



# Social Determinants of Health & Medical-Legal Partnerships

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# What are Social Determinants of Health?



“[C]onditions in the environments in which people are born, live, learn, work, play, worship, and age that affect a wide range of health, functioning, and quality-of-life outcomes and risks.”

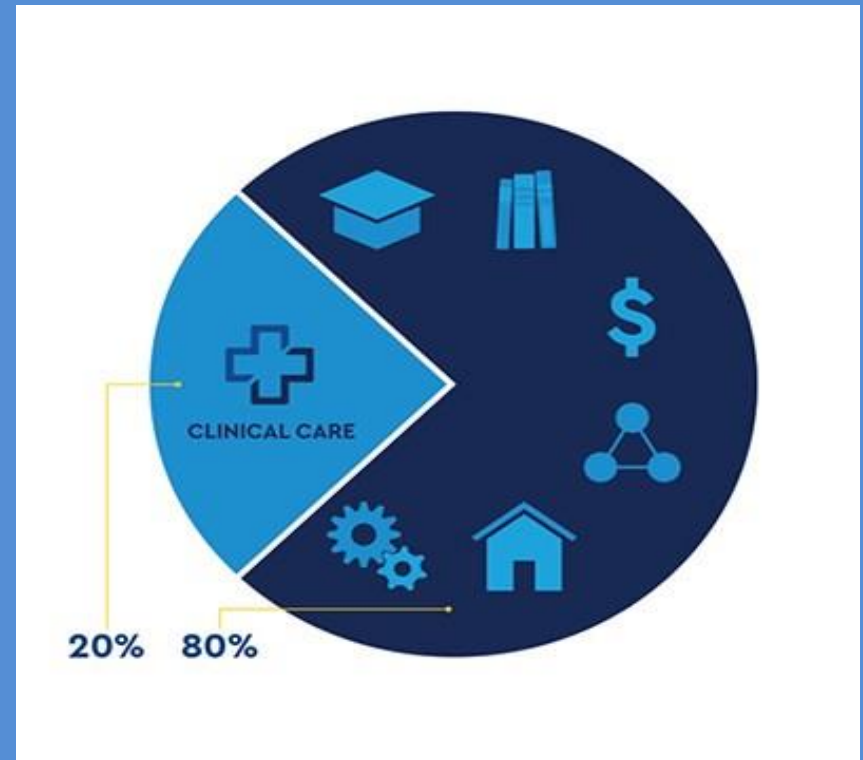
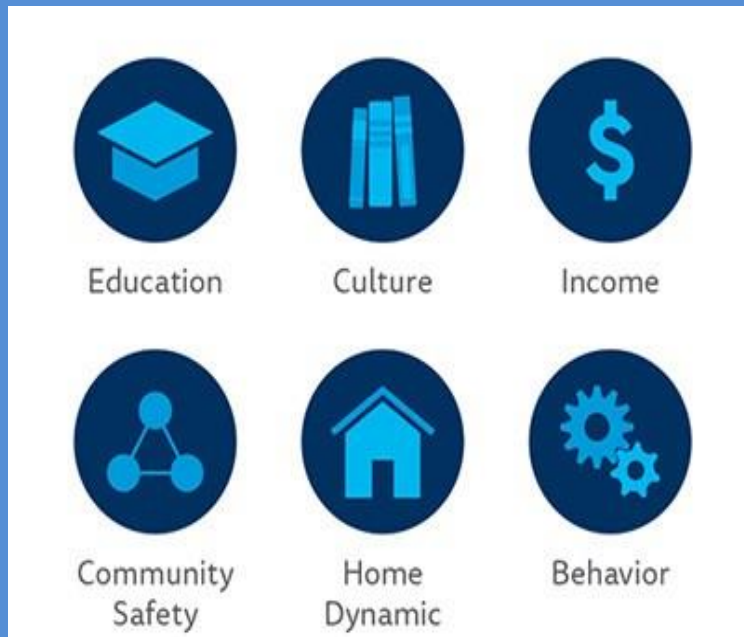
Source: Office of Disease Prevention and Health Promotion, 2020 Topics and Objectives

## Common Social Determinants of Health

- **Income & Health Insurance:** Resources to Meet Basic Daily Needs and Healthcare
- **Housing and Utilities:** A Healthy Physical Environment
- **Food Security:** Access to Healthy Food
- **Education and Employment:** Quality Education and Job Opportunities
- **Legal Status:** Access to Public Entitlements; Jobs
- **Personal and Family Stability:** Safe Homes and Social Support

# How do Social Determinants of Health Affect Health Outcomes?

- 80% of a person's health is determined by Social Determinants of Health, while 20% is impacted by clinical care.



