

Other Professional Services

Health Resources & Services Administration (HRSA) Definition: Other Professional Services is the provision of professional and consultant services rendered by members of particular professions licensed and/or qualified to offer such services by local governing authorities. Such services may include:

- **Legal services** provided to and/or on behalf of the HRSA Ryan White HIV/AIDS Program (RWHAP)-eligible PWH and involving legal matters related to or arising from their HIV, including:
 - Assistance with public benefits such as Social Security Disability Insurance (SSDI)
 - Interventions necessary to ensure access to eligible benefits, including discrimination or breach of confidentiality litigation as it relates to services eligible for funding under the HRSA RWHAP
 - Preparation of:
 - Healthcare power of attorney
 - Durable powers of attorney
 - Living wills
- **Permanency planning** to help clients/families make decisions about the placement and care of minor children after their parents/caregivers are deceased or are no longer able to care for them, including:
 - Social service counseling or legal counsel regarding the drafting of wills or delegating powers of attorney
 - Preparation for custody options for legal dependents including standby guardianship, joint custody, or adoption
- **Income tax preparation** services to assist clients in filing Federal tax return that are required by the Affordable Care Act for all individuals receiving premium tax credits.

Program Guidance [PCN 16-02]: Legal services exclude criminal defense and class-action suits unless related to access to services eligible for funding under the RWHAP.

[Note: On June 6, 2024 HRSA/HAB released a letter stating the following: the scope of allowable legal services as outlined under the “Other Professional Services” service category in HRSA HAB PCN #16-02 Ryan White HIV/AIDS Program Services: Eligible Individuals and Allowable Uses of Funds includes matters “related to or arising from [an individual’s] HIV.” To the extent that expunging a client’s record is done to assist in obtaining access to services and benefits that will improve HIV-related health outcomes, RWHAP funds can be used to pay for the expungement of criminal records and associated costs. As policy and legal landscapes vary by geographic area, it is advisable that RWHAP recipients and subrecipients partner with legal service professionals and consult their own state and local laws to determine eligibility for expungement assistance.]

Eligibility: Clients shall meet eligibility requirements as defined in the System-Wide Standards of Care.

1.0 Employment Standards

The Agency providing Other Professional Services, including Legal Services shall ensure that the following employment requirements are met:

1.0 Employment Standards

Standards	Measures
1.1 Agencies shall comply with Florida State Statutes on employment standards. Legal service providers shall maintain qualifications and compliance with The Florida Bar Standards and the Standards for the Provision of Civil Legal Aid .	1.1 Personnel files, licensure, resume, and certifications on file that reflect requisite experience and education.
1.2 Paralegal staff or other employees must be qualified to hold the position in which they are employed. Non-licensed staff must be supervised by a licensed attorney.	1.2 Personnel files, resumes, and applications for employment that reflect requisite experience and education. Supervisory records are kept on file.
1.3 Upon onboarding, legal service providers must complete an orientation that consists of a minimum of sixteen (16) hours of HIV-related training. Training topics should include but are not limited to: <ul style="list-style-type: none"> • Overview and history of the RWHAP, including eligibility requirements • HIV services available in the region and the state and how to access these services • HIV 500 Course • Orlando Service Area System Wide Service Standards, including HRSA definitions and allowable costs according to PCN 16-02 	1.3 Personnel files reflects completion of orientation via certification and/or a combination of the sign in sheet and agenda from the training provider.

<ul style="list-style-type: none"> • AIDS Education Training Center (AETC) Cultural Competency Modules • [REDACTED] 	
<p>1.4 Legal service providers must comply with ongoing training requirements that include, but are not limited to:</p> <ul style="list-style-type: none"> • Substantive legal topics such as ethics, legal representation, and trial skills; • Training to ensure competence in current technology used in providing legal services. • HIV 501 Course • Cultural humility and competency • [REDACTED] 	<p>1.4 Annual review of personnel files reflects completion of the training requirements via certification and/or a combination of the sign in sheet and agenda from the training provider</p>

2.0 Scope of Service

Agency shall comply with all of the requirements outlined in this Standard of Care unless otherwise specified in their contract.

2.1 Scope of Service- Legal Services

Standards	Measures
<p>2.1.1 Legal Services include the following:</p> <ul style="list-style-type: none"> • Assistance with public benefits • Discrimination or breach of confidentiality litigation as it relates to eligible RWHAP services • Preparation of healthcare power of attorney • Preparation of durable powers of attorney • Preparation of living wills • Expungement of criminal records to assist with 	<p>2.1.1 Appropriate documentation for each service outlined below.</p>

<p>obtaining access to services and benefits</p> <ul style="list-style-type: none"> • Gender affirming name and gender marker changes necessary to ensure access to eligible benefits • Housing and eviction prevention 	
<p>2.1.2 Assistance with public benefits includes legal assistance with obtaining or maintaining:</p> <ul style="list-style-type: none"> • Social Security Disability Insurance (SSDI) • Supplemental Security Income (SSI) • Supplemental Nutrition Assistance Program (SNAP) • Reemployment Assistance Benefits. 	<p>2.1.2 Documentation of receipt or denial of benefits in client file.</p>
<p>2.1.3 Legal assistance for discrimination or breach of confidentiality related to eligible RWHAP services includes:</p>	<p>2.1.3</p>
<p>2.1.4 Preparation of healthcare power of attorney, durable power of attorney, or living wills includes:</p>	<p>2.1.4 Documentation of power of attorney or living will on file.</p>
<p>2.1.5 Expungement of criminal records must relate to obtaining access to services and benefits that will improve HIV-related health outcomes. Services and benefits related to health-related outcomes include:</p> <ul style="list-style-type: none"> • Healthcare and medication • Housing • Employment • [Redacted] 	<p>2.1.5</p>

2.2 Scope of Service- Permanency Planning

Standards	Measures
2.2.1	2.2.1
2.2.2	2.2.2

2.3 Scope of Service- Income Tax Preparation

Standards	Measures
2.3.1	2.3.1

3.0 Discharge

Clients who are no longer engaged in Other Professional Services or have achieved self-sufficiency should have their cases closed based on the criteria and protocol outlined in the Agency's Policies and Procedures Manual.

3.0 Discharge

Standards	Measures
3.1 Cases may be closed when the client: <ul style="list-style-type: none"> • Has achieved all listed goals • Has needs that are more appropriately addressed in other areas or service categories • Permanently transitions out of the Orlando Service Area • Becomes ineligible for RWHAP services • Decide to discontinue the service or no longer needs the service • The service provider is unable to contact the client after _____. • Is deceased. 	3.1 Documentation of reasons for case closure in client's file.

<p>3.2 Prior to discharge, the reasons for discharge and options for other service provision should be discussed with the client. All discharged clients shall be offered an exit interview via one of the following:</p> <ul style="list-style-type: none"> • face-to-face visit; • telephone call; or • written communication <p>Note: When the primary legal provider is unable to conduct an exit interview, reason must be documented in the record.</p>	<p>3.2 Documentation of an exit interview being offered shall be recorded in client's file. If an exit interview was not completed the reason must be stated.</p>
<p>3.3 All attempts to contact the client and notification about case closure shall be communicated to the referral source.</p>	<p>3.4 Documentation of attempts to contact clients and communication about case closure with the referral source</p>