

Impact Report

January - March 2022



PHILADELPHIA | HARRISBURG | PITTSBURGH

Helping People in Need Get the Healthcare They Deserve



OUR MISSION & VISION

PHLP is a 501(c)(3) non-profit law firm that represents Pennsylvanians who need help getting or keeping Medicaid and other publicly-funded health care coverage and services.

We serve thousands of individuals from across the state each year. We listen to our client's story and we translate their personal experience into a legal problem to be solved. Sometimes that means challenging a decision to deny or stop Medicaid benefits. We also challenge Medicaid plans when they reduce or deny services.

Taking what we learn from individual cases, we advocate for large-scale policy changes that help others across the state. We also build capacity among consumers, providers, and other advocates by getting out in the community to provide education and training. Using the law and advocacy, we ensure that Pennsylvanians meet their most basic needs and have a pathway to opportunity.



A Note From Our Director

Dear Supporter,

While the world continues to grapple with the ongoing pandemic, our mission of helping people in need get the healthcare they deserve has not abated. Our clients need our help now more than ever. We continue to hear from dozens of clients each week who are trying to access or maintain the healthcare they need and deserve. Additionally, we receive requests for trainings and advice from advocates and providers across the state, allowing them to better serve their clients and patients. When you support PHLP, you are part of a cycle of mutual aid that directly benefits people in your community.

Our staff are knowledgeable and competent. They are also wonderfully caring, totally committed people who are responding to a calling that demands exceptional attentiveness, presence, and empathy. I am very proud of our work and look forward to sharing all that we've accomplished this last quarter through this report.

PHLP provides all of its services free of charge. Your support makes our work possible.

Warmly,

Laval Miller-Wilson,
Executive Director

Our Team

Laval Miller-Wilson

Executive Director

Katy Frank

Project Administrator

Kyle Fisher

Managing Attorney

Katy McKee

Supervising Attorney

Marissa LaWall

Supervising Attorney

Pamela Silver

Supervising Attorney

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Paralegal

Erin Guay

Paralegal,
Compliance Officer

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Senior Counsel

Danna Casserly

Director of Development
and Communications

Amy Lowenstein

Director of Policy

Jessica Osler

Director of Intake

Jake Lee

Staff Attorney

Lauren Dempsey

Intake Paralegal

Miguel Strunk

Paralegal

Catharine Arranz

Paralegal

2022

Quarter 1: At a Glance



Through our statewide Helpline, we served hundreds of individuals from across Pennsylvania during the months of January, February, and March. We listened to our client's stories and we translated their personal experiences into legal problems to be solved. Sometimes that meant challenging a decision to deny or stop Medicaid benefits. We also challenged Medicaid plans when they reduce or deny the services our clients need to live healthy, full lives, such as in-home nursing, personal assistance services, and van modifications. Here is this quarter at a glance:

