Welcome from the Director

Emily A. Benfer, Clinical Professor of Law

This fall marked over 1000 client referrals to the Health Justice Project (HJP) from Erie Family Health Center. These clients, and countless others in their situation, must surmount multiple barriers to achieve health. They are children who have medical impairments, parents who make great sacrifices to ensure the health of their family and adults who have faced health challenges throughout their lives. These individuals, who are predominately minorities and live below the poverty line, are health justice champions in their own right.

As the Fall Snapshot and Student Spotlight describe, our Student Attorneys and Client Advocates embraced the opportunity to serve these clients. Sixteen students worked tirelessly to research and learn their clients’ rights, perfect their legal advocacy skills and obtain impressive victories. In the Social Security disability benefits cases, all of the Student Attorneys achieved positive rulings from the bench and combined awards of over $100,000 for their clients. Likewise, Student Attorneys practicing housing law prevented illegal lock outs and evictions. These are rare outcomes that represent not only the skill and tenacity of our students, but also important interventions that improve our clients’ health outcomes.

This important work would not be possible without the generosity and support of our partners. The Rodin Fellowship, highlighted in the Partner Spotlight, enabled supervising attorney and fellow Allyson Gold to expand the work of HJP to include more students, accept additional clients and engage more medical champions. Our Visiting Adjunct Professors, Colleen Boraca of AIDS Legal Council and Mark Swartz of Lawyers’ Committee for Better Housing, ensured that our Student Attorneys would receive outstanding legal training and their clients, exceptional representation.

As we enter the new year and look to the future—one in which HJP students, partners and clients continue to make great strides in the effort to guarantee health—we have very good reason to be optimisit. As Visiting Professor Mark Swartz said with regard to seemingly intractable client issues, “An HJP student focused on addressing a client’s problem from every angle over a semester can accomplish amazing things.” In the Health Justice Project, hope and health abound.
Spring 2012

Health Justice in Action: Fall Snapshot

During the 2012 Fall Semester, Health Justice Project students provided direct service to over 50 patients and achieved multiple victories.

- **Adriana Ballines, 2L**, represented an uninsured client who accumulated thousands of dollars in hospital bills. Due to his medical impairments, the client was unable to work or afford costly medical care. Adriana advocated on behalf of the client, asserting his rights under the Hospital Uninsured Patient Discount Act. Due to Adriana’s intervention, the client's debt was forgiven and he will not be forced to choose between paying for necessities and sophisticated legal representation.

- **Beth Karpiak, 3L**, defended a client in Cook County eviction court in an action initiated under the Illinois Forcible Entry and Detainer Act. Beth’s advocacy restored the client’s utilities and prevented an eviction. In addition, she negotiated an Agreed Order worth $4,500 for her client. As a result, the client avoided imminent homelessness and further deterioration of her health.

- **Britany Fijolek, 3L**, appealed the Social Security Administration’s decision to deny a client disability benefits. In a hearing presided over by an Administrative Law Judge, Britany argued that the earlier decision should be overturned because the cumulative effect of the client’s health impairments met the definition of disability under the Social Security Act. The judge praised Britany’s legal brief and issued a fully favorable decision that will result in the client receiving benefits and Medicaid.

- **Carrie Gilbert, 3L**, represented a client who was the victim of an illegal lockout by her landlord. Carrie asserted the client’s rights under the Illinois Forcible Entry and Detainer Act and the Chicago Residential Landlord and Tenant Ordinance. The client regained entry to the unit and recovered her family’s possessions. As a result, the client will not be forced to choose between paying for essentials and replacing her family’s limited possessions.

- **Johanne Verpil, 2L**, represented a diabetic client in an application for a Therapeutic Dietary Allowance, a benefit administered by the Illinois Department of Human Services that provides funds to allow individuals to better follow a physician prescribed diet. Due to his mental impairments, the client was unable to complete the complex application for benefits. Johanne worked with the client’s primary care physician to complete and submit the necessary application materials. As a result of Johanne’s intervention, the client will have access to food necessary in managing his health condition.

- **Jennifer Lorio, 3L**, defended a client in Cook County eviction court in an action initiated under the Illinois Forcible Entry and Detainer Act. Jennifer filed and briefed several motions asserting her client’s rights under Illinois law. Jennifer’s representation prevented an eviction and resulted in an Agreed Order dismissing the plaintiff’s claims, with prejudice, and sealing the client’s record. Jennifer’s representation prevented the client from becoming homeless and allowed the client to escape a dangerous domestic violence situation.

