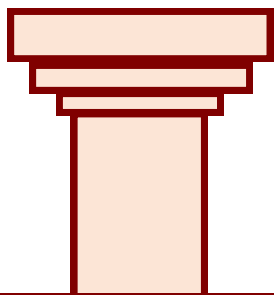


# COMMUNITY HEALTH LAW PROJECT

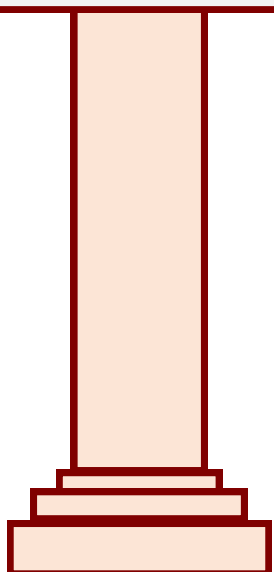


Spring/Summer  
Newsletter 2020



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# The Independent

## WE ARE HERE FOR YOU

While New Jersey has been in a state of lockdown since March and residents continue to practice social distancing due to the COVID-19 health crisis, the Community Health Law Project (CHLP) has remained committed to providing quality legal and advocacy services to low-income individuals with disabilities throughout the State. All CHLP staff members have been working remotely and are available to assist new and current clients.

For up-to-date COVID-19 information, please visit  
[WWW.CHLP.ORG](http://WWW.CHLP.ORG)

## CONGRATULATIONS



Congratulations to CHLP's Associate Executive Director (formerly Director of Litigation), Erika Kerber, on receiving a *Leadership and Advocacy Recognition Award* from the New Jersey Association of Mental Health and Addiction Agencies' (NJAMHAA) during their Annual Membership Meeting on Wednesday, June 17<sup>th</sup>.

*As Director of Litigation for the Community Health Law Project, Erika Kerber provides the rest of the NJAMHAA Board with insights from the legal perspective and the attention to detail as only lawyers can do. These qualities made Erika a natural choice to Co-Chair NJAMHAA's Governance Committee. Erika is a huge proponent for the vulnerable populations that all our members serve and she helps providers meet all the needs clients have under the rubric of social determinants of health. For example, she presented to the Adult Mental Health Practice Group on serving individuals with criminal charges. A fierce advocate for our clients and sector, Erika is greatly valued by the Board and the entire association. - NJAMHAA*

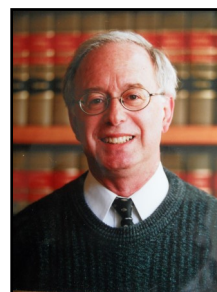
## **MESSAGE FROM THE EXECUTIVE DIRECTOR**

During these difficult times, the Board of Trustees and staff of the CHLP hope that you are safe and well. We know that our colleagues in the many agencies around the state and governmental entities are struggling to continue their efforts to serve and assist New Jersey residents.

We too at the CHLP have adjusted to the new normal of remote work and assistance. I am encouraged and thankful that our staff across the State have successfully continued to provide assistance and advice to our many clients in a very different legal, social service and health care system climate than what existed before the Pandemic. However, through technology and diligence we are continuing to protect the rights and entitlements of our clients as well as staying connected to our service and governmental partners.

Although our offices are officially closed, staff are working effectively from home and many have volunteered to go to the office on a sometime basis. This has enabled us to be as efficient as possible. We hope to return to our offices on a part-time—then full time—basis by early September at the latest.

I wish to thank all of the CHLP staff for their dedication and hard work in continuing the organization's forty-three-year tradition of excellent service to New Jersey residents living with disabilities and chronic health problems.



*Harold B. Garwin*  
HAROLD B. GARWIN, ESQ.  
President/Executive Director

## **IN FOND MEMORY**



The CHLP family was saddened by the recent news of the passing of Diane Sugrue. Diane was a partner in the Employment Law Firm of Nukk-Freeman and Cerra. She was a graduate of Seton Hall Law School, and a former vice-president and associate counsel for the global healthcare company, Novartis. She later became the Global Compliance Officer for Ingersoll Rand.

Diane's passion for social justice and equality led her to Board membership and a leadership role for CHLP, one of New Jersey's prominent public interest legal and advocacy organizations. As a former chair and vice-chair of the Board of Trustees of the Community Health Law Project, Diane brought considerable knowledge, experience, and prestige to the organization's mission to protect the rights and entitlements of persons living with disabilities and chronic illness.

CHLP President/Executive Director Harold Garwin said that "Diane was someone to whom we could always look for advice and guidance on the most difficult issues. She was a strong and dedicated leader who helped the organization grow and prosper while always keeping its clients' needs in the forefront." CHLP extends its deepest sympathy to the Sugrue family.



## **GRANT NEWS**

For a Second Year, The Healthcare Foundation of New Jersey Funds Medical-Legal Partnership Between CHLP and the Mental Health Association of Essex and Morris.

The Healthcare Foundation of New Jersey has renewed their \$150,000 grant award to CHLP and the Mental Health Association of Essex and Morris for a second year to continue funding a medical-legal partnership program in Essex County, NJ. The goal of the project is to address the social determinants of health of vulnerable individuals experiencing severe and persistent mental illness, and to collect data and outcomes to better advocate for expanded funding for medical-legal partnerships with mental health and addiction agencies.