339

Clients received free legal services

85

Advocates received technical assistance

28

Community education materials created & trainings delivered

223

Consumers received community partner referrals



Accessing Services

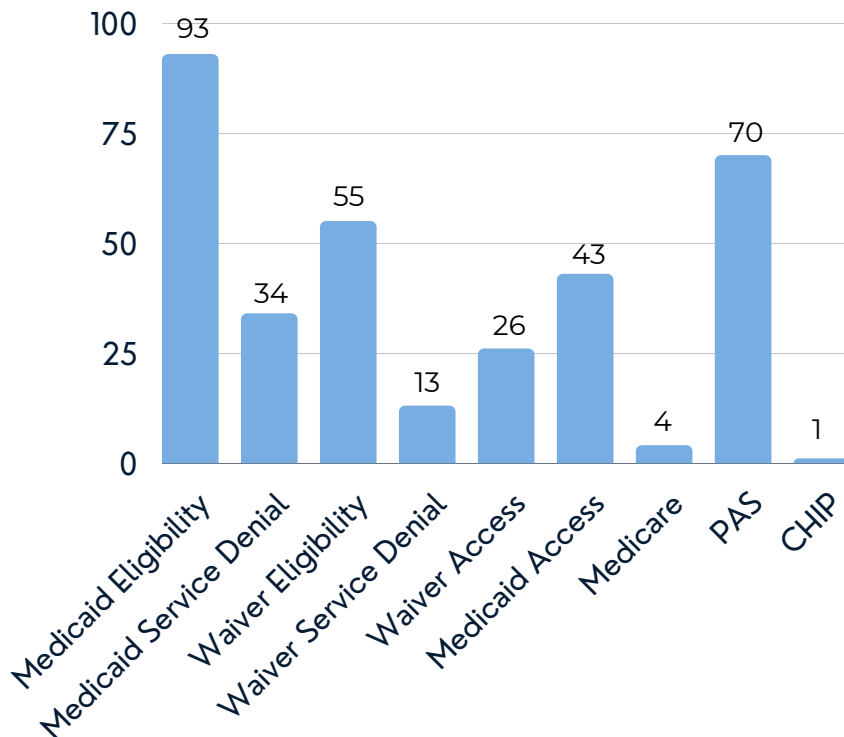
Client Spotlight: Carrie

Carrie is a 39-year-old woman with multiple complex health conditions that impact her ability to obtain nutrition orally and process food. Carrie contacted PHLP after her doctor and registered dietitian prescribed a supplemental formula that was denied by her Community HealthChoices (CHC) insurance plan. Carrie had been using free samples of the formula to this point, and it had helped her nutrition greatly, but without an authorization by her insurer she would not be able to keep getting it.

After reviewing her case, we determined Carrie's CHC plan's coverage policy on therapeutic formulas was too limiting; it denied individuals based on diagnosis and accessibility to the formula, but not actual health need. We worked with Carrie's treating providers to obtain additional letters of medical necessity and clinical documentation to support the need for the formula. We also wrote and submitted a comprehensive brief laying out not only the issues we saw with the CHC plan's policy, but also the consequences to Carrie if the formula was not approved. We succeeded and Carrie's CHC plan authorized the formula!

However, Carrie was not the only client we heard from who had been denied this particular formula under the CHC plan's restrictive policy. Taking what we learned from multiple clients, we contacted the Department of Human Services about the problematic policy and they agreed with us that it was too limiting. As a result of this advocacy, other clients whose appeals had been denied by this CHC plan were able to have their formula authorized as prescribed by their doctors.

Cases Closed by Legal Issue



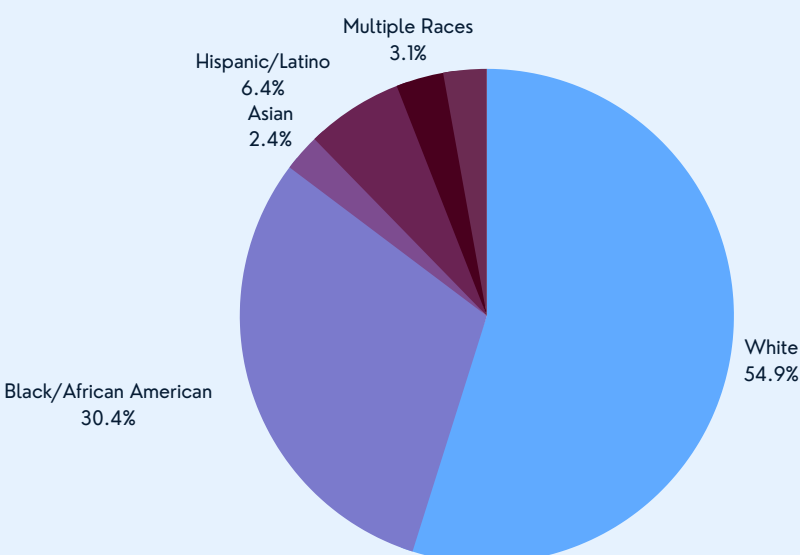
1 in 4

Pennsylvanians
is enrolled in
Medicaid.

