Medical-Legal Partnerships: Transforming Primary Care By Addressing The Legal Needs Of Vulnerable Populations

ABSTRACT Health care is undermined when patients don’t receive the benefit of laws intended to address social determinants of health, such as housing and food. Medical-legal partnerships, which now exist in more than 200 clinical sites in the United States, integrate lawyers into health care to address legal problems that create and perpetuate poor health. This paper describes how such medical-legal partnerships can change clinical systems—for example, by adding legal form letters to electronic health records to help low-income patients rectify substandard housing conditions. We recommend the integration of medical-legal partnerships into federal health care programs.

H ealth reform efforts have focused on how to insure the millions of Americans who lack coverage and on improving efficiencies within the health care system. However, health is as dependent on social circumstance as it is on the health care received. Over the past several decades, Congress, state governments, and federal agencies have enacted laws and regulations to address a host of social factors that influence health, such as adequate nutrition, safe and affordable housing, and disability income. However, primary care efforts to ensure health are undermined when patients do not receive the benefits or protections that these laws afford them.

Medical-legal partnerships are an innovation in health care delivery to improve access to these benefits and protections, which in turn will improve health.1

This paper describes how medical-legal partnerships use community legal resources by integrating them into the delivery of medical care. The partnerships can bring about clinical system changes such as adding form letters, standardized screening, and legal information to the electronic health record to address legal needs without a patient’s needing to see a lawyer.

A patient’s legal needs can include getting appropriate documentation to support disability applications or a referral to an enforcement agency for action on a housing code violation such as pest infestations.2 In each instance, legal information can be conveyed without interactions between a lawyer and the patient.

This paper also describes how medical-legal partnerships can work with government agencies to change laws and policies affecting low-income populations. In so doing, they can prevent or address legal problems that pose a direct threat to health. Examples include expanding regulatory protections for medically vulnerable utility consumers and opening offices for food stamp applications in health care settings.

Lastly, we suggest possible implementation and funding strategies. One strategy is integrating medical-legal partnerships into Health Resources and Services Administration (HRSA) community health center grants or Healthy Start sites to address the legal issues at the root of many health disparities. Another strategy includes using innovation funds and medical home initiatives at the Centers for Medicare and

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Medicaid Services (CMS) to address legal issues that pose barriers to effective medical care. This can improve patients’ satisfaction with their medical homes by adding on-site legal assistance.

Addressing Legal Needs As Barriers To Good Health

Material hardships associated with poverty include hunger, safety, utility shutoffs, and sub-standard housing. These problems generally constitute legal needs and are themselves barriers to good health.2

ADVERSE SOCIAL CONDITIONS WITH LEGAL REMEDIES Legal needs are adverse social conditions with legal remedies that reside in laws, regulations, or policies.2 For instance, a patient might not have enough food, which is frequently seen as a “social” need. But when a patient is wrongly denied Supplemental Nutrition Assistance Program (SNAP) benefits—formerly known as food stamps—what was a social need becomes a legal need, because access to the benefit is prescribed by law.

In the United States, civil legal aid is provided to low-income people by a range of agencies funded by federal and state governments. But these resources are chronically overwhelmed.4 Studies by the American Bar Association and others reveal that low-income households have an average of one to three unmet civil legal needs related to income, housing problems, employment, and family issues such as guardianship or domestic violence.

Fewer than one in five legal problems experienced by the poor are addressed with help from a private or legal aid lawyer, and most problems are left unresolved.5 Despite federal- and state-funded legal aid agencies, law school programs, and substantial pro bono services from the private sector, low-income individuals and families often do not have a safety net because they lack access to legal assistance.

