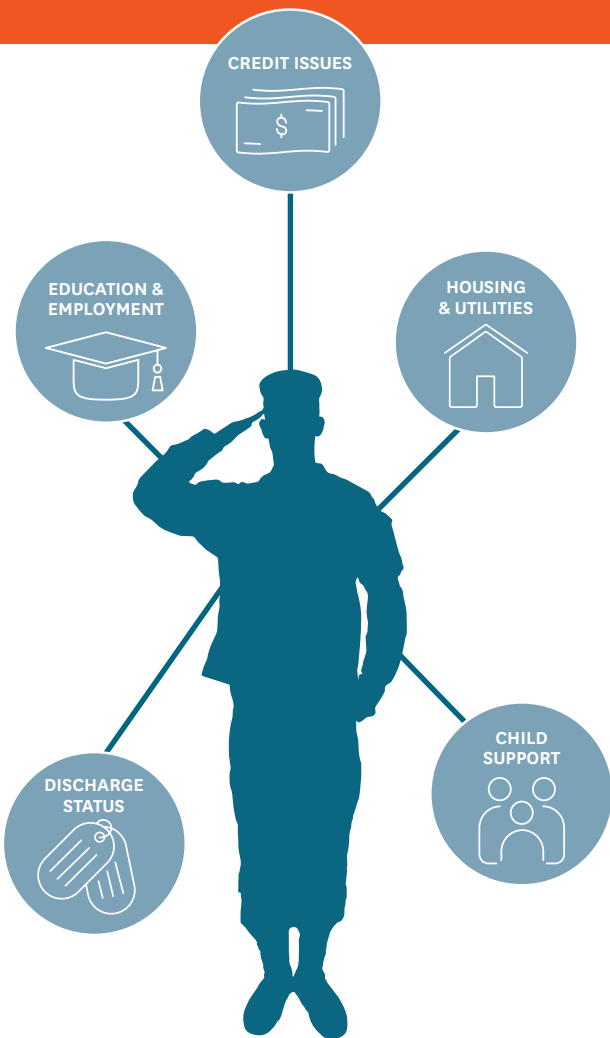


MEDICAL-LEGAL

PARTNERSHIPS SERVING

VETERANS: HISTORY,

GROWTH & PROGRESS



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Connecting Health Care and Legal Services for Veterans

Veterans face a number of unique challenges that negatively affect their health and their lives. Common unmet social needs among Veterans, such as lack of stable housing, credit and debt concerns, and family issues such as child custody matters, can exacerbate physical and mental health conditions and can lead to poor health and social outcomes. The Veterans Health Administration is a single-payer system that provides health care to nine million Veterans in the United States.¹ Along with providing health care to Veterans, the U.S. Department of Veterans Affairs (VA) and other Federal agencies offer wrap-around supportive services, including housing vouchers through the Housing and Urban Development's Veterans Affairs Supportive Housing (VASH) program, and linkage to supportive services for justice-involved Veterans through the VA's Veterans Justice Outreach program.

Medical-legal partnerships are an important part of the VA's strategy to enable Veterans to achieve health and well-being. In a medical-legal partnership, lawyers are embedded in the health care setting to address those social issues that may be affecting patient health. Since the first partnership in the early 1990s, the movement has grown to nearly 350 across the country, operating in hospitals, health systems, health centers, and 31 Veteran-specific MLPs.

VA medical-legal partnerships combine the expertise of VA staff health care clinicians who understand the health issues that are unique to, or common in, Veterans, with the knowledge of lawyers who understand the complexities of laws and policies that most affect Veterans. These professional connections build capacity to foster Veteran health and well-being. In VA MLPs, VA medical providers work directly with on-site lawyers who are trained to detect Veterans' legal needs. Health care team members refer Veterans to the legal team for legal intake and consultation, and both health care and legal teams follow up with the Veteran and coordinate on case feedback using clinical communication. A recent study by Tsai et al. found that Veterans who received legal services at four MLPs showed significant mental health improvement, as well as improvements in their housing and income.²

The last decade has seen steady growth of Veteran-specific MLPs across the country, from only one in 2009 to thirty-one as of January 2019, no doubt because of the VA's 2011 Directive that encouraged VA Medical Centers to provide space for legal services to meet Veterans where they are.³ Below, we provide a look at the state of the VA MLP field – why and how legal services have grown in VA Medical Centers, where VA MLPs are operating today, and considerations for the future. For a step-by-step guide to starting and strengthening a VA MLP, please see the VA MLP Readiness Guide.