**Health Justice by the Numbers**

- **1,054** Patients referred by Erie Family Health Center and provided assistance by the Health Justice Project since the Fall 2010 Semester.

- **16** Law students participated in the Health Justice Project Fall 2012 Semester.

- **137** Medical providers trained by HJP in fall 2012 on the social determinants of health, patient resources, and patient advocacy.

- **$36,698** Payment and forgiveness of medical expenses for Health Justice Project clients in the Fall 2012 Semester.

- **$176,000** Social Security back payments to clients based on the Health Justice Project’s successful appeals in the Fall 2012 Semester.

- **$5,544** Reduced housing expenses for Health Justice Project clients in the Fall 2012 Semester.
• **Giorie Mahn, 2L**, worked on preparing an appeal of an Administrative Law Judge’s decision that denied a client disability benefits. Giorie analyzed hundreds of pages of complex medical records to identify evidence in support of the client’s appeal. As a result of Giorie’s advocacy, the Appeals Council, which dismisses or denies over 70% of submitted appeals, vacated the lower decision and remanded the case, instructing the Administrative Law Judge to consider the evidence Giorie gathered. Giorie’s advocacy allows the client another opportunity to obtain crucial benefits.

• **Andrea Bland, 3L**, appealed the Social Security Administration’s decision to deny a client disability benefits. In a hearing presided over by an Administrative Law Judge, Andrea argued that the Social Security Administration’s decision was incorrect because the client’s mental and physical health impairments constituted a disability. In a decision from the bench, the judge ruled in favor of Andrea and the client was awarded back-benefits to April 2011. In addition, the client will be Medicare eligible in May.

• **Shana Scott, 3L**, helped a client navigate the Social Security appeals process after the client was denied disability benefits. Due to medical impairments, the client was unable to complete the complex appeal process. Shana’s intervention affords the client another opportunity to obtain benefits necessary to managing his health impairments.

Fall 2012 Semester “Take-Aways”

At the end of the Fall 2012 Semester, students enrolled in the Health Justice Project were asked to reflect upon their experiences. These are the lessons they will apply throughout their legal careers.

• There is really no one right way to attack a problem.

• The work that we do really matters to our clients.

• I have learned to do more things with purpose and how to be very strategic and deliberate.

• Being able to see a referral go through or talk to a client about an outcome is really important and very rewarding.

• There are a lot of different ways to help your client.

• This semester I learned a tremendous amount from working collaboratively.

• It is important to meet people where they are in life in order to be as productive as possible in a limited amount of time.

• The teamwork and sense of camaraderie is what I loved most about being part of HJP.

• The most important lesson I learned this semester is to be flexible with your case.

• People [in HJP] helped me to keep going at every stage of my case. That support meant a lot to my client and it meant a lot to me as well.

• Regardless of the outcome, our work gave people a voice.

• I learned how important it is to have good support when working in public interest law.

• The clinic is a good opportunity to work with real clients and go to court.
This semester the Health Justice Project welcomed two of our esteemed partners as visiting adjunct professors. **Colleen Boraca**, Loyola University Chicago School of Law alumnus and Supervising Attorney at Aids Legal Council of Chicago, and **Mark Swartz**, Legal Director at Lawyers’ Committee for Better Housing supervised Student Attorneys and contributed their extensive experience in public benefits and housing law to enhance the student’s litigation experience and understanding of the social determinants of health. Mark and Colleen will continue to teach in HJP during the Spring Semester. We are extremely grateful to these exceptional partners who make the Health Justice Project a success!

“The students are very much a ‘voice for the voiceless.’ **HJP trains law students to be compassionate attorneys to those needing their help.**”

- Professor Colleen Boraca

**What motivated you to become a public interest attorney?**

**Colleen:** The Jesuits, both during my undergraduate and law school years, emphasized the importance of being “men and women for others.” Without the assistance of public interest attorneys, many of the clients we work with would not have access to life-sustaining medication, would not know how to sign up for Medicare/Medicaid, and would not be able to successfully represent themselves at administrative hearings.