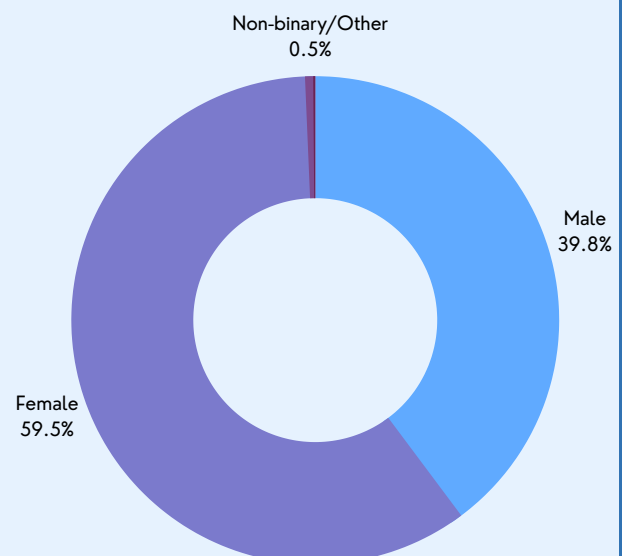
3.5 million

Pennsylvanians are on Medicaid. We offer them a place to turn when they have trouble accessing life-saving and life-sustaining healthcare in the Medicaid program.

Clients by Race/Ethnicity



Clients by Gender



Community Education

We use our knowledge of the law and our experience working with clients to train advocates, healthcare providers, social workers, and consumers on a wide range of healthcare related topics. Our trainings range from Medicaid 101 to more in-depth topics like crafting successful strategies for appeals, writing letters of medical necessity, and more. We offer both in-person and web-based trainings.

15

Trainings
presented

13

Consumer
education
guides created

**"PHLP helped to explain
the laws in a way that
was easy to understand."**

- Webinar participant

Where do our clients live?

Adams	3	Dauphin	22	Monroe	8
Allegheny	123	Delaware	34	Montgomery	44
Armstrong	2	Erie	12	Montour	1
Beaver	8	Fayette	2	Northampton	10
Berks	7	Franklin	6	Northumberland	3
Blair	1	Greene	1	Philadelphia	217
Bradford	1	Huntingdon	4	Perry	3
Bucks	23	Indiana	6	Pike	1
Butler	11	Jefferson	1	Potter	1
Cambria	6	Lackawanna	9	Schuylkill	6
Cameron	1	Lancaster	17	Somerset	3
Carbon	3	Lawrence	2	Sullivan	1
Centre	8	Lebanon	3	Susquehanna	1
Chester	13	Lehigh	10	Tioga	1
Clarion	3	Luzerne	15	Union	1
Clearfield	1	Lycoming	2	Venango	2
Crawford	3	Mercer	6	Westmoreland	25
Cumberland	7	Mifflin	1	Wyoming	2
				York	19



Vehicle Modification

Client Spotlight: Josh

Since age three, Josh has relied on a power wheelchair to navigate his world. Now an adult, Josh needs a wheelchair-accessible van to get around his community. But his wheelchair accessible van was over 11 years, and it was not reliable for transporting him.

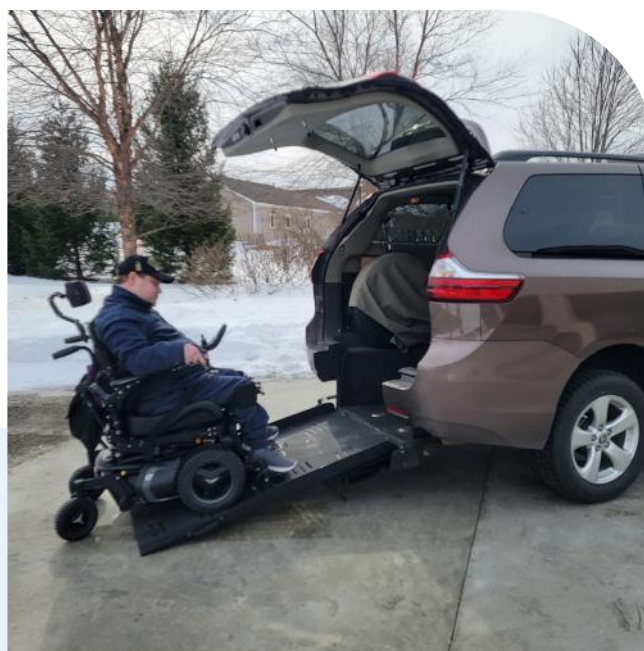
To get a new accessible van, Josh's service coordinator recommended buying a van, paying for it to be modified, and then apply to Josh's health insurance company for reimbursement. Knowing that Josh could not experience the benefits of his community without an accessible van, his parents withdrew \$21,000 from their retirement account to pay for the van modifications. But when they applied for reimbursement of their costs, Josh's insurance company denied their claim for not having the modifications approved in advance. It also denied their appeals. This is when Josh and his family called PHLP for assistance.

