

Legal Assistance & the Aging Services Network: Strengthening Partnerships and Communication

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Housekeeping

- All on mute. Use Questions function for substantive questions and for technical concerns.
- Problems getting on the webinar? Send an e-mail to NCLER@acl.hhs.gov.
- Written materials and a recording will be available at NCLER.acl.gov. See also the chat box for this web address.

About NCLER

The National Center on Law and Elder Rights (NCLER) provides the legal services and aging and disability communities with the tools and resources they need to serve older adults with the greatest economic and social needs. A centralized, one-stop shop for legal assistance, NCLER provides Legal Training, Case Consultations, and Technical Assistance on Legal Systems Development. Justice in Aging administers the NCLER through a contract with the Administration for Community Living's Administration on Aging.

About Justice in Aging

Justice in Aging is a national organization that uses the power of law to fight senior poverty by securing access to affordable health care, economic security, and the courts for older adults with limited resources.

Since 1972 we've focused our efforts primarily on populations that have traditionally lacked legal protection such as women, people of color, LGBT individuals, and people with limited English proficiency.

Key Lessons

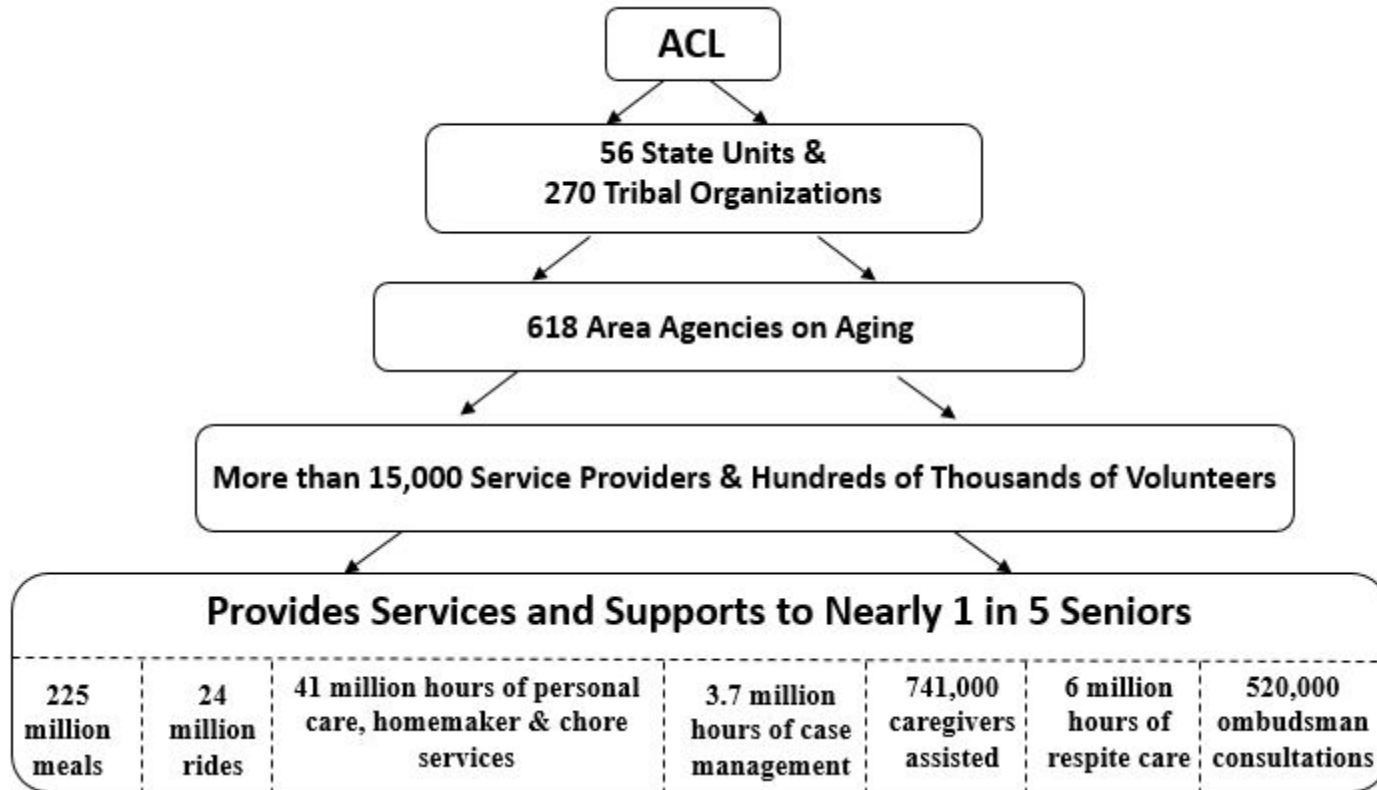
- OAA services and roles
- Promising practices for connecting legal services with the aging & disability network
- Importance of cross training
- Benefits of cross referrals
- Importance of open communication

Poll: Who is in the audience?