**Mark:** I had a first career working in social science research focusing on criminal behavior from a public health perspective. I returned to law school to shift from policy work to representing individual clients. What I enjoy about working as a public interest attorney is that I am able to address the individual needs of my clients, but there is always still a policy aspect to the representation of low-income and underserved clients: ensuring equal justice under the law.

**What do you see as the role of the Health Justice Project?**

**Colleen:** It provides integral legal services and representation to individuals who would be powerless without it. The students are very much a “voice for the voiceless.” **HJP trains law students to be compassionate attorneys to those needing their help.**

**Mark:** HJP trains law students to provide legal assistance in collaboration with medical professionals in ways that may prevent or mitigate serious harm to the client. The HJP perspective places legal services within a broader context, and this is important for students to understand given the limited capacity of the legal system to address the health problems facing low-income clients.

**What surprised you the most about being an adjunct professor in the Health Justice Project?**

**Colleen:** The students I worked with throughout the semester impressed and inspired me, much more than I had anticipated. They came to HJP with diverse backgrounds, and I was constantly amazed by how passionately they advocated for their clients. They reminded me why I chose to become a public interest attorney. Additionally, I was surprised how much technology has changed law school education over the past ten years! Things are very different with emailing assignments, texting professors and attending webinars.

**Mark:** I have been surprised at how successful students have been at resolving seemingly intractable housing issues for clients. An HJP student focused on addressing a client’s problem from every angle over a semester can accomplish amazing things.

“An HJP student focused on addressing a client’s problem from every angle over a semester can accomplish amazing things.”

- Professor Mark Swartz

**Where do you think the greatest need is right now in the legal field?**

**Colleen:** As our society continues to experience a rise in the number of foreclosures, an increase in the denial of applications for public benefits and other obstacles, the greatest need in the public interest field is for more attorneys. People facing these issues need representation; most of them cannot afford attorneys. This is problematic since the budgets of many legal services agencies are not being increased to hire more attorneys.

**Mark:** The greatest need right now in public interest law is more resources for the direct representation of low-income and underserved individuals. Self-help resources and pro se help desks are no substitute for having attorneys and law students focused on assisting a client and representing them in court.
Health Justice Project Student Spotlight

Shannon Flaherty, Student Attorney

Shannon learned of HJP during her first semester of law school and was drawn to “the potential of the clinic to reach underserved residents of Chicago.” As a volunteer in HJP, Shannon conducted intake for a client who was denied disability benefits and recommended HJP take the case. This semester, Shannon represented that client and appealed the Social Security Administration’s decision to deny disability benefits. After nearly two months of preparation that included “conducting interviews, reviewing medical records, and learning the nuances of social security law,” an Administrative Law Judge issued a decision from the bench in favor of her client. As a result, the client received $33,000 in back-payments and over $1,200 in benefits each month, going forward. Shannon credits HJP with giving her client a voice. “Because of the supervision and leadership of the professors in the clinic, I felt that my client had access to high quality representation that she would not have been able to access otherwise.” Being a part of the clinic also shaped Shannon’s outlook on law school. “Law school can be all-consuming and very stressful at times;” however, counseling clients on issues of homelessness and food insecurity, put “[my] own anxiety about law school in perspective.”

Alissa Bugh, Student Attorney

Alissa became interested in HJP after reading about the clinic during her first year of law school. She knew she wanted to be involved “because it seemed like a great way to gain hands-on experience in the health law field.” Additionally, Alissa was interested in “the opportunity to provide assistance in such essential areas to clients who often have very few resources.” By participating in HJP, Alissa came to appreciate the medical legal partnership model as a “practical way to address the root causes of some significant medical problems that impact low-income individuals.” As a student attorney, Alissa defended her client against an eviction action. In addition, Alissa’s client suffered a fractured hip, which severely restricted her mobility and necessitated an emergency hip replacement surgery. However, because of the client’s precarious housing situation, doctors would not perform the necessary surgery for fear that the client would not properly convalesce. Alissa’s defense of the client against the eviction action assured the surgical team that the client could successfully undergo hip replacement. As a result of Alissa’s legal intervention, the client was able to obtain the hip replacement surgery, safely recover in her home, and move into a new apartment; all without experiencing eviction or homelessness. Over the course of the semester Alissa learned “a significant amount about housing law in Chicago as well as essential skills necessary to represent a client in any matter.”