WHAT IS A MEDICAL-LEGAL PARTNERSHIP?



It is a highly flexible approach that integrates legal services into a health care setting, and adapts to the needs of a specific population. Typically MLPs²⁹:

1. Have a “lawyer in residence,” who works on-site at the health care organization.
2. Have a formal agreement between the participating health and legal organizations outlining responsibilities and services.
3. Define a target population to receive services.
4. Screen patients for health-harming legal needs to find those patients who might not otherwise have their health-harming legal needs identified or addressed.
5. Have dedicated legal staffing to provide MLP services at the health care organization.
6. Train health care providers on common social determinants of health and how legal expertise and services can help mitigate the negative impact of those issues on health and health care.
7. Share information about patients between health and legal staff to solve health harming legal problems or address social determinants.
8. Designate financial resources to support the medical-legal partnership activities.

FIGURE 1. THE VA MLP PIPELINE

The 31 VA MLPs are at different levels of maturity, and even more VA medical centers (VAMCs) are considering developing MLPs as well.



Health and Social Issues Affecting Veterans

Veterans constitute about seven percent of the adult population. Veterans are older than the general population, with a median age of 64 years old.⁴ The percentage of Veterans who have at least one disability is double that of non-Veterans.⁵ Many of Veterans’ physical health issues and disabilities are associated with the period in which the Veteran served, such as lung cancer related to Agent Orange exposure among Vietnam Veterans.⁶

Forty-one percent of Veterans have mental health conditions, including depression, post-traumatic stress disorder (PTSD), traumatic brain injury, and substance use disorder.⁷ Combat Veterans are more likely to experience PTSD, generalized anxiety disorder and suicidality than non-combat Veterans.⁸ Further, women who have experienced military sexual trauma are nine times more likely to develop PTSD than women in the general population who do not have a history of sexual assault.⁹

A recent study found that the most common social issues for Veterans were housing, credit and debt relief, family issues such as child custody, and consumer issues, and that Veterans

had, on average, 1.5 legal issues.¹⁰ Of the social issues most affecting Veterans, homelessness has garnered the most attention. While Veterans are only slightly overrepresented in the U.S. homeless population, “homeless Veterans also symbolically represent a failure of the government to care for those who have served our military and country.”¹¹ Various social issues contribute to homelessness, and may be exacerbated for those Veterans with PTSD.¹²

The Community Homelessness Assessment, Local Education and Networking Groups (CHALENG) survey, conducted annually, assesses the unmet and met needs for homeless Veterans. The 2017 survey results indicated that, of the top ten unmet needs for homeless Veterans, five required legal assistance, including child support, prevention of eviction or foreclosure, restoring a driver’s license, resolving issues around outstanding warrants or fines, and financial guardianship.¹³

Discharge status can reverberate into many aspects of a Veteran’s life. Discharge under a status Other Than Honorable (OTH) means that the Veteran is unable to access health benefits from the VA, disability benefits, or benefits under the GI bill. It may be difficult for these Veterans to find a job, or to qualify for Veteran-specific job assistance programs.¹⁴ War-deployed

TABLE 1. HOW LEGAL SERVICES HELP ADDRESS THE SOCIAL DETERMINANTS OF HEALTH OF VETERANS

This chart is modified from “Framing Legal Care as Health Care,” a messaging guide created by Kate Marple at the National Center for Medical-Legal Partnership.