We helped Josh and his parents substantiate the complaint they had filed with the PA Insurance Department (PID). We helped them write a declaration—a sworn statement attesting to all the relevant details about the van modification process and the guidance they were given thus far. There was no question Josh qualified for the van modifications; this appeal came down to

Client Spotlight: Josh

showing PID that the family had gone out of pocket for the modifications only because they were advised to do so by the service coordinator employed by the insurance company.

After the submission of the declaration, the PID complaint was decided in the family's favor, and their claim with the insurance company was eventually approved. Josh and his family have been made whole, and most importantly, Josh has a wheelchair-accessible van that lets him be a part of his community.



Support Our Work!

Your donation helps us support people like Josh, who rely on waiver-funded vehicle modifications to navigate their community.

Visit our [website](#) or scan the QR code with your mobile phone to make a donation today. Your support means the world to us.



JANICE MEINERT:

Celebrating 20 Years at PHLP!

Recently, PHLP paralegal Janice Meinert celebrated 20 years at our organization! We are blessed with amazing staff like Janice, who remain steadfastly dedicated to helping our clients access health care and live full, meaningful lives.

Janice is a master's level social worker. Her expertise focuses on access to behavioral health services for PHLP's clients. She has authored "The Many Doors to Consumer Empowerment" and "How to Obtain Mental Health and Drug & Alcohol Services in Pennsylvania."

Janice is honored to be a part of the dedicated and compassionate PHLP team and is an avid supporter of quality and accessible health care for all.



Thank you for your decades of service and dedication, Janice!

WE LISTEN: CLIENT SATISFACTION SURVEY PILOT

In late 2021, we launched a pilot program to survey our recent past clients about their experiences working with PHLP during the course of their case. Launching this pilot program was a thoughtful, important process that allowed us to hear directly from our clients about what we're doing well, areas we can improve, and what getting help from PHLP meant to our clients. A copy of the survey questions can be found [here](#). Here are excerpts from the survey findings:



"My PHLP lawyer or paralegal listened to me."

22%



Agree

78%



Strongly Agree



"As a result of PHLP's help, my situation or life has improved."

Neutral 11%

Agree 22%

Strongly Agree 59%

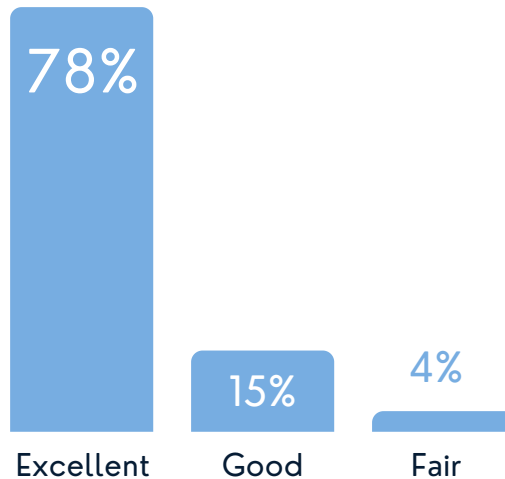
WE LISTEN:
CLIENT
SATISFACTION
SURVEY PILOT



"My PHLP lawyer or paralegal showed me respect and concern."

93%

of clients report a favorable result in their case thanks to PHLP.



What did getting legal help from PHLP mean to you?

It helped me to fight the insurance denial and get the necessary medical equipment for my son.

It was life-saving for me.