Eric Kim, Client Advocate

Eric’s parents volunteered in medical clinics while he was growing up, so working in HJP “felt close to my heart.” During his time at HJP, Eric helped “individuals in dire situations navigate layered problems related to health.” Eric assisted many clients with legal problems related to SNAP, Social Security Disability Income, and Financial Hardship applications. Through his work, Eric successfully counseled a client to appeal a denial in SNAP benefits by the Department of Human Services, resulting in the client receiving $100 in SNAP benefits each month. Eric hopes to continue to provide “more assistance and guidance for the clients of the Health Justice Project” in the future and would like to practice law in an environment like HJP where his efforts “will have a positive impact on society.”
The Health Justice Project is the honored recipient of a generous gift from Curt Rodin (JD ’75) and his wife Linda. The Curt and Linda Rodin Fellowship provides funding for an attorney position with the Health Justice Project. The Rodins’ gift supports the Health Justice Project’s ability to serve clients, expand access to justice, and train the next generation of health law attorneys.

Mr. Rodin was the first member of his family to attend college. He chose Loyola University Chicago School of Law so that he could pursue a “profession where [he] could help people.” Mr. Rodin credits Loyola, particularly the practical experience he gained as a student, with preparing him for legal work after law school. Now retired, Mr. Rodin’s legal practice focused on plaintiff’s rights. During his distinguished career, he represented victims of construction injury, product defects, and medical malpractice. Many of his cases set legal precedent and resulted in record-setting verdicts for his clients. Looking back on his prolific legal career, Mr. Rodin’s most memorable cases included the pursuit of actions against multiple corporate defendants on behalf of men who became quadriplegic from injuries sustained on the job. Those cases are “the epitome of David versus Goliath,” said Mr. Rodin. “You are the little guy and the people you are suing are ganging up on you.”

However, Mr. Rodin notes that there are some instances in which lawyers cannot afford to take certain cases. This inspired the Rodins to contribute to the Health Justice Project. “The Health Justice Project makes sure that vulnerable people without funds can have good representation.” In addition to allowing vulnerable populations to access their legal rights, the Rodins’ contribution to the Health Justice Project was motivated by their desire to help law students develop critical lawyering skills.

The Rodins note that the Health Justice Project provides great training and helps students get on a public interest career trajectory. Ultimately, the Rodins’ contribution to the Health Justice Project is an enduring gift. In the words of Mr. Rodin, “When you give to the Health Justice Project, you never know where it will lead; clients will be changed, students will be changed, and many others. There is a lot of good that comes from it.”

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– Curt Rodin
No Evictions Allowed
Tenants cannot be evicted between December 25th and January 1st or during inclement weather. Please refer your patient to HJP through the internal referral system in the EMR if you identify a patient at risk of eviction.

CountyCare Medicaid Program (New!)
The State of Illinois and Cook County Health & Hospitals System were recently approved to expand Medicaid to certain uninsured patients. The new Medicaid program, CountyCare, is open to Cook County residents between the ages of 19 and 65, who are U.S. citizens or who have been a legal immigrant for at least five years, and who have an income within the program limits ($14,856 annually for an individual and $20,123 annually for a couple). When an individual enrolls in CountyCare, he or she will be asked to select a patient centered medical home from a list of participating providers, including Erie Family Health Center. Please refer your patient to HJP through the EMR internal referral system if you identify a patient eligible for CountyCare.

Prevent Utility Shut Off
Many patients may have difficulty paying energy bills, particularly heating, during the cold winter months. The Low Income Home Energy Assistance Program provides assistance to households unable to afford their utility expenses. No one can be denied essential utility services between December 1st and March 31st (winter months). If a household includes a person with a serious illness or newborn, the family may be protected from shut-off for up to 60-days at any time of year. Please refer your patient to HJP through the internal referral system in the EMR if you identify a patient at risk of utility shut off.

I-HEAL Trainings and Guide Available
Please contact HJP to schedule a training in any of the I-HEAL topics or with questions about referrals. For a copy of the I-HEAL Guide or I-HEAL Poster, which provides an overview of legal issues affecting patient health, please email healthjustice@luc.edu. I-HEAL was created by HJP students.