Common Social Determinant of Health	How Legal Services Can Help Veterans	Impact of Legal Services on Health / Health Care
<p>INCOME Resources to meet daily basic needs</p> 	<ul style="list-style-type: none"> • Appeal benefits denials, e.g. food stamps, social security, and disability benefits • Address consumer issues (debt, bankruptcy, student loans, credit history) • Resolve benefits overpayment 	<ol style="list-style-type: none"> 1. Increasing a Veteran’s income means s/he makes fewer trade-offs between affording basic needs, such as food or housing, and health care, including medications. 2. Financial stability ensures that Veterans have a place to live and can focus on their health.
<p>HOUSING & UTILITIES A healthy physical environment</p> 	<ul style="list-style-type: none"> • Secure housing subsidies • Improve substandard conditions • Prevent evictions or foreclosures • Protect against utility shut-off 	<ol style="list-style-type: none"> 1. A stable, decent, affordable home helps Veterans avoid costly emergency room visits related to homelessness. 2. Consistent housing, heat and electricity help Veterans follow their medical treatment plans.
<p>EDUCATION & EMPLOYMENT Quality educational and job opportunities</p> 	<ul style="list-style-type: none"> • Prevent and remedy employment discrimination • Enforce workplace rights • Secure service-connected education benefits • Secure unemployment compensation or unpaid wages 	<ol style="list-style-type: none"> 1. A quality education is one of the single greatest predictors of a person’s adult health. 2. Consistent employment helps provide money for food and safe housing, which also helps avoid costly emergency health care services.
<p>LEGAL STATUS Access to jobs and VA benefits</p> 	<ul style="list-style-type: none"> • Secure discharge status upgrades and record corrections for eligible Veterans • Secure VA benefits for eligible Veterans • Secure proper identification • Clear driving record problems 	<ol style="list-style-type: none"> 1. Helping a Veteran change their discharge status or correct their records helps make access to VA benefits possible, including health care and other benefits. 2. Securing proper identification and records is essential to helping Veterans secure stable employment.
<p>PERSONAL & FAMILY STABILITY Safe homes and social support</p> 	<ul style="list-style-type: none"> • Address family issues, e.g. divorce, child custody, guardianship, and visitation • Help modify child support agreements to be consistent with income and resources • Assist with advance planning, e.g. wills and power of attorney 	<ol style="list-style-type: none"> 1. Stable family relationships significantly reduce stress and allow for better decision-making, including decisions related to health care. 2. A modified child support agreement stabilizes a Veteran’s income and prevents arrests from unpaid child support, which reduces criminal convictions, incarcerations, and criminal records.

marines with PTSD from recent conflicts were more likely to be discharged under OTH than war-deployed marines without a psychiatric diagnosis.¹⁵ Survivors of military sexual assault can also receive an OTH discharge status for mental health reasons that stem from the assault, preventing them from accessing mental health care through the VA. Medical-legal partnerships can remedy OTH discharge statuses for Veterans that stem from mental health issues related to military service so that Veterans can get the benefits and medical treatment that they need.

Legal and Supportive Resources to Address Veterans' Social Needs

DIRECTIVE 2011-034 AND FREE LEGAL CLINICS

Because many of these social needs have a legal solution, the VA's Office of General Counsel is committed to facilitating access to legal services for Veterans, thanks in large part to the work of the late Bill Russo.¹⁶ Accordingly, in 2011, the VA issued Directive 2011-034, which advises VA Medical Centers on how to refer homeless Veterans for legal services, and encouraged VA Medical Centers to provide space to legal services organizations.

As of March 2019, the VA has 31 MLPs and nearly 140 free legal clinics located in VA facilities. In VA legal clinics, lawyers provide free legal services to Veterans. The main distinction between the free legal clinics and the MLPs is that in the former the health care providers and lawyers do not interact, nor is there training on MLP services offered to health care staff.

It should also be noted that low-income individuals, including Veterans, are eligible to receive free legal services from legal aid organizations, such as those that receive grants from the Legal Services Corporation (LSC). In 2017 alone, legal aid organizations that received funding from LSC served over 42,000 Veteran households.¹⁷

Further, the VA, partnered with LSC, developed the website Statesidelegal.org to simplify the laws and policies that affect Veterans, as well as a directory of free or low-cost legal services available for Veterans nationally. One such organization is the National Veterans Legal Services program, which focuses on helping Veterans change their discharge status.¹⁸ It should also be noted that low-income individuals, including Veterans, are eligible to receive free legal services from legal aid organizations, such as those that receive grants from LSC.