EXHIBIT 1

Legal Needs That Affect Health

<table>
<thead>
<tr>
<th>Legal need</th>
<th>Examples of legal needs that affect health</th>
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<tbody>
<tr>
<td>Income/insurance</td>
<td>Insurance access and benefits</td>
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<td>Food stamps</td>
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<td>Disability benefits</td>
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<td>Social Security benefits</td>
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<td>Housing</td>
<td>Shelter access</td>
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<td></td>
<td>Access to housing subsidies (such as Section 8 program)</td>
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<td></td>
<td>Sanitary housing conditions (such as mold or lead)</td>
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<td></td>
<td>Foreclosure prevention</td>
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<td>Americans with Disabilities Act compliance</td>
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<td></td>
<td>Utility access</td>
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<td>Education/employment</td>
<td>Americans with Disabilities Act compliance</td>
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<td></td>
<td>Discrimination</td>
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<td></td>
<td>Individuals with Disabilities in Education Act compliance</td>
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<tr>
<td>Legal status</td>
<td>Immigration (asylum, Violence Against Women Act)</td>
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<td></td>
<td>Criminal record issues</td>
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<td>Personal/family stability</td>
<td>Guardianship, custody, and divorce</td>
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<td>Domestic violence</td>
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<td></td>
<td>Child and elder abuse and neglect</td>
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<td>Capacity/competency</td>
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<td>Advance directives</td>
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<td>Powers of attorney</td>
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<td>Estate planning</td>
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ingle legal problems and the prevention of legal crises and health consequences. Health care providers are trained to triage legal needs for their patients, to identify issues that patients cannot address themselves. Staff then can refer patients for on-site assistance, improving patients’ access to community legal expertise.

**LEGAL ADVICE AND ASSISTANCE** The first core component is providing legal advice and assistance to patients, with a focus on the early detection of legal problems and the prevention of legal crises and health consequences. Health care providers are trained to triage legal needs for their patients, to identify issues that patients cannot address themselves. Staff then can refer patients for on-site assistance, improving patients’ access to community legal expertise.

**IMPROVING HEALTH CARE SYSTEMS** The second core activity of the medical-legal partnership team creates internal systems improvement within health care. This approach weaves early detection and responses to legal needs efficiently into clinical care so that needs can be addressed without an individual lawyer’s intervention, if that is appropriate. This includes comprehensive training of health care teams on legal needs and remedies, improving clinical systems to trigger identification and triage of legal problems, and implementing tools to identify and “treat” legal needs that impact health.

There are many examples of effective tools that can be employed by medical-legal partnership teams. Electronic health record prompts can direct providers to screen for legal needs. Form letters from physicians in electronic health records can improve compliance with laws—for instance, by encouraging landlords to remedy code violations that harm asthmatic patients.

Health care providers also can offer improved clinic-based access to a range of government services for patients, including SNAP and Supplemental Security Income. Special calculators can assist pediatricians in advising families of children with special education needs about timelines for compliance with the Individuals with Disabilities Education Act (IDEA).

The opportunity for improving the health care system through medical-legal partnership is a core strength of this model. Health care teams have access to vulnerable populations and can identify their legal needs early and often address those needs. Given the prevalence of legal needs among low-income, vulnerable patients, the medical-legal partnership strategy is emerging as a critical component of care.

**CHANGE OUTSIDE THE SYSTEM** Medical-legal partnership teams also promote change outside the system, to protect and ensure health through compliance with existing laws. In addition, they can encourage the enactment or amendment of laws and regulations to benefit vulnerable populations. This includes working with coalitions, developing specific policy initiatives, and creating health impact assessments in response to policy proposals.

Although the legal community has long pursued policy changes on behalf of vulnerable communities, medical-legal partnerships bring a uniquely powerful clinical voice to the advocacy process. Along with an ability to “diagnose” policy gaps, these partnerships can identify innovative policy remedies that can bridge the gaps that separate government and communities. One example is recommending changes in how public housing authorities get the medical documentation needed to make decisions on transferring disabled patients from one unit to another for medical reasons. These changes help authorities make more accurate decisions and cut down on the need for appeals.

Medical-legal partnerships follow the same ethical standards as all legal providers do. But their special role in the health care setting creates opportunities for change strategies outside of traditional litigation models. For example, the partnerships have had substantial impact in improving regulatory implementation of health-related policy when both medical and legal practitioners meet with agency administrators.

