

Indiana Department of Health HIV Services Program Other Professional Services Standard

HRSA Service Definition:

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 and/or families make decisions about the placement and care of minor children after their parents and/or 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.

Program Guidance:

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

Key Service Components and Activities:

Key service components and activities are noted in the Service Standards below.

HIV Services Program Service Standards:

Standard	Documentation
1. Personnel Qualifications	
1. Services are provided by licensed attorneys or their support staff of paralegals and social workers who have specific experience and appropriate training on legal issues	1. Documentation of applicable experience and qualifications are in personnel files available for review by IDOH upon request.

<p>pertaining to health-related matters and discrimination.</p>	
<p>2. Eligibility Criteria</p>	
<p>1. Sub-recipients must have an established criteria for the provision of other professional services that includes, at minimum:</p> <ul style="list-style-type: none"> a. Eligibility verification consistent with recipient requirements 	<ul style="list-style-type: none"> 1. Sub-recipient criteria for provision of service category 2. Service providers and sub-recipients must maintain documentation of current eligibility if providing HIV services reimbursable under the RWHAP Part B Program. 3. Documentation must be made available for review by IDOH upon request.
<p>3. Assessment</p>	
<p>1. Sub-recipients should establish criteria for an assessment relevant to services provided.</p>	<ul style="list-style-type: none"> 1. A written documentation of policy 2. If assessment is conducted, then assessment should be documented in client file.
<p>4. Service Delivery</p>	
<ul style="list-style-type: none"> 1. Sub-recipients should establish criteria for service delivery relevant to services provided. 2. Providers deliver advice, assistance, and representation limited to these areas: <ul style="list-style-type: none"> a. Assistance with public benefits such as Social Security Disability Insurance (SSDI) b. Discrimination based on HIV status c. Breach of confidentiality related to HIV status d. Advance Directives (including living wills, durable powers of attorney, and healthcare power of attorney) e. Permanency and/or Last Will and Testament planning to help clients and/or families make decisions about the placement and care of minor children after their parents and/or caregivers are deceased or are no longer able 	<ul style="list-style-type: none"> 1. Written documentation of policy. 2. Services provided must be recorded in CAREWare service tracking system no later than 20 days after the end of each month in which services were provided. 3. HIV status is confirmed by review of applicable documentation in service records. <ul style="list-style-type: none"> a. Documentation includes description of how the legal service is necessitated by the individual's HIV status, as well as the type of service and number of service hours provided.

<p>to care for them (including legal counsel regarding the drafting of wills, delegating powers of attorney, and preparing for custody options such as standby guardianship, joint custody, or adoption)</p> <p>f. Gender affirming name and gender marker changes necessary to ensure access to eligible benefits</p> <p>3. Advice, assistance, or representation for any topic not listed above must be approved by IDOH prior to provision of services.</p> <p>4. Sub-recipient should provide information regarding appropriate community resources if the case falls outside the purview of allowability indicated above or as determined by IDOH.</p>	
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Subservices:

- Legal Services – case review
- Legal Services – consultation

Service Unit Definition:

- Unit = 1 contact