Everything! I talked to Ms. Meinert that first day in tears. She explained everything distinctly and carefully. She helped make sense out of the whole confusing process.

Great help to get my autistic son health insurance that he qualified and needed that I didn't know was available until PHLP assisted.

I really needed this help I don't know what I would have done if I didn't ask. I really appreciated the help it is a excellent program

I felt like somebody was listening and trying to help! Navigating the process is so difficult and it was extremely helpful to have somebody explain the process and care so much!

More than words can say. It took so much stress off our family.

Marissa LaWall, Esq. Honored With Law School's Recent Alumna Award

We are pleased to announce that our very own Marissa LaWall, Esq. has been honored with the Hon. Sylvia H. Rambo Recent Alumna Award from her alma mater, Penn State Dickinson School of Law.

Each year, Dickinson Law's Women's Law Caucus presents the Recent Alumna Award to honor a recent graduate of Dickinson Law who represents exceptional dedication to her job, is a pioneer in her field, and who promotes the encouragement of women in the legal field.

Congratulations on this incredible honor, Marissa!



Platinum
Transparency
2022

Candid.

PHLP Receives Candid's Platinum Seal of Transparency

We are proud to have earned a 2022 Platinum Seal of Transparency from the non-profit database Guidestar (now Candid). The Platinum seal indicates that PHLP has provided all information requested for maximum transparency to donors, including recent financial documents, demographic and diversity information about our staff and board members, and metrics demonstrating the multi-year impact of our work and progress toward the fulfillment of our mission.

Anyone can search for PHLP's profile on Guidestar to see the complete information. PHLP is committed to maximum transparency and trustworthiness with donors and with the public. Thank you for your support!



Medicaid Services

Client Spotlight: Millie

Millie is an infant who experienced complications during birth that resulted in an infection and respiratory failure. At one month old, she was diagnosed with a feeding intolerance that led her to become dependent on a NG-tube, which is a special tube that carries food and medicine to her stomach through her nose. Due to the complexity of her health care needs, Millie's doctor urged the family to obtain in-home nursing services in order to keep Millie safe and healthy.

Millie's family struggled with roadblocks to getting in-home nursing services from the beginning. First, Millie's insurance company inappropriately delayed the review of her doctor's request for the nursing services. While the family continued to wait for a decision from the insurance company, Millie was in and out of the hospital with complications. This is when PHLP stepped in. We worked with the insurance company's legal counsel to accelerate the prior authorization review process.

Unfortunately, the roadblocks did not end. When the insurer finally decided, they denied the nursing services the doctor prescribed. We helped Millie's family appeal and represented her.

Client Spotlight: Millie

Millie's doctor had requested nine hours per day of in-home nursing services to be used while Millie's father worked and her mother cared for Millie's older siblings, one of whom is diagnosed with Autism. These hours would also allow the nurse to go with Millie to her medical appointments, all of which were over an hour away from the family's home. The insurance company felt that, although Millie clinically qualified for nursing services, her mother was able and available to provide for Millie's skilled care needs. We worked with Millie's family and home health agency to get updated documents that explained the family dynamics and the need for hours – mainly, that Millie's mother simply could not safely care for Millie, given the complexity and precarious nature of her medical needs, while also caring for multiple other children. We continued our appeal preparation by getting Millie's mother and her clinical nurse manager ready to testify at the hearing.



Our preparation paid off. The insurer's denial was overturned and the nine hours per day of nursing was approved. Since getting nursing services in her home, Millie has remained out of the hospital and at home with her family's love and care.

Support Our Work!

Your donation helps support children like Millie, whose families rely on legal support to fight for services they need.

Visit our [website](#) or scan the QR code with your mobile phone to make a donation today. Your support means the world to us.