- The U.S. spends more money on health care than any industrialized country, but it ranks:
  - 42nd in life expectancy
  - 169<sup>th</sup> in low birth weight
- These poorer outcomes are the result of where the money is spent.
  - Other first-world countries with better outcomes spend \$2 on social services for every \$1 they spend on healthcare.
  - The US spends \$0.90 on social services for every \$1 it spends on healthcare.

# Initiatives to Address the Social Determinants of Health

- Establishing Mobile Farmers Markets – Access to Healthy Food
- Building Parks & Playgrounds – Promoting Active Lifestyles
- Housing – Building More Affordable Housing
  - Partnerships between Hospitals and NJHMFA to Invest in Affordable Housing Programs
  - Studies have shown that permanent supportive housing can improve the quality of life and health of frequent ER users, as well as help hospitals save on emergency room costs.



- NJHMFA Website

Building additional affordable housing for chronically homeless individuals is not enough. Legal supports must be put in place to help ensure that these individuals are able to maintain their housing through reasonable lease provisions, reasonable accommodations if necessary, eviction prevention, etc. in order to break the cycle of homelessness.



Providing legal services to patients/consumers to address their social and life issues must be included in the comprehensive plan to provide them with integrated and holistic care.





## Examples of Legal Assistance Promoting Health:

- Fighting unlawful evictions
- Forcing landlords to comply with building or health codes
- Restraining orders for victims of domestic violence to keep themselves and their children safe
- Access to entitlements and food stamps
- Health Insurance Coverage Issues





According to a recent study:

In 2017, **71%** of low-income households experienced at least one civil legal problem including problems with health care, housing conditions, disability access, and domestic violence.

# Medical-Legal Partnerships



Partnerships between health care providers and legal service providers where attorneys are embedded as specialists in health-care settings to “strengthen the social determinants of health among low and moderate income patients using the force of law”.

- Integrate civil law attorneys into health care settings.
- Attorneys train health care workers to screen for health-harming legal needs.
- When problems are found, like unsafe living conditions, these problems can be addressed preventively through the in-clinic attorney (as opposed to reactively when circumstances have usually reached a crisis point and options are limited).
- Allows doctors and lawyers to work together to help patients by strengthening legally protected social supports.
- Some partnerships leverage their knowledge and expertise to advance local and state policies that lead to safer and healthier environments.

Source: National Center for Medical-Legal Partnership; Center for Health Policy at Brookings

# IMPACT

- When Legal Expertise is Used to Address Social Needs:
  - Individuals with Chronic Illnesses are Admitted to the Hospital Less Frequently
  - Individuals are More Likely to Take Their Medications as Prescribed
  - Individuals Report Less Stress
  - Less Money is Spent on Health Care Services for Those who Would Otherwise be Frequent Hospital Users
  - Clinical Services are More Frequently Reimbursed by Public and Private Payers

Source: National Center for Medical-Legal Partnership (citing to several research articles)

- A Pennsylvania Hospital Pilot Study found that:
  - 95% of “super-utilizers” had two or more civil legal problems responsible for their frequent use of ER and hospital inpatient services.
  - The most common legal problems were substandard housing, impaired access to public income benefits, and domestic violence.
- Source: Matthew, D., “The Law as Healer: How Paying for Medical-Legal Partnerships Saves Lives and Money”, Center for Health Policy at Brookings (2017)



# How Much Do Medical-Legal Partnerships Financially Benefit Patients?

In 2016, “the median dollar amount of total financial benefits received by all patient-clients served by each MLP in the past year was \$81,595.”

- Measured by interventions such as Medicaid enrollment or food stamp benefits



Source: National Center for Medical-Legal Partnership: 2016 State of the Medical-Legal Partnership Field

# Financial Benefits of Medical-Legal Partnerships for Health Care Organizations

- In 2016, the median dollar amount recovered by MLP Health Care Organizations as a result of MLP services was \$119,013 per MLP. (Source: National Center for Medical-Legal Partnership)
- MLPs Represent a Favorable ROI (Source: Center for Health Policy at Brookings)

A longitudinal study of a MLP based in rural Illinois compared the financial benefit as compared with the initial investment to calculate a financial ROI.

