

**Virginia Department of Health
 Division of Disease Prevention
 HIV Care Services
 Service: Standards**

**Legal Services
 2009-2010**

Definition: Legal services are the provision of services to individuals with respect to power of attorney, do-not-resuscitate orders and intervention necessary to ensure access to eligible benefits, including discrimination or breach of confidentiality and litigation as it relates to services eligible for funding under the Ryan White Program. It does NOT include any legal services that arrange for guardianship or adoption of children after the death of their normal caregiver. (HRSA definition)

Objectives for Service:

- Stabilize life situations for Persons Living with HIV/AIDS (PLWHA) by providing services to overcome barriers to access and utilization of Ryan White Part B service delivery.
- Utilize effective management practices generally accepted within the legal profession.
- Provide a client centered plan with provider, client and family participation.
- Advocate for client’s rights.

STANDARD	MEASURE
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Service Standards:	
The client’s eligibility for Ryan White Part B services is determined before services are initiated.	Documentation of the client’s eligibility is present in the client’s record.
A referral by a Ryan White Part B provider is made for initiation of legal services.	Documentation of the referral or form is present in the client’s record, signed and dated.
Services offered to the client/client’s family are individualized.	Documentation of services offered is present in the client’s chart. Copy of a retainer agreement with client is present in the client’s record, signed and dated.

All information provided by the client is confidential. It will not be released to anyone without client permission except as permitted or required by law.	Written retainer includes confidentiality assurances and is present in the client's record, signed and dated.
Collaboration occurs between the client and staff to decide strategies of representation, to make decisions relevant to the case and to establish goals that are achieved in a timely manner.	Documentations of the collaboration, involvement in the decision making, and that goals are achieved in a timely manner are present in the client's record, signed and dated by the client and staff.
Legal services utilize management practices that are generally accepted within the legal profession.	Documentation of plan and rationale is present in the client's chart signed and dated.
Legal services will be supervised to ensure that services are delivered appropriately and are timely.	Documentation of the regular case review meetings including date, people in attendance, and agenda of the meeting will be made available for review.
Legal service providers make appropriate referrals when necessary.	Documentation of referral and follow-up/outcome is present in client's record, signed and dated.
Qualifications:	
All attorneys (both staff and volunteer) meet the requirements for licensure in the Commonwealth of Virginia and are in good standing with the State Bar of Virginia.	A copy of the attorney's current license is available for review.
All staff and volunteer paraprofessionals and notaries possess and maintain licenses, and/or certifications as required by the Commonwealth of Virginia.	Copies of staff and volunteer paraprofessionals and notaries licenses and/or certifications are available for review.
Training:	
Staff members are trained in, and knowledgeable of, current law and have awareness of HIV/AIDS related issues and concerns.	Documentation that staff has access to updated HIV/AIDS information is available for review.
Annual Training:	
All professional and paraprofessional staff must complete 2 hours of continuing education in HIV/AIDS annually.	Documentation of completion of the continuing education must be kept in the personnel files and is available for review.