MEDICAL-LEGAL PARTNERSHIPS SERVING VETERANS

VA MLPs provide legal services to Veterans and their families in housing, employment and education, access to benefits, income, and family law issues. Lawyers help Veterans restore their drivers' license or obtain proper identification, upgrade discharge status, and prevent homelessness by taking action to improve housing conditions or prevent foreclosure. Given the aging population of Veterans, estate planning including simple wills, advance directives and healthcare proxies, can be an important component of work for VA MLPs. While many of these issues are not unique to Veterans, MLP lawyers are uniquely positioned to consult with the Veteran's health care team and other advocates, such as Veterans Justice Outreach (VJO) specialists for justice-involved Veterans, to find solutions that are compatible with the Veteran's life.¹⁹

The number of VA MLPs has swelled since the first was established in Fall 2009, growing to 31 as of March 2019. Currently, VA MLPs are located in ten states and involve legal partners from legal services organizations, law schools, law firm pro bono programs, and state bar associations. VA MLPs may serve specific subsets of the Veteran population, such as female Veterans, or have a specific legal focus, such as on housing. VA MLPs receive support from a mix of sources, including LSC, Equal Justice Works through the provision of fellows, law schools through collaboration with legal clinics, and philanthropic giving. Currently, VA Medical Centers do not contribute funding to support VA MLPs, though some do provide space for legal services to operate out of their facilities, as discussed above.

The first VA MLP, Errera Community Care Center of the VA Connecticut Healthcare System and the Connecticut Veterans Legal Center, provides legal services to Veterans with mental illness, homelessness, substance use disorder, and tackles legal issues surrounding aging.²⁰ Also notably, the first MLP to partner with a Vet center, which provides health care services to Veterans regardless of discharge status, opened in 2016 between the Oakland Vet Center and Swords to Plowshares, marking an crucial step towards reaching more Veterans.

**Duplicate entries indicate individual VA MLPs within the VA Medical Centers, e.g., a VA MLP for women Veterans.*

TABLE 2. VA MEDICAL-LEGAL PARTNERSHIPS

STATE	VA FACILITY	LEGAL PARTNER
Alabama	Central Alabama Veterans Health Care System	Legal Services of Alabama
	Tuskegee VA Medical Center	Legal Services of Alabama
California	Tibor Rubin Medical Center VA Long Beach Healthcare System	Inner City Law Center
	West Los Angeles VA Hospital	Inner City Law Center
	Oakland Vet Center	Swords to Plowshares
	San Francisco VA Medical Center	MLP for Seniors
Connecticut	VA CT Healthcare System, Errera Community Care Center	Connecticut Veterans Legal Center
Delaware	Wilmington VA Medical Center	Delaware Legal Services Corporation
Florida	C.W. Bill Young VA Medical Center	Stetson University Veterans Law Institute and Bay Area Legal Services
	James A. Haley VA Medical Center	Bay Area Legal Services
	Miami VA Healthcare System	Florida International University Law School Dade County Legal Aid, Miami Legal Services, "Put Something Back" (Dade County Bar Pro Bono program)
	Sgt. Ernest "Boots" Thomas VA Healthcare Center	Tallahassee Veterans Legal Collaborative
	Viera VA Outpatient Clinic	Community Legal Services of Mid-Florida
Illinois	Marion VA Medical Center	Land of Lincoln Legal Assistance
Louisiana	Southeast Louisiana Veterans Health Care Service (SLVHCS)	Southeast Louisiana Legal Services
Maine	VA Maine Healthcare System	Pine Tree Legal Assistance
Massachusetts	VA Central Western Massachusetts	Community Legal Aid
New York	NY Harbor Healthcare System	Veteran Advocacy Project, Urban Justice Center
	Bronx Vet Center	Veteran Advocacy Project, Urban Justice Center
	James J. Peters VA Medical Center*	LegalHealth
	James J. Peters VA Medical Center	LegalHealth
	James J. Peters VA Medical Center	LegalHealth
	James J. Peters VA Medical Center	LegalHealth
	Manhattan Campus of the VA NY Harbor Healthcare System*	LegalHealth
	Manhattan Campus of the VA NY Harbor Healthcare System	LegalHealth
	Manhattan Campus of the VA NY Harbor Healthcare System	LegalHealth
	Manhattan Campus of the VA NY Harbor Healthcare System	LegalHealth
	VA Medical Center- Northport	LegalHealth
	Canandaigua VA Medical Center	Legal Assistance of Western New York
	Queens Vet Center	Veteran Advocacy Project, Urban Justice Center
Oklahoma	Oklahoma City VA Medical Center	Legal Aid Services of Oklahoma

LAW SCHOOL CLINICS

Veteran-specific law school clinics, where law students assist individuals with their legal matters, have proliferated in the last decade. One of the first is the Lewis B. Puller Jr. Clinic at William & Mary Law School, which partners with Virginia Commonwealth University’s Center for Psychological Services and Development to treat both Veterans’ legal needs and mental health.²¹ As of Fall 2017, there are eighty Veteran-specific law school clinics.²² In general, Veteran-specific law school clinics are not associated with VA Medical Centers, unlike VA MLPs.

