

TIP SHEET

ADVANCING MEDICAID QUALITY AND COST GOALS THROUGH INTEGRATED AND COLLABORATIVE SUPPORT SERVICES

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Introduction

Medical-legal partnership (MLP) leverages legal expertise to advance individual and population health.¹ By embedding attorneys in clinical settings, MLP addresses the underlying causes of expensive, low-quality healthcare outcomes. For example, MLP reduces avoidable hospital admissions through support to help patients stabilize housing and access to nutritious food that prevents exacerbations of chronic health conditions.² Addressing patients' health-related legal needs also reduces the average length of inpatient stays, resulting in significant hospital cost savings.³ MLP is equally effective in certain health center patient populations, lowering, for instance, healthcare utilization costs for children and adolescents by decreasing avoidable emergency department visits and admissions.⁴ These studies and more are part of a growing evidence base demonstrating that MLP reduces the financial burden on patients and the healthcare system while promoting the right care at the right time.

Because MLP improves health outcomes and lowers healthcare costs, the model is an important component of value-based care (VBC). A necessary step for realizing MLP's potential to enhance VBC is aligning common legal interventions with covered services and supports. This tip sheet targets two key value-based initiatives within the Medicaid programs, cross-walking those interventions with MLP legal care.

Building the Case for MLP Financing in Medicaid

Medicaid is a joint federal and state program designed to provide healthcare coverage to United States citizens (and certain permanent residents) who are both low-income and low-resource. Medicaid traditionally serves a limited population, including impoverished adults, children, pregnant women, elders, and persons determined to be disabled by the Social Security Administration (SSA). Many states also cover persons with breast or cervical cancer. All citizens under 133% of the Federal Poverty Level (FPL) with minimal resources are eligible in states with expanded Medicaid. Additionally, all states offer low-cost health coverage through the Children's Health Insurance Program (CHIP) to children in families that earn too much money to qualify for Medicaid.

The Medicaid-eligible population and those served by legal services organizations significantly overlap. At the federal level and in many states, legal services organizations serve people with income at or below 125% of the FPL, with some exceptions. The two populations also have demographic similarities, including access gaps in rural communities despite greater per capita need. Adults defined as disabled by the SSA are disproportionately represented in both the legal services client and Medicaid patient populations. Moreover, Medicaid-eligible individuals face legal issues that directly impact their health, such as navigating the civil legal system to ensure access to health insurance, to obtain healthcare proxies, advance directives, and wills, and to prevent homelessness.

These overlaps underscore the interconnected nature of health and legal needs among persons with modest incomes, highlighting the potential benefits of closer collaboration between legal services and healthcare providers in serving Medicaid-eligible individuals.

Medicaid Addresses Health-Related Needs through Two Key Waivers

A critical value-based proposition is addressing health-related needs that contribute to poorer health outcomes and higher healthcare costs. Throughout the country, states are designing their Medicaid programs to improve healthcare quality through interventions that address the health-related needs of Medicaid beneficiaries. Several MLP activities align well with this approach to quality improvement and delivery system transformation within Medicaid.

As MLPs engage with state Medicaid agencies to address beneficiaries' health-related needs, they should consider two related Medicaid waiver policies. Waivers issued pursuant to Social Security Act §1115, also called "demonstration projects," allow the Centers for Medicare and Medicaid Services (CMS) the authority to waive certain federal requirements and grant states additional flexibility to test new ways to improve their Medicaid programs. Section 1115 waivers may include health-related needs programs, benefits, and services that can improve population health and lower overall healthcare costs in the Medicaid program.⁵ Additionally, states may use §1115 waivers to address Medicaid beneficiaries' individual health-related needs, which CMS defines as a person's unmet, adverse social conditions contributing to poor health outcomes. An individual's health-related needs are identified through person-specific assessments of various factors affecting their overall well-being.⁶

CMS has offered guidance for states seeking to address health-related needs for Medicaid and CHIP beneficiaries. **Table 1** describes interventions for a set of health-related needs. Importantly, MLP programs typically provide services that fall within each category. Accordingly, MLP teams may be able to tap into Medicaid by linking their legal interventions with CMS-approved health-related needs interventions.