- For the first 4 years of the MLP's existence, the MLP program produced a 149% ROI for the hospital partner.
  - For the next 3 years, the hospital partner received a 319% ROI from the MLP.
- Increased Medicare Reimbursement  
Under CMS' Rule for the 2018 performance year of the Quality Payment Program, established by the Medicare Access and CHIP Reauthorization Act of 2015, CMS included "screening for health-harming legal needs" as a recognized Improvement Activity (IA) under Medicare's Merit-Based Incentive Payment System. Now eligible clinicians who screen patients for legal needs will receive credit in the IA category, which could potentially lead to an increased Medicare reimbursement rate. (Source: National Center for Medical-Legal Partnership)



# Value-Based Care and Medical-Legal Partnerships



Value-Based Care Models focus on patient outcomes and how well health care providers can improve quality of care metrics, such as reducing hospital readmissions.

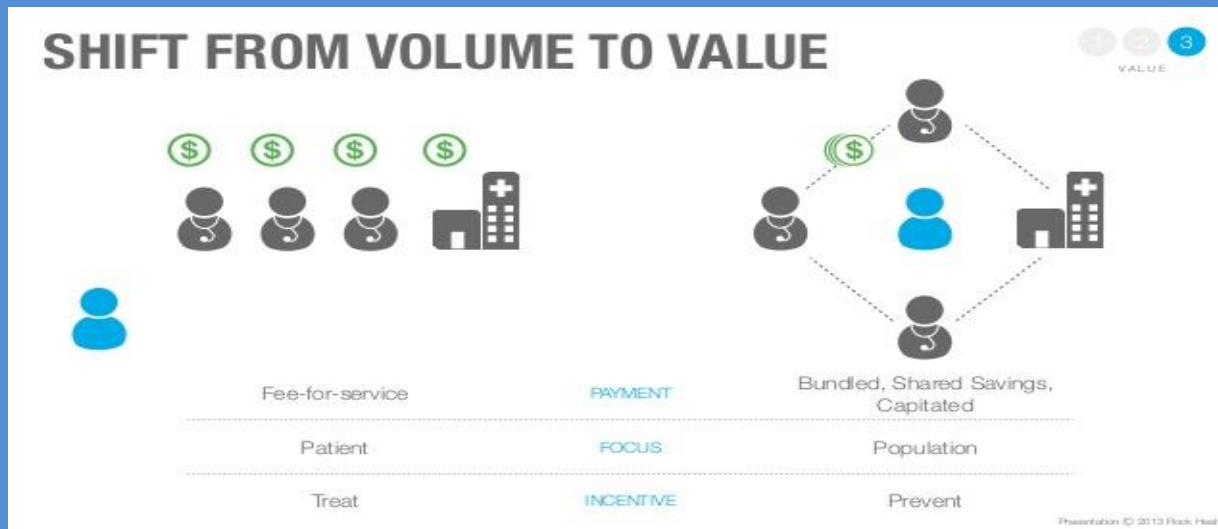


Image Source: Rock Health "Affordable Care Act for Dummies"

# Value-Based Care and Medical-Legal Partnerships



- With value-based models of care, providers are now responsible for patient outcomes beyond the hospital or doctor's office walls.
- Medical-Legal Partnerships can aid health care providers in improving metrics such as decreasing preventable hospital readmissions, especially for patients who are high users of service, by providing a relatively low cost intervention to help stabilize patients.

# Medical-Legal Partnership Case Studies

# Hospital Based Medical-Legal Partnerships: Nebraska Medicine



- A medical-legal partnership between Nebraska Medicine and Nebraska & Iowa Legal Services (Omaha is on the Iowa border).
- Nebraska Medicine is a regional academic health care system consisting of 2 hospitals and over 40 primary and specialty care clinics in the Omaha area.