- A. Director/Manager
- B. Staff Attorney/Legal Staff
- C. Non-Attorney- Aging Services
- D. Non-Attorney- Disability Services
- E. Other

The Basics: OAA Services

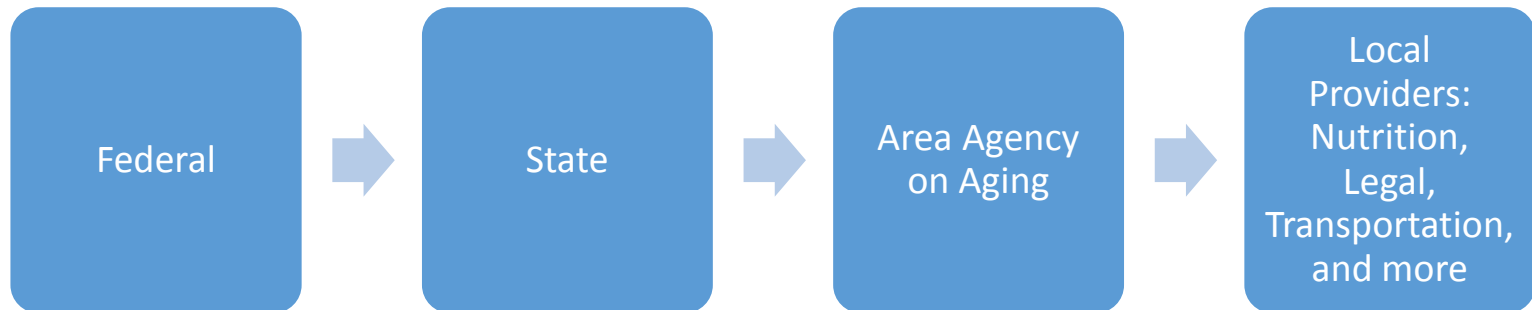
OAA Administrative Structure



Source: National Association of Area Agencies on Aging, citing: ACL's OAA State Performance Report, FY 2016

Older Americans Act Title III-B

- Title III-B of OAA establishes mandate for Area Agencies on Aging to fund legal assistance for older adults



Different, But the Same

| Arizona | Indiana | New York |
|--|--|---|
| State Unit: Department of Economic Security – Division of Aging & Adult Services | State Unit: Family and Social Services Administration- Division of Aging | State Unit: State Office for the Aging |
| AAAs: Divided by region (8) | AAAs: Divided by service area (16) | AAAs: Divided by county (60) |
| Legal Assistance: Legal Aid Provider & In-House Attorney | Legal Assistance: Legal Aid Provider | Legal Assistance: Legal Aid Providers & Local Attorneys |

Advancing Access to Justice & Safety Net Programs

- When legal services are available they can be life saving, but many do not access legal help
 - Do not realize their problem has a legal solution
 - Unaware that they may be eligible for help
- Aging services & supportive services often are front line providers
 - Issue spotting
 - Holistic and key for ongoing independence

Formal & Informal Partnerships

- Formal
 - Shared intake systems
 - Medical-legal partnerships
 - Co-locating
- Informal
 - Partnering on outreach
 - Warm handoffs
 - Points of contact

Understanding & Communicating

- Guidelines
- Confidentiality
- Differing ethical obligations
- Avoiding conflicts
- Client's ability to consent—capacity

Partnership in Practice: North Dakota

NDDHS Aging Services Division

- Administers home and community-based services that allow older adults and individuals with physical disabilities to remain in their own home and communities.
- Protects the health, safety, welfare, and rights of residents of long-term care settings and vulnerable adults in the community.

OAA Programs

- ADRL
- Assistive Safety Devices
- Dementia Care Service
- Family Caregiver Support Program
- Guardianship Establishment Fund
- Health Maintenance
- **Legal Assistance**
- Local Contact Agency
- Long-Term Care Ombudsman
- Nutrition Services
- Options Counseling
- Preventative Health
- Senior Community Service Employment
- Telecommunications Equipment
- Adult Protective Services

OAA Legal Assistance

Legal casework within required categories of:

- Abuse
- Age discrimination
- Guardianship defense
- Health care
- Housing
- Income
- Long-term care
- Neglect
- Nutrition
- Protective Services
- Utilities

History of Partnership

- Aging Services has had a contract with LSND for over 30 years
- Contract spells out target areas for focus
- VAPS and LSND have worked cooperatively for the past 8 years

Program Similarities

- Central intake
- Cross training
- Cross reporting
- Commitment to Seniors

Central Intake

- VAPS Central Intake
 - Available Monday through Friday 8 am to 5 pm
 - Online reporting 24/7
 - 2,285 reports in FFY18
- LSND Central Intake (60+)
 - Available Monday through Thursday 8 am to 5 pm and Friday from 8 am to 2 pm
 - Online application 24/7
 - 1752 applications in FFY2018

Aging & Disability Resource Link (ADRL)

- Available Monday through Friday, 8am to 5pm
- 2,790 calls in the last biennium
- Top information requests include:
 - In-home assistance
 - Medicaid information
 - APS
 - Ombudsman referrals
 - Options counseling

Cross Training

- Staff from both offices have received training on programs/services offered
 - Discussion on who can do what
 - Discussion on how certain situations can be handled
 - Contacts at both agencies to
- Both agencies aware of reporting procedures
- Increases access and knowledge

Cross Reporting

- Both entities engage in cross reporting
- Provides comprehensive coverage for seniors/vulnerable adults statewide
- Partnership and senior network decreases chances of older adults with needs falling through the cracks

Open Communication

- Staff from both entities able to reach out for assistance and staffing
 - Provides consistent and cooperative services for the vulnerable adults
- Both agencies provide outreach and education statewide
 - Professionals
 - Older adults

Case Examples

- Guardianship matters
 - LSND can represent seniors in resisting guardianship or acting as GAL
- Consumer matters
 - Educating small town banks on Social Security protections
 - Bankruptcy for older adults with old medical debt
- Medicaid eligibility matters
 - Older adult having been financially exploited is denied Medicaid due to a disqualifying transfer

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Case Consultations

Case consultation assistance is available for attorneys and professionals seeking more information to help older adults. Contact NCLER at ConsultNCLER@acl.hhs.gov.