Medical-legal partnerships can stimulate change outside the health care system. For example, one partnership provided detailed comments to the Social Security Administration regarding revisions in the disability eligibility requirements. Another documented the connection between a proposed housing voucher restriction and child health consequences by producing a health impact assessment.

**Initial Growth**

Although the first medical-legal partnership program started in 1993, national expansion began in earnest after the first national conference on the strategy in 2001. All medical-legal partnerships make use of existing legal resources in the community and rely on joint funding for legal staff to work at the participating health care site. Health care partners provide matching funds from a range of sources, including the budget of an affiliated hospital or health center, community benefits, and philanthropy. Implementation varies depending on the community’s legal resources and the health care partner’s commitment. All medical-legal partnerships, by definition, consist of at least one health care partner and one legal partner.

In 2010, medical-legal partnerships served 100 hospitals and 116 community health centers in a range of specialties. Most of the programs were available in pediatric and family medicine set-
tions. Increasingly, however, medical-legal partnerships are establishing comprehensive programs that serve entire community health centers or small community hospitals. More than 50 percent of community health centers with medical-legal partnerships received or were eligible for federally qualified health center funding, and at least half of the patient population served was eligible for Medicaid.

Legal partners are predominantly federal- and state-funded legal aid agencies that provide core infrastructure and expertise. Law schools, private law firms, and bar associations are increasingly contributing to the partnerships. Legal aid fellowship programs such as Equal Justice Works and the Skadden Fellowship Foundation have been key catalysts in the expansion of medical-legal partnerships since 2001.

Recent pilot studies have analyzed the cost of implementing medical-legal partnerships and focused on the revenue recovered for health care institutions through basic legal advocacy. These interventions include securing health insurance coverage for patients through a disability claim and appealing claims for health care previously denied by insurers. Studies at three medical-legal partnership sites have demonstrated that this sort of cost recovery more than covers the expense of program implementation, even when cases that have the potential to generate income constitute only a small fraction of all cases handled.

Because medical-legal partnerships generally include lawyers employed by legal aid agencies, the desire of health care institutions to recover money does not take precedence over other pressing legal needs. The separation of legal aid agency and health care institution avoids potential conflict in the allocation of legal resources or prioritization of particular legal needs of patient-clients over others.

Medical-legal partnerships have been greatly from the visible support of leading organizations in law and medicine, including the American Bar Association and the American Academy of Pediatrics, which passed resolutions in support of medical-legal partnerships in 2007 and 2008, respectively.

In June 2010, the American Medical Association passed a resolution that encourages physicians to develop medical-legal partnerships and to help identify and resolve diverse legal issues that affect patients’ health and well-being. In addition, the Agency for Healthcare Research and Quality (AHRQ) has profiled the concept of medical-legal partnership as an innovation, in both 2008 and 2010. Multiple research efforts studying how medical-legal partnerships impact legal needs and health are ongoing.

Success In The Field

Three examples from the medical-legal partnership network illustrate some of the best practices in deployment of the partnership model in primary care. The best practices include conducting a needs assessment to inform program implementation; using quality improvement practices to monitor, and offer feedback for, the achievement of implementation goals; and using a “patients to policy” strategy to improve internal and external systems and reduce the burden on patients and providers of addressing legal needs in a primary care setting.

NEW BEGINNINGS

The Medical-Legal Partnership–Boston program was the first medical-legal partnership. It currently serves more than 1,000 patients annually at Boston Medical Center and six affiliated community health centers. In the summer of 2008, the partnership decided to expand its reach to the geriatric patient population served by Boston Medical Center’s Geriatrics Department.

The expansion had two goals: to engage frontline health care providers and to establish direct service and training targets for deploying resources efficiently. The partnership and the Geriatrics Department also developed a provider survey to assess providers’ knowledge, attitudes, and behavior regarding patients’ legal needs.

As an early step in the expansion, the partnership surveyed twenty-one providers, asking fifty-two questions covering ten domains related to legal needs. The domains included housing, utilities, immigration, and income support. Health insurance, estate planning, safety, education, and employment were also subjects of the survey. Each item allowed responses along a five-point Likert scale—strongly disagree, somewhat disagree, neutral, somewhat agree, and strongly agree.