PHOTO COURTESY OF ANDREW HOWARD | PENNSYLVANIA ASSISTIVE TECHNOLOGY FOUNDATION (PATF)

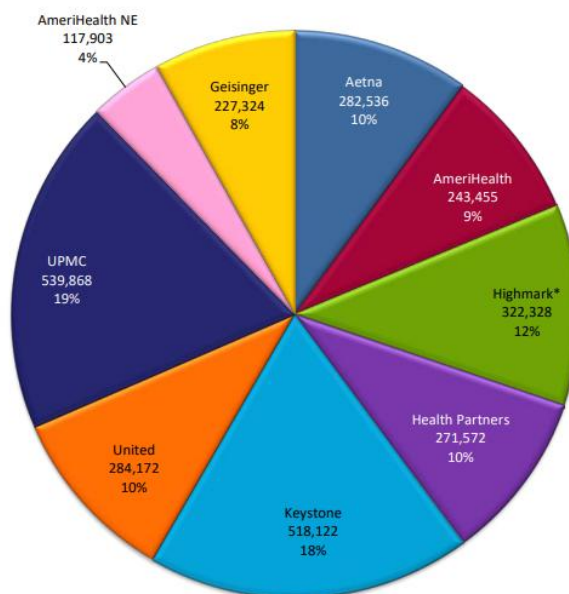
Our Policy Work

HealthChoices Procurement

Pennsylvania's Department of Human Services (DHS) is making some unprecedented changes to the HealthChoices physical health program. Across the state, all at once, some insurance plans will leave and others will remain. Just over 400,000 people will need to change their health insurance plan. An estimated 2.4 million additional people will have the opportunity to make a health plan change at this time as well.

This quarter, PHLP began participating in weekly workgroup meetings with DHS leadership to provide invaluable consumer feedback during the procurement changes. These workgroups allow consumers a seat at the table during a time of upheaval for hundreds of thousands of households. Our work in this area will continue in the coming quarters as the August 2022 implementation date nears.

**Total HealthChoices
Enrollment in March 2022:
2,807,280**



Source: PA Department of Human Services Enterprise Data Warehouse – Updated 3/14/22

Expanding Medicaid for Workers with Disabilities

Last year, the General Assembly passed, and Governor Wolf signed, Act 69 of 2021 into law, expanding the eligibility criteria for the Medical Assistance for Workers with Disabilities (MAWD) Program. This expansion means people with disabilities who have MAWD can get higher-paying jobs, accept a pay raise or promotion, or work more hours.



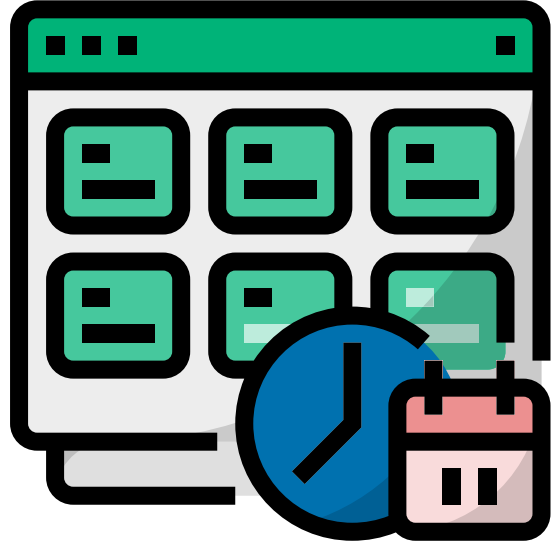
PHLP has long supported the MAWD expansion efforts by working with the group of advocates with disabilities who identified the problem, developed a solution, and obtained the support of key state legislators which led to the passage of Act 69. We used our legal expertise to help develop the explanation for how this expansion was legally permissible as well as necessary for people with disabilities to get and keep competitive integrated employment that pays well without the risk of losing essential supports that are only available through the Medicaid program.

PHLP continues to work with other advocates and state officials to implement the program. We are currently developing strategies to help the state draw down federal funding to support this important program. We look forward to the start of this important program and will use our individual client work and community education experience to inform our continued advocacy efforts after the program begins.



