

On March 23, 2010, President Obama signed the Affordable Care Act (ACA) into law, putting in place comprehensive reforms that improve access to affordable health coverage and protect consumers from abusive insurance company practices. This centerpiece strategy to improve the health of all Americans is helping millions of people qualify for Medicaid or the Children's Health Insurance Program, and get affordable coverage through the new Health Insurance Marketplace. The ACA's new [Patient's Bill of Rights](#) provides protections from abusive insurance company practices that denied coverage to children who had asthma or were born with a heart defect, put a lifetime cap on the amount of care for which they would pay, or used paperwork mistakes to justify canceling coverage when an insured person got sick.

In addition to leading implementation of the ACA, the U.S. Department of Health & Human Services (HHS) works to enhance the health and well-being of Americans through several hundred programs and initiatives that cover a wide spectrum of activities, serving the American public at every stage of life. For example, the HHS Substance Abuse and Mental Health Services Administration helps people with mental and substance use disorders, supports the families of people with these disorders, and expands access to mental health services across the nation. The HHS Health Resources and Services Administration (HRSA) is the Federal Government's primary agency for improving access to health care services for persons who are uninsured, isolated, or medically vulnerable. HRSA oversees a number of programs and initiatives, including the Ryan White HIV/AIDS Program, which provides HIV-related services to more than half a million people each year, and the Maternal and Child Health Services Block Grant Program, which provides a foundation for ensuring the health of the nation's mothers, women, children, and youth, including children and youth with special health care needs, and their families.

HHS-funded pilot Medical-Legal Partnership study concludes:



"...civil legal aid services can positively impact individual and population health," including "significant reduction in stress and improvement in health and wellbeing after receiving [legal] services" such as for housing, public and disability benefits, employment, and debt collection problems. Researchers also found integrating legal services into the healthcare setting "drives down healthcare costs."

Atkins, D., Mace Heller, S., DeBartolo, E., Sandel, M., *Medical-Legal Partnerships and Healthy Start: Integrating Civil Legal Aid Services into Public Health Advocacy*, Journal of Legal Medicine, 2014 Vol. 35, No. 1, pgs. 195-209.





We are REMOVING BARRIERS that stand in the way of affordable and accessible PRIMARY HEALTH SERVICES.

~ Secretary Kathleen Sebelius, U.S. Department of Health & Human Services

News Release: HHS Awards Affordable Care Act Funds to Expand Access to Care (August 9, 2011)

Legal Aid Helps

- **Address legal issues that affect the health and well-being of children, the elderly and families** by providing them with legal representation, information or advice.
- **Secure health care coverage or health benefits** by appealing erroneous administrative denials of benefits or insurance, and ensuring application of new Patient’s Bill of Rights protections.
- **Provide culturally and linguistically appropriate information and self-help materials** concerning access to benefits and health care coverage including people with mental or physical disabilities, children and the elderly, and people with AIDS or HIV, or limited English proficiency.
- **Develop medical-legal partnerships** that incorporate legal care into health care by addressing the health-harming legal needs of patients, such as mold or roach infestation in rental units that increase use of emergency rooms for asthma attacks.
- **Connect the broader community and legal aid clients to new health insurance opportunities** by assisting with [outreach and enrollment efforts](#), such as helping legal aid clients apply for health coverage and promoting promising practices.
- **Protect consumers from scammers** who prey on individuals seeking health insurance by selling fraudulent policies and obtaining personal information to commit identity theft.
- **Protect people who become ill** by preparing documents to ensure their wishes are met, such as living wills, and powers of attorney for health care and financial affairs.

Heart patient avoids bankruptcy, obtains health insurance

“Alex” sought help from LSC-funded Neighborhood Legal Services of Los Angeles County because of medical debt that threatened his family with bankruptcy. Unable to purchase affordable insurance in the private market because of his pre-existing condition, Alex’s debt had accrued after several emergency room visits for a severe heart condition that required surgery he could not afford. In addition to helping negotiate his medical bills with the hospital and avoid bankruptcy, his legal aid attorney — thanks in part to support from the Affordable Care Act Consumer Assistance Program funds — helped identify affordable insurance options through California’s Covered CA and new adult Medicaid expansion programs that will help Alex get the surgery he desperately needs.

Doctor prescribes legal aid to help sick and homeless patient

After 35 years as a nurse’s aide in nursing homes, “Maxine’s” chronic health problems forced her to stop working. With no job, she could not afford property insurance, and six months later a fire destroyed her home. After two years of sleeping in shelters and her car, her application for Social Security Disability was denied. Recognizing that a legal aid attorney could help Maxine obtain the benefits for which she qualified, a doctor at the federally-funded Council Bluffs Community Health Center referred her to Iowa Legal Aid. Maxine’s physician worked with a legal aid attorney to document the mistakes leading to the erroneous decision, and the Social Security Administration not only reversed its decision but awarded a significant back benefit. The attorney then helped Maxine secure Medicaid. The new income and health care coverage enabled her to move into stable housing. Iowa Legal Aid’s work also brought thousands of dollars in Medicaid payments to the hospitals and clinics where Maxine was treated while her applications for Social Security and Medicaid were pending.