Of the twenty-one providers, almost all somewhat or strongly agreed that at least half of their patients were affected by issues related to capacity and competency to make medical decisions. Close to two-thirds of providers surveyed somewhat or strongly agreed that at least half of their patients were affected by issues of public benefits, health insurance, housing, utilities, and estate planning. Half of the providers surveyed somewhat or strongly agreed that at least half of their patients were affected by employment and immigration problems.

The survey also asked if providers were comfortable knowing when and how to contact legal resources to address these problems. Despite the general perception that legal issues frequently affect their patients, fewer than 20 percent of the respondents said that they knew how to refer to a legal resource, thus underscoring the need for
medical-legal partnership services.

Health care providers overwhelmingly replied that they would like more training in legal advocacy. Eighty-six percent of respondents said that they would like more training on issues pertaining to the patient’s capacity and competency to make medical decisions.

The majority of respondents (65–78 percent) requested legal advocacy training in estate planning, safety issues, family law, immigration, income supports and public benefits, and health insurance. These data guided the Medical-Legal Partnership—Boston in prioritizing the subject matter of its initial advocacy training curriculum for the geriatrics health care staff.

**Cincinnati Focus on Quality** The Cincinnati Child Health-Law Partnership, a partnership between the Legal Aid Society of Greater Cincinnati and Cincinnati Children’s Hospital Medical Center, is in the early stages of framing its goals and practices. The Cincinnati partnership is focused on building a highly reliable system that can identify key social and legal factors that undermine family health and well-being. The partnership also coordinates care closely between the medical and legal teams.

In trying to create a quality improvement framework, the Cincinnati Partnership has four main goals. These are having physicians screen for one or more social needs at 90 percent of well-child visits; having at least 90 percent of physicians trained and willing to make appropriate referrals; having at least 90 percent of referred families connect with legal staff and follow up; and having at least 90 percent of referral outcomes recorded in the medical chart.

To achieve the first goal, the Cincinnati program began a collaborative process to develop a social history template to be used in patient encounters. The template was also to be embedded in the electronic health record. Physicians, social workers, and lawyers contributed to the composition of the questions.

The program fed reports back to physicians. Those physicians with lower screening rates were given one-on-one training. Case-based conferences and preclinic conferences were also offered during this period. The goal of 90 percent screening at well-child visits was reached by week thirty-five after both group training and individual feedback sessions, although ongoing quality improvement is still needed (Exhibit 2).

Efforts to optimize the success of legal team referrals continue. For instance, the partnership is developing ways to communicate back to physicians the outcomes of the legal referrals (including failure to follow up) in ways that meet legal and ethical standards, particularly relating to confidentiality.

**Keeping the Utilities On in Boston** Consistent access to utility service is a common legal issue confronting low-income patients, and losing service is frequently a precursor to eviction. Although federal and state governments provide small grants to low-income individuals and families through the Low Income Home Energy Assistance Program—also known as LIHEAP—to help them pay utility costs, the grants cover only

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**EXHIBIT 2**

Screening Of Children For Legal Needs In Well-Child Visits During A Forty-Week Period

![Graph showing percentage of visits with legal screening over a forty-week period](#)

**Source**: Cincinnati Child Health-Law Partnership. **Note**: Percentage of 1,657 well-child visits that included legal screening over a forty-week period, with twenty-two participating physicians.
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Implications For Primary Care

**Patient-Centered Medical Home** Medical-legal partnerships can become an essential component of the patient-centered medical home by making timely, on-site legal interventions available to patients and their families. For example, the Joint Principles of the Patient-Centered Medical Home, adopted in February 2007, incorporate important concepts of team-oriented,
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personalized care, and of comprehensive services provided on site in ambulatory practices organized around the patient. The NCQA also developed standards that emphasize and encourage the use of systematic, patient-centered, coordinated care management processes.

The Joint Principles include addressing all of a patient’s needs, sometimes referred to as “whole-person orientation.” The patient’s personal physician coordinates care across all elements of the complex health care system and within the patient’s community.