SPECIAL VETERAN POPULATIONS

Veterans Facing Homelessness: Since 2009, the VA and other Federal partners have led an ambitious effort to end homelessness among Veterans, and the development of a variety of interventions including housing vouchers through HUD’s VASH program; the Homeless Providers Grant and Per Diem Program; and Community Employment Coordinators who counsel homeless Veterans on finding employment. Recognizing the legal problems that can contribute to homelessness, the Supportive Services for Veterans Families program provides funding for organizations, including legal services, to address legal and social issues for homeless Veterans and those in danger of becoming homeless.²³ The initiative has seen tremendous success, with a 50 percent decline in unsheltered homelessness for Veterans between 2010 and 2016.²⁴

Justice-Involved Veterans: Veterans who are involved in the criminal justice system have access to a distinctive resource: the Veterans Justice Outreach (VJO) program within the VA. VJO specialists seek to identify justice-involved Veterans in courts and jails, and connect them to VA services.²⁵ VJOs coordinate with local courts and agencies in which the Veteran is involved. VJO specialists also work in Veterans Treatment Courts, which serve as a diversionary mechanism for Veterans who have been charged with criminal offenses. The VJO specialist, along with a volunteer Veteran mentor, are included on the Veteran’s team in order to help them succeed in fulfilling the program requirements.²⁶

VA MEDICAL-LEGAL PARTNERSHIP RESEARCH AND OUTCOMES

A recent 18-month study³⁰ by Tsai et al. examined the health and wellbeing outcomes of MLP services on 950 Veterans in New York and Connecticut who were experiencing mental illness, homelessness, or both. The study found that Veterans who received full legal representation had significant improvements in mental health.

IN THE FIRST 3 MONTHS, VETERANS SHOWED SIGNIFICANT REDUCTIONS IN SYMPTOMS OF

HOSTILITY, PARANOIA, PSYCHOSIS, GENERALIZED ANXIETY DISORDER, AND PTSD

The study also found that the more legal services received by the Veterans, the more housing and mental health improvements they experienced.

In an earlier study³¹ of the Errera Community Care Center specifically, researchers found that the top three legal issues for Veterans were:



FAMILY LAW (18%)



PUBLIC BENEFITS (17%)



HOUSING (14%)

Although the MLP was not collecting empirical data on outcomes at that time, researchers noted “anecdotal successes” for Veterans with mental health issues specifically.

Considerations for Future Progress

The VA is committed to furthering the progress that the 31 VA MLPs – and the variety of supportive services – have already achieved, and to strengthen their growth. The VA’s MLP Taskforce is an important factor to this progress. The Taskforce includes leadership from the VHA, the VA’s Office of General Counsel, medical-legal partnership experts and VA MLP practitioners from across the country. It offers training, support and assistance for VA Medical Centers interested in starting an MLP, as well those VA MLPs already in existence. The Taskforce also disseminates education and training materials.²⁷

Both legislative and regulatory opportunities to advance legal services for Veterans are on the horizon. For example, the 2018 MISSION Act, which envisions funding legal services for Veterans’ caregivers, will enable more Veterans to receive the legal help that they need.²⁸ As in past sessions of Congress, proposed legislation to increase legal services for Veterans at-risk of homeless may be reintroduced, and VA leadership may identify other opportunities to advance support of legal services in existing activity.

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MISSION

Recognizing the enormous potential for legal services to help health care providers respond to the social needs and deficiencies they see every day in their clinics, the National Center for Medical-Legal Partnership's mission is to foster a system in which all health organizations can leverage these services. Over the last decade, the National Center's work has helped cultivate programs that do just that at nearly 350 hospitals and health centers across the U.S.

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