Medical-legal partnerships are being recognized nationwide as an effective and relatively low-cost intervention to improve health outcomes. Research has shown that social determinants of health, such as housing, income, health insurance and family stability play a significant role in an individual's health. Unlike the traditional referral model where

the health care provider simply refers a patient-consumer to legal services, medical-legal partnerships embed lawyers and advocates into the health care team. The embedded attorney and advocate can proactively intervene before legal problems reach a crisis point, help health care staff recognize potential health-harming legal issues, navigate system and policy barriers to health, and break the cycle of treating patient-consumers only to have them come right back because their underlying barriers to health are not being addressed.

In addition, in April the Healthcare Foundation of New Jersey awarded CHLP \$3,680 through its Covid-19 Emergency Grant Application Initiative. CHLP applied for this grant on behalf of its partner, the Mental Health Association of Essex and Morris. The funds were used to purchase cell phones and prepaid voice and data plans for homeless individuals and those recently discharged from psychiatric hospitals. These phones allow consumers to keep up with telehealth appointments, access services, and keep in touch with social supports while socially distancing.

## **THANK YOU**



In June, CHLP received a generous donation of 180 reusable face masks from the SOMA Sewing Volunteers. Based in South Orange and Maplewood, the SOMA Sewing Volunteers have been gathering fabric and sewing reusable protective face masks for distribution to healthcare facilities and other direct service organizations with employees and clients at risk of contracting the Coronavirus. The group's 150 volunteers have spent the past few months working to produce and distribute face masks. They have donated over 23,000 masks to date. Thank you, SOMA Sewing Volunteers, for your support of CHLP and the hard work you have been doing to help us continue to help those in need.

## **FIND CHLP ON SOCIAL MEDIA**

Stay current with CHLP's latest news, events and information...

**Facebook**

**Twitter**

**LinkedIn**

## CASES OF INTEREST

### **CHLP Eatontown Office:**

Advocate Michelle Dostie received a favorable decision, on the record, on a social security appeal for a client suffering from an autoimmune disease that began in 2017. Ms. Dostie also successfully disputed a social security overpayment matter that resulted from the claimant's work activity. She represented the client at a local hearing in early March and the overpayment was overturned.

Senior Attorney, Madeleine Coghlan, represented a client who was a defendant in a domestic violence hearing. The defendant's roommate wrongfully obtained a temporary restraining order against our client and Ms. Coghlan advocated for dismissal of the temporary restraining order through a Zoom hearing. The Judge agreed with Ms. Coghlan and dismissed the temporary restraining order. The Board of Social Services also agreed to provide temporary rental assistance to the client.

A CHLP client, a four-year old child who suffers from Trisomy 18, had his private duty nursing (PDN) services reduced by Amerigroup. Amerigroup had reduced the PDN services from 16 to 12 hours per day. After an unsuccessful internal appeal, the Eatontown Office helped the client appeal this denial. Despite a request for continued benefits, Amerigroup proceeded to reduce the PDN services during the pandemic. After advocating with Amerigroup, the Office of Administrative Law and Independent Utilization Review Organization for the return of interim benefits, Amerigroup agreed. Ultimately, the case was successful at the Independent Utilization Review Organization level and the client's full PDN services resumed.

A *Ryan White* client with a limited income of Supplemental Security Income (SSI) was also paying child support arrears of \$250/month, leaving her with very little income to survive. After the Eatontown Office filed a motion in Superior Court, the Judge agreed to suspend all arrears payments during such time as the client remains an SSI recipient who is unable to work.

CHLP's Eatontown office has developed a great collaboration with CPC Behavioral Healthcare to assist their consumers in addressing their legal issues so they can focus on their treatment and recovery. It's one of several medical-legal partnerships CHLP has recently launched with health care providers around the state.

### **CHLP Collingswood Office:**

Senior Attorney, Rachel Ianieri, has been working with clients who did not file taxes in 2018 and who do not receive benefits from the Social Security Administration. She has helped clients file for a non-filer tax return. This has allowed her clients to receive the \$1200 economic impact payment, or reduce their child support obligation by \$1200.

Senior Attorney, Kristin M. Bricketto, successfully obtained a final restraining order for her client, a victim of domestic violence. The client was also able to obtain temporary custody of her children. The hearing took place via Zoom over two days. Although a virtual court room proved extra challenging, Kristin couldn't be happier with the outcome and was very glad to obtain some relief for her client. This is just one example of the great work and dedication of our staff, especially in the midst of this pandemic.

### **CHLP Trenton Office:**

Staff Attorney Michael Perez presented a Landlord/Tenant workshop to Rutgers Law School students being trained as court mediators as part of that school's Pro Bono Mediation Project. This is Michael's fourth year leading the workshop and he was joined for the second time by Andy Keith, Esq. of Keith and Keith.