Refer Patients to Overcome Social Determinants of Health

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<tr>
<th>Issue Area</th>
<th>Social History Questions</th>
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<tbody>
<tr>
<td>I: Income Assistance and Insurance</td>
<td>Do you ever have trouble making ends meet?</td>
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<tr>
<td>(Public Benefits and SSI/SSDI, Charity Care, Medicaid)</td>
<td>Do you ever have a time when you don’t have enough food?</td>
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<td>Have you been denied WIC? Food Stamps?</td>
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<td>H: Housing and Tenant Rights</td>
<td>Is housing ever a problem for you? Have you noticed signs of infestations or mold?</td>
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<td>(Conditions, Evictions, Utilities)</td>
<td>Do you ever have trouble paying the electric or heating bill?</td>
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<td>Is your child acting lethargic or having trouble breathing?</td>
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<td></td>
<td>Are you having trouble with your landlord?</td>
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<td></td>
<td>Are you having trouble paying the rent?</td>
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<tr>
<td>E: Education (Enrollment, Special Education)</td>
<td>How is your child doing in school? Is he/she getting the help to learn what he/she needs?</td>
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<td>Is your child in Head Start, Preschool or any other early childhood program?</td>
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<td>Does your child feel safe at school?</td>
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<td></td>
<td>Are you a pregnant or parenting teen?</td>
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<tr>
<td>A: Advocacy and Appeals (Benefit Denials)</td>
<td>Were you recently denied public benefits, disability benefits, or a medical card?</td>
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<tr>
<td>L: Legal Referrals</td>
<td>Do you feel safe in your relationship? Do you have questions about your immigration status?</td>
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Announcements

Congratulations to Mary Kennelly, 2L and Health Justice Project’s Law Fellow, on receiving the Food and Nutrition Section of the American Public Health Association’s 2012 Student Abstract Award and Johns Hopkins Bloomberg School of Public Health’s award for outstanding achievement and excellence on her capstone paper, Strengthening SNAP Vendor Standards: Putting Healthier Foods Within Reach?. Mary also presented the research at the 2012 American Public Health Association annual conference.

Thank you to Adjunct Professors of Law Colleen Boraca, Supervising Attorney at Aids Legal Council of Chicago, and Mark Swartz, Legal Director at Lawyers’ Committee for Better Housing, for an outstanding semester! We look forward to welcoming you back in the 2013 Spring Semester.

Professor Emily Benfer discussed the work of the Health Justice Project in her recent publications, Interdisciplinary Collaboration Between Graduate Schools and Host Communities and Health Justice Project: Law Schools Reaching Out Beyond the Classroom.

Study on the Effect of Medical-Legal Partnership on Patient Health
During the Spring 2013 Semester 2Ls Mary Kennelly, MPH, and Shana Scott, MPH, will be conducting a policy project that examines the effect of medical-legal partnership on patient health.

Allyson Gold raised awareness about the ability of medical-legal partnerships to mitigate unhealthy conditions. In an article, Combating Substandard Housing through Medical-Legal Partnerships, for the ABA The Young Lawyer, she described how MLPs better enable attorneys to remediate poor housing than the traditional legal aid model. She also presented “Interdisciplinary partnership to Overcome Health Disparities” to the Northwestern University Feinberg School of Medicine Physician Assistance Program.

Save the Date!
January 17, 2013: Spring Semester Boot Camp
February 8-10, 2013: Amaker Retreat
March 13, 2013: HJP OPEN HOUSE
March 17, 2013: 2013-2014 HJP Student Applications Due

Thank You to the Fall 2012 Students!

Adriana Ballines       Carrie Gilbert       Mary Kennelly
Andrea Bland          Beth Karpiak        Leighanne Root
Alissa Bugh           Eric Kim            Jon Sheffield
Britany Fijolek      Jennifer Lorio      Kyle Hardy
Shannon Flaherty     Shana Scott           Prya Murad
Johanne Verpil

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The important work of the Health Justice Project would not be possible without the support of our outstanding partners and colleagues. We express our deepest gratitude to Erie Family Health Center, AIDS Legal Council of Chicago, Equip for Equality, Lawyers’ Committee for Better Housing, Loyola University Chicago School of Social Work, Beazley Institute for Health Law and Policy, and the faculty and staff of Loyola University Chicago School of Law.