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SERVICE STANDARDS FOR Other Professional Services

Origination Date: June 2016					
Reviewed/approved by the Continuum of Care Committee	June 9, 2016	February 13, 2020	November 12, 2020		
Approved by the Planning Council	June 15, 2016	February 19, 2020	February 17, 2021		

In addition to the Universal Standards, you are also expected to follow the following guidelines.

I. GOAL

The goal of this service category (Other professional services) is to provide legal and tax preparation assistance to people living with HIV/AIDS.

II. DESCRIPTION (PCN 16-02 - Revised 10/22/18)

Other Professional Services allow for the provision of professional and consultant services rendered by members of particular professions licensed and/or qualified to offer such services by local governing authorities. Such services may include:

- Legal services provided to and/or on behalf of the HRSA RWHAP-eligible PLWH and involving legal matters related to or arising from their HIV disease, including:
 - Assistance with public benefits such as Social Security Disability Insurance (SSDI)
 - 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 HRSA RWHAP
 - Preparation of:
 - Healthcare power of attorney
 - Durable powers of attorney
 - Living wills
- Permanency planning to help clients/families make decisions about the placement and care of minor children after their parents/caregivers are deceased or are no longer able to care for them, including:
 - Social service counseling or legal counsel regarding the drafting of wills or delegating powers of attorney
 - Preparation for custody options for legal dependents including standby guardianship, joint custody, or adoption
- Income tax preparation services to assist clients in filing Federal tax returns that are required by the Affordable Care Act for all individuals receiving premium tax credits.

III. KEY SERVICE COMPONENTS AND ACTIVITIES

- Assistance with public benefits such as Social Security Disability Insurance (SSDI)
- 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 RWEHAP

- Preparation of paperwork for assignment of Healthcare, Durable powers of attorney and Healthcare Proxy
- Preparation of Living wills
- Social service counseling or legal counseling regarding the drafting of wills or delegating powers of attorney
- Preparation for custody options for legal dependents including standby guardianship, joint custody, or adoption
- Assistance in filing Federal and State tax returns required by the Affordable Care Act for individuals receiving premium tax credits.

IV. SERVICE LIMITATIONS/REQUIREMENTS (2021 RFP)

None

V. ASSESSMENT AND SERVICE PLAN

- Develop a plan that is agreed upon by client and agency, which outlines service goals and the services provided to meet these objectives.
- Increased access to entitlements
- Client's directive for future health care
- Client's directive for distribution of estate
- Arrangements for future care of minor children
- Compliance with IRS requirements

DOCUMENTATION

Written documentation is kept for each client which should include:

1. Client's name and unique identifier number
2. Proof of HIV+ status
3. Initial Intake
4. Documentation of reassessment(s)
5. Signed initial and updated individualized service plan
6. Evidence of consent for services
7. Documentation of each contact with or on behalf of the client
8. Evidence of the client's understanding of his/her rights and responsibilities
9. Signed "Consent to release information" form if needed. This form must be specific and time limited

VI. ENGAGEMENT AND RETENTION OF CLIENTS

Please refer to Universal Service Standards

VII. STAFF QUALIFICATIONS AND TRAINING

Qualifications/Training

- HIV experience/training preferred
- Obtain and maintain appropriate licenses and/or certifications
 - Attorneys must be licensed to practice in the State of New Jersey and have obtained a minimum of a Doctorate of Jurisprudence (JD) from an ABA-approved law school.
 - Non-licensed staff (including but not limited to paralegals and advocates) must be supervised by licensed attorneys.
 - Continuing legal education (CLEs) for attorneys as mandated by the state licensing agency
- Training and /or experience in accounting/tax preparation as needed
- The Agency will provide new hires with training regarding confidentiality, client rights and the agency's grievance procedure.

- Annual staff evaluation/review

VIII. ADDITIONAL PROGRAM GUIDANCE [HIV/AIDS Bureau Policy 16-02]

Legal services exclude criminal defense and class-action suits unless related to access to services eligible for funding under the RWHAP.