### **CHLP Bloomfield Office:**

A CHLP attorney was working with a client on a legal issue and the client happened to mention that he was running low on food. This client has HIV and other disabilities and relies on food banks. He normally takes a bus to get to them, but in recent weeks he has not been able to make the trip due to a bout of leg pain and fear of contracting COVID-19. His attorney from CHLP jumped to action and found an HIV agency with food bank services. The agency offers such services once a week, but clients must come to the office to be served. Unfortunately, the food distribution for that week had already occurred so the CHLP attorney called the program's director and explained the issues and immediacy of the situation. She was promised that someone from the agency would deliver food to the client as soon as possible. Later that day, the client reported that he received a delivery of food and it will continue weekly. He was so relieved and thankful for his CHLP attorney going out of her way to give him such essential assistance.

## CASES OF INTEREST

A CHLP client living with disabilities has an ongoing issue with receiving food stamps. He relies on them because his only other income is general assistance cash benefits. Unfortunately, he did not receive food stamps for the month of March. Due to his severe depression, he felt sad and helpless about the situation, but when his CHLP attorney, who was assisting him with another issue, became aware of his problem, she immediately inquired getting help for her client. The CHLP attorney called the food stamps office to advocate for him. After an hour and a half wait, the attorney was connected to a representative who looked into the matter. Happily, the food stamps office representative was able to resolve the issue and get the food stamps sent out immediately.

On June 16<sup>th</sup> Senior Attorney Mary Orsini and Associate Executive Director Erika Kerber gave a virtual presentation on Guardianships to staff and families of the organization Serving People with Abilities (SPWA), a support coordination agency in south jersey serving individuals with intellectual and developmental disabilities.

### **CHLP Elizabeth Office:**

Managing Attorney Meena Song and Senior Attorney Sean Benoit were panelists on the June 17<sup>th</sup> NJICLE Webcast- "Encountering Mental Illness: A Crash Course on Getting Treatment for Clients or Family Members in Crisis." They presented on mental health issues in the developmentally disabled population, which included services for individuals dealing with mental health issues, referrals, guardianships, supportive services and difficulties faced by this population and the attorneys who represent them.

### **CHLP Admin Office:**

On March 24<sup>th</sup>, Associate Executive Director Erika Kerber presented to the Adult Mental Health Practice Group through NJAMHAA on serving individuals with criminal charges.

On June 10<sup>th</sup> Ms. Kerber presented to MCO housing specialists on a call coordinated by the New Jersey Long Term Care Ombudsman's office. She discussed the current housing directives and rules in place, such as the eviction moratorium and federal CARES Act, and medical-legal partnerships.

CHLP stands with all those protesting police brutality and racial injustice. The recent deaths of George Floyd, Breonna Taylor, and Ahmaud Arbery shine a bright light on the cruel reality of systemic racism in our country. We, as a nation, as an organization, and as individuals cannot turn away from the pain and injustice experienced by people of color.

As a legal services organization that serves people with disabilities, we understand that many of our clients stand at the intersection of race and disability - a position that often makes them more marginalized in our society and more vulnerable to police violence. It is estimated that between 30% and 50% of people killed by police had a disability. This number increases to over 80% when substance use disorders are included.

CHLP is committed to being an open, inclusive and anti-racist advocate for people with disabilities. We will zealously aid our clients, we will listen, learn and teach, and we will work with others to dismantle the systems of discrimination and racism that oppress our clients and communities.

# *Ann Klein*

## *Advocate Awards*

Over the past few months, NJ has given its residents some true heroes and it is now more important than ever to recognize those selflessly giving help to those in need. CHLP treasures the importance of those who dedicate themselves to improving the lives of people living with disabilities, therefore, we will continue to accept nominations for the Ann Klein Advocate Award and the Mike Lione Accessibility Award.

We look forward to coming together at The Wilshire Grand Hotel in West Orange on May 20, 2021 and celebrating the strength and generosity of our fellow friends with the 33<sup>rd</sup> Annual Ann Klein Advocate Award reception. CHLP will come back bigger and stronger than ever before and is proud to continually serve our community.

Cheers to May 2020ONE!

Please note...Nominations will be accepted until October 17, 2020.

### COMMUNITY HEALTH LAW PROJECT

#### **NORTH JERSEY**

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TTY: 973.680.1116  
Email: [Bloomfield@chlp.org](mailto:Bloomfield@chlp.org)

#### **EAST JERSEY**

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Elizabeth, NJ 07201  
908.355.8282  
FAX: 908.355.3724  
TTY: 908.355.3369  
Email: [Elizabeth@chlp.org](mailto:Elizabeth@chlp.org)

35 Journal Square, Suite 831  
Jersey City, NJ 07306  
201.630.6201  
FAX: 908.355.3724

#### **SHORE AREA**

1 Main Street, Suite 413  
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732.380.1012  
FAX: 732.380.1015  
Email: [Eatontown@chlp.org](mailto:Eatontown@chlp.org)

250 Washington Street, Suite 5  
Toms River, NJ 08753  
732.349.6714  
FAX: 732.349.6935

#### **CENTRAL JERSEY**

225 East State Street, Suite 5  
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FAX/TTY: 609.392.5369  
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Mt. Holly, NJ 08060  
609.261.3453  
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#### **SOUTH JERSEY**

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