# Federally Qualified Health Center Based Medical-Legal Partnerships: Waimanalo Health Center

- A MLP between Waimanalo Health Center and the Legal Aid Society of Hawaii
- Staffed with Legal Aid attorneys 12 hours per week plus a 2 hour per week open access legal screening with a paralegal
- Attorneys share same office space with doctors and other medical staff
- Center services include primary care, dental, behavioral health, vision, and wellness to low-income residents
- Priority legal issues addressed
  - Housing
  - Family Law
  - Education (IEP)
  - Income/benefits/employment



**Mental and Behavioral Health**  
**Medical-Legal Partnerships: VA**  
**Connecticut Health Care and**  
**Connecticut Veterans Legal**  
**Center**



- The Country's first VA based Medical-Legal Partnership
- Began when a volunteer attorney started to provide free legal assistance on site to veterans and experienced a huge demand for his services
- Connecticut Veterans Legal Center serves the state's most vulnerable veterans, those with severe mental illness and/or experiencing homelessness.



# VA Connecticut Health Care and Conn. Veterans Legal Center



In December 2017, a study was published in *Health Affairs* that examined two medical-legal partnership programs with the VA: the CVLC program in Connecticut and one in New York.

- The study found that the more legal services a veteran received the better they fared:
  - Reduced symptoms of PTSD and psychosis
  - Spent less money on abused substances
  - Better housing situations
- Mental health improved even if veterans lost their legal cases.
- The most common legal problems were related to VA benefits, housing, family law, and consumer issues.
- Although the study did not analyze potential cost savings, it did find that the average cost of each resolved legal issue ranged from \$207 to \$405, compared to the annual direct costs of \$10,000 to \$60,000 of caring for a chronically homeless person or one with severe mental illness.

Source: Tsai et al. “Medical-Legal Partnerships at Veterans Affairs Medical Centers Improved Housing and Psychosocial Outcomes for Vets,” *Health Affairs*, Dec. 2017.

# Substance Use Disorders and Medical-Legal Partnerships: Eskenazi Health Midtown Community Mental Health



- Eskenazi is located in Indianapolis, IN, and is the state's first community mental health center
  - Provides comprehensive care for all types of emotional and behavioral problems, including severe mental illness and substance abuse.
  - It is the mental health division of Eskenazi Health, the safety net hospital of Marion County, IN.
- In 2010, a medical-legal partnership was formed between Eskenazi and Indiana Legal Services to serve patients with mental health disorders.
- In 2014, the medical-legal partnership began to accept referrals from providers in the treatment programs for patients with substance use disorders. (A new emerging area of medical-legal partnerships.)

# Medical-Legal Partnerships Between CHLP and NJ Health Care Providers

- Medical-Legal Partnership with Addiction Agency in the south to provide legal services to their STAR consumers
- Medical-Legal Partnership with a mental health provider in the north to provide legal services for their PATH and ICMS consumers
- Medical-Legal Partnership with a mental health provider in central jersey to provide legal services to their CCBHC and MAT consumers
- Medical-Legal Partnership with HIV health clinics around the state
  - Funding for these MLPs are through grants or subcontracts which are time-limited and impact a finite number of consumers.

# Promising Sustainable Sources of Funding for Medical-Legal Partnerships

## Medicaid Financing Models

- Medicaid Managed Care Contracts
  - Eg. Eskenazi Health & Indiana Legal Services – Contracted with a Medicaid managed care entity to sponsor a Medical-Legal Partnership at two of their health centers.
- Medicaid §1115 Demonstration Waivers
  - Eg. LA County Dept. of Health & Neighborhood Legal Services of LA County – Provide legal services to the vulnerable MediCal beneficiaries targeted by the LA Whole Person Care Program. \$500,000 was designated for legal services, technical assistance, and training for the first year of the demonstration program. Whole Person Care also uses 1:1 local to federal matching funds to support the Medical-Legal Partnership.
- Delivery System Reform Incentive Payment (DSRIP)
  - Eg. NYC Health+Hospitals & NY Legal Assistance Group – The NY State Delivery System Reform Incentive Payment Program is the main mechanism NY state is using to redesign their Medicaid program and address population health goals. The program provides funding for this Medical-Legal Partnership collaboration.

# North Carolina Medicaid Managed Care

The NC Dept. of Health & Human Services recently released a RFP for Medicaid Managed Care Prepaid Health Plans which states that:

- Prepaid Health Plans are required to provide access to medical-legal partnerships for legal issues adversely affecting health.

- Medical-Legal Partnerships need to be funded as a core service just as primary and behavioral health care in order to make it a sustainable activity within a health care organization and provide true integrated and holistic care to consumers/patients.

- MCOs and other value-based payment arrangements are key areas of opportunity for potential new financing for Medical-Legal Partnerships, particularly for the Medicaid population.



# Thank you!

## Contact Information

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