

**Ryan White Program**  
**Service Area Standard: Legal**

**Purpose.** The purpose of Ryan White Legal Services Standards are to ensure that uniformity of service exists in Minnesota such that the consumers of a service receive the same quality of service regardless of where or by whom the service is provided. If an agency is unable to meet a particular standard, the agency must document why the standard was unable to be met and explain the steps it is taking to meet that standard. The purpose of Legal Services Standards is to address the legal needs of Ryan White clients to ensure they may engage in and maintain participation in HIV medical care.

**HRSA Description.** Legal services are services to individuals with respect to powers of attorney, living wills, do-not-resuscitate orders, and interventions necessary to ensure access to eligible benefits, including discrimination or breach of confidentiality litigation as it relates to services eligible for funding under the Ryan White HIV/AIDS Program. Legal services to arrange for guardianship, joint custody, or adoption of children after the death of their primary caregiver should be reported as a permanency planning service.

**Program Guidance.** Legal services exclude criminal defense and class-action suits unless related to access to services eligible for funding under the RWHAP. It is expected that all other sources of funding in the community for legal services will be effectively used and that any allocation of RWHAP funds for these purposes will be as the payer of last resort.

*All subrecipients must meet universal standards requirements in addition to service area standards for which they are funded.*

<b>Client Focused Standards</b>	<b>Measure</b>	<b>Data Source</b>
<p><b>1. Allowable legal services</b> include arranging or drafting of documentation pertaining to:</p> <ul style="list-style-type: none"> <li>1.1 Powers of attorney</li> <li>1.2 Living wills and/or orders for do not resuscitate, natural death, or do not intubate</li> <li>1.3 Access to eligible benefits</li> <li>1.4 Discrimination</li> <li>1.5 Breach of confidentiality</li> <li>1.6 Permanency planning, including: <ul style="list-style-type: none"> <li>1.6.1 Wills</li> <li>1.6.2 Custody arrangements for dependents</li> </ul> </li> <li>1.7 Bankruptcy and debt relief</li> <li>1.8 Immigration and naturalization</li> <li>1.9 Employment</li> </ul>	<p>1.1-1.6 Maintain client records that document for each client:</p> <ul style="list-style-type: none"> <li>• Client eligibility and need for legal services</li> <li>• Type of legal services provided</li> <li>• Date legal services were provided</li> <li>• Amount of time spent on service</li> </ul>	<p>1.1-1.6 File review/Site visits</p>
<p><b>2. Client Eligibility</b></p> <p>2.1 Clients must meet Ryan White and service area specific eligibility requirements</p>	<p>2.1 Eligibility documented</p>	<p>2.1 File review/Site visits</p>
<p><b>3. Client Intake/Application</b></p> <ul style="list-style-type: none"> <li>3.1 Agency shall have an intake or application process that includes assessment of legal needs and medical care status</li> <li>3.2 Client must be screened for duplication of services.</li> <li>3.2 Client information is collected to facilitate referrals and follow-up as necessary.</li> </ul>	<p>3.1-3.2 Intake or application approved by Ryan White Program and included in individual client file.</p>	<p>3.1-3.2 File Review/Site Visits</p>
<p><b>4. Referrals</b></p> <p>4.1 Client is informed of other services available in the RW system and what client can expect if they enroll in services.</p>	<p>4.1 Documentation in Program and client files.</p>	<p>4.1 File Review</p>
<p><b>5. Additional programmatic standards</b></p> <p>5.1 Clients are kept informed of status of legal services, including upon case closure.</p>	<p>5.1 Consent for legal services in client file; Case notes and file reflect communication and conclusion of legal services.</p>	<p>5.1 File review</p>

<b>Provider Focused Standards</b>	<b>Measure</b>	<b>Data Source</b>
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<p><b>6. Provider staff qualifications:</b></p> <p>6.1 Attorneys are licensed to practice law in the state of Minnesota.</p> <p>6.2 Non-licensed staff are supervised by licensed attorneys.</p> <p>6.3 Staff working on legal services have undergone HIV/AIDS specific training</p>	<p>6.1 Policy in program files</p>	<p>6.1-6.2</p> <ul style="list-style-type: none"> <li>• File Review</li> <li>• Site Visit</li> <li>• Documentation of licensure and credentials</li> </ul>
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