Advocacy Around FMS Transition

The Office of Long-Term Living (OLTL) is transferring to the CHC plans oversight responsibility for the entity that provides fiscal management services (e.g., payroll management) for participants who direct their own personal assistance services. As part of the transition, the CHC plans selected a new fiscal management services entity, Tempus Unlimited, to take over from the current vendor, Public Partnerships Limited (PPL). PHLP became concerned about the speed of the transition in late January when we learned that not only had less than half of CHC participants and their workers returned the paperwork needed for workers to be paid when the transition was set to occur on April 1, 2022, but that most workers had not provided to Tempus email addresses that were necessary for them to clock in and out beginning in early March. Indeed, the importance of the March deadlines to provide emails had been obscured.



Following several meetings with OLTL and the CHC-MCOs during which we expressed alarm about Tempus' lack of readiness for the transition, it was announced that the transition to Tempus was being pushed back to July 1, 2022. The MCOs also adopted some of PHLP's recommendations around communications with participants and their workers, including the content of some notifications to participants, badly needed updates to the information on Tempus' website, and the need to ensure that Tempus' phone lines are staffed on the two Sundays when workers will clock in with Tempus for the first time.



Shaping the 2022 CHC Agreement

Several improvements to the Community HealthChoices (CHC) program for which PHLP has long advocated were adopted into the 2022 contract between the CHC plans and Pennsylvania Department of Human Services.

These include a requirement that CHC plans make decisions on requests for most home and community-based services within two business days.

Previously participants waited weeks, if not months, to learn the outcome of requests and some CHC plans failed to send notices letting participants

know exactly what was approved, leaving them guessing. The new contract also limits the frequency with which CHC plans can assess participants to within 60 days prior to an annual assessment or a "trigger event," such as a hospitalization or request from a participant. This change is necessary as participants complained that they were undergoing lengthy assessments every three months, which also led to service denials.



The CHC contract also incorporates our recommendation that CHC service coordinators provide detailed documentation when a participant uses informal "unpaid" supports to assist with their care. Specifically, CHC plans must identify the informal supports; their availability, ability and willingness to

provide unpaid care; and detail the days, hours and nature of the work they will perform. This addition is critical as some CHC plans had been denying medically necessary services on the assumption that family would fill in the gaps, without regard to their ability or desire to do so.



Accessing Services

Client Spotlight: Maureen

Maureen is a 70-year-old woman who is non-ambulatory due to multiple chronic health conditions. Maureen called PHLP because after five years her Community HealthChoices managed care organization (MCO) reduced her Personal Assistance Services (PAS) from 158 hours per week to just 63 hours per week. Maureen relies on PAS to complete all of her activities of daily living, to perform motion exercises to decrease her swelling, and to get to medical appointments. We appealed the reduction and represented Maureen against her MCO's decision.

We worked with Maureen's providers; obtaining letters of medical necessity from her doctors about the need for the full PAS hours, and really focused on explaining how PAS allowed Maureen to remain safely in the community and out of a facility. Our hard work paid off. The reduction was overturned, and Maureen's full PAS hours were restored.

Maureen is grateful for PHLP's assistance because it means she can continue living a full and independent life, thriving in her community.

Thank You to Our Donors!



**We are incredibly grateful to the following
individual donors who supported us during
Fiscal Year 2022 (July 1, 2021 - present):**

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DONOR SPOTLIGHT:

MAUREEN BARDEN
& DAVID OTHMER

WHY DO YOU GIVE TO PHLP?

"In PHLP, health care consumers have a dedicated and knowledgeable team looking out for their interests. More than three million of our fellow Pennsylvania citizens are enrolled in Medicaid, about a fifth of the population. This report tells story after story of Medicaid recipients for whom PHLP's free legal representation has obtained medical coverage that is life-changing.



At the same time, PHLP's staff stay on top of the Commonwealth's policy-making and its potential effects. Because they have credibility with lawmakers and administrators, they can successfully advocate for changes that will help health care consumers, and against changes that will not. And because they are experts, they educate other advocates and organizations throughout Pennsylvania on issues of law and policy. PHLP fights every day for Pennsylvanians who need help the most. We are proud to be supporters."

Support Our Work!

Your donation helps support thousands of families who rely on PHLP's legal support to fight for the healthcare they need.

Visit our [website](#) or scan the QR code with your mobile phone to make a donation today. Your support means the world to us.



Impact Report

January - March 2022

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