Proposed reforms to the health care system include expanded coverage of vulnerable populations with a special focus on primary care screening and prevention, particularly in the context of chronic diseases such as diabetes and cardiovascular disease. Community health centers are expected to be a cornerstone of delivering better preventive care.

As the health care delivery system is reorganized under the new national health reform laws, innovations that improve efficiency—such as medical-legal partnerships—will help ensure that high-quality medical homes are available to high-need groups. The partnerships can eliminate legal issues that exacerbate underlying disease, such as not getting the maximum amount of food subsidies for which one is legally eligible. In a diabetic patient, for example, the inability to afford sugar-free foods can have a negative impact on blood sugar levels.

PRIMARY CARE WORKFORCE Perhaps one of the most daunting barriers to the universal adoption of primary care and patient-centered medical home principles is the limited number of primary care providers in the United States, and their distribution. Improving the efficiency of primary care teams is therefore critical. Workforce development in primary care must include increasing the numbers of primary care physicians and mid-level providers, but it should also include developing interdisciplinary patient care teams drawn from skilled professions such as the legal community.

As primary care reinvents itself to serve a larger aging population, the medical home will need to be more than the sum of its clinical parts. It will need to serve as a gateway not only to medical services, but also to nonmedical systems that affect health. Medical-legal partnerships are the right intervention to use in ensuring that primary care can be successful at the patient, provider, and institutional levels. With dedicated funding streams, and technical assistance to ensure that medical-legal partnership sites are successful at efficiently identifying and addressing legal needs, a national investment in these partnerships could demonstrate that they should be the standard of primary care for vulnerable populations.

APPLYING PARTNERSHIPS TO PRIMARY CARE There are many ways to apply medical-legal partnerships to the delivery of primary care.

▸ FEDERAL EFFORTS: The Health Resources and Services Administration offers a range of opportunities. Medical-legal partnerships could be included and funded as part of the standard mix of services offered at federally qualified health centers. Similarly, Healthy Start programs could be used to promote and fund medical-legal partnerships for underserved populations.

As CMS embarks on medical home demonstration projects, medical-legal partnerships can be an important tool for case managers or patient navigators working with patients who have complex primary care needs. Given the focus on quality and reimbursement based on outcomes, more health care institutions may choose to invest in medical-legal partnerships as a part of high-quality care to improve outcomes and reduce costs for vulnerable populations. Additionally, CMS graduate medical education dollars could be used to support medical-legal partnership training, especially since fifty-five residency programs already include such training.

▸ EFFECTS ON THE ELDERLY: Although the idea of medical-legal partnership started in pediatrics, it may have its deepest impact on the aging population. For older Americans, the convergence of legal needs with health status is a certainty, including advance directives and estate planning. Aging and Disability Resource Centers—funded through the Administration on Aging—could receive additional funding for medical-legal partnerships to more effectively serve geriatric patients.

PERSISTENCE THROUGH UNDERFUNDING Despite chronic underfunding, the legal aid community has made sizable contributions to the steady expansion of medical-legal partnerships.

September 2010 29:9 Health Affairs 1703
and has seized the opportunity to revitalize legal aid’s profile, role, and impact. It is critical that such resources be matched and increased to achieve the potential of the medical-legal partnership. The Department of Justice’s new Access to Justice Initiative, dedicated to increasing access to legal services for poor people, is an excellent vehicle for modeling the matching of resources between the health care and legal communities. The program has the potential to replicate at the national level what is happening at the local level through medical-legal partnerships.

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Conclusion
As the Robert Wood Johnson Foundation’s Commission to Build a Healthier America report states: “Clinicians are in a unique position to identify vulnerable patients.” By offering preventive legal assistance within health care settings—and advocating for patients’ legal and health care rights outside the clinical setting—medical-legal partnerships signal a positive transformation of primary care. A variety of implementation options and funding streams can help the partnerships realize their true potential.

NOTES
7 The online Supplement can be accessed by clicking on the Supplement link in the box to the right of the article online.
19 American Medical Association. Report of the Board of Trustees: A-10, medical-legal partnerships to