North Carolina's Healthy Opportunities Pilot (HOP) program is a leading example.⁷ HOP is the nation's first comprehensive program to evaluate the impact of providing select evidence-based, non-medical interventions to high-needs Medicaid enrollees. HOP explicitly incorporates MLP legal care. Covered legal services include counsel and advice for legal issues that, if addressed, could help to secure or maintain healthy and safe housing and mitigate or eliminate exposure to interpersonal violence or toxic stress.⁸

How MLP Interventions Meet Medicaid Objectives

The I-HELP® acronym describes health-related needs that MLP addresses: **I**ncome & Insurance, **H**ousing & utilities, **E**ducation & Employment, **L**egal status, and **P**ersonal & family stability.⁹ **Table 1** shows how specific legal interventions address health-related needs consistent with Medicaid health-related needs waivers. Each state may have additional priority areas that MLP teams should consider. Where full legal representation may not be reimbursable, education on roles, rights, and responsibilities still may be reimbursable as part of case management services.

TABLE 1. ALIGNMENT OF I-HELP™ LEGAL CARE CATEGORIES WITH CMS WAIVER PROVISIONS AND HEALTH-RELATED NEEDS






I-HELP™ Categories	How Legal Care Can Help	Relevant Health-Related Needs Waiver Provisions as Listed in the CMS Population Health and Individual Health Guidance Documents
<p>INCOME Resources to meet daily basic needs</p> 	<ul style="list-style-type: none"> • Appeal denials of food stamps, health insurance eligibility or coverage, cash benefits, and disability benefits administered by the SSA or Veterans Affairs 	<p><u>Individual Health</u></p> <ol style="list-style-type: none"> 1. Case management services for access to housing and nutrition supports 7. Medically necessary home remediations 8. Home/environmental modifications <p><u>Population Health</u></p> <ol style="list-style-type: none"> A(1). Home modifications C. Home-delivered meals* E. Educational services* G. Case management*
<p>HOUSING & UTILITIES A healthy physical environment</p> 	<ul style="list-style-type: none"> • Secure housing subsidies • Improve substandard conditions • Prevent evictions • Ensure reasonable accommodations • Protect against utility shut-off 	<p><u>Individual Health</u></p> <ol style="list-style-type: none"> 1. Case management services for access to housing and nutrition supports 2. Housing supports, including pre-tenancy navigation services and tenancy and sustaining services 4. Utility assistance 7. Medically necessary home remediations 8. Home/environmental modifications <p><u>Population Health</u></p> <ol style="list-style-type: none"> A(1). Home modifications A(3). Housing and tenancy supports, including pre-tenancy services and tenancy sustaining supports G. Case management*

TABLE 1. ALIGNMENT OF I-HELP™ LEGAL CARE CATEGORIES WITH CMS WAIVER PROVISIONS AND HEALTH-RELATED NEEDS (CONT).

I-HELP™ Categories	How Legal Care Can Help	Relevant Health-Related Needs Waiver Provisions as Listed in the CMS Population Health and Individual Health Guidance Documents
<p>EDUCATION & EMPLOYMENT Quality educational and job opportunities</p> 	<ul style="list-style-type: none"> • Secure specialized education services • Ensure reasonable accommodations • Prevent and remedy employment barriers • Enforce workplace rights 	<p><u>Population Health</u> D. Educational services* E. Employment* G. Case management*</p>
<p>LEGAL STATUS Access to jobs and VA benefits</p> 	<ul style="list-style-type: none"> • Resolve veteran discharge status • Clear criminal/credit histories 	<p><u>Population Health</u> B. Non-medical transportation* F. Community integration and social supports* G. Case management*</p>
<p>PERSONAL & FAMILY STABILITY Safe homes and social support</p> 	<ul style="list-style-type: none"> • Secure specialized education services • Ensure reasonable accommodations • Prevent and remedy employment barriers • Enforce workplace rights 	<p><u>Population Health</u> D. Educational services* E. Employment* G. Case management*</p>

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*Asterisks indicate that the listed health-related need can be mitigated through a legal intervention, but currently, there is no clear ability to cover the specific legal service through Medicaid beyond the general allowances for case management services. In these instances, MLP teams can support the Medicaid objective by tracking the relevant legal interventions provided and outcomes achieved through blended and braided external funding.

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NCMLP's mission is to help health organizations leverage legal services as a standard part of the way they respond to patients' social needs. With funding from the Health Resources and Services Administration (HRSA), we provide free technical assistance to health centers, primary care associations, and Health Center-Controlled Networks interested in implementing medical-legal partnership strategies. Learn more about us [here](#) and [subscribe](#) to the MLP Update, our biweekly newsletter.