Medical-Legal Partnership for Children in Hawai’i

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U.S. HHS pres. (July 13, 2015)

PRESENTATION OVERVIEW
1. What is MLP?
   • What we do
   • Social Determinants of Health
2. MLP Hawai’i impact/pop health
   • Micronesian health in Hawai’i
   + MLP Hawai’i expansion plans

Overview of Kokua Kalihi Valley
Comprehensive Family Services

- Formed in 1972
- Serves primarily 30,000 residents of Kalihi Valley
- Approximately 10,000 patient visits per year
- 36% of total visit are public housing residents
- 94% are Asian & Pacific Islander
- 40% are best served in language other than English (60% for Public Housing residents)
- 63% are at 100% Federal Poverty Level and below
- 34% uninsured
(Source: KKV UDS Report 2010)

Kokua Kalihi Valley
Comprehensive Family Services

KKV Values
Mission:
• “Together we work toward healing, reconciliation and the alleviation of suffering in Kalihi Valley, by serving communities, families and individuals through strong relationships that honor culture and foster health and harmony.”

Motto:
“Neighbors being neighborly to neighbors”

Introduction to Social Determinants of Health

• WHO definition:
The social determinants of health are the circumstances in which people are born, grow up, live, work and age, and the systems put in place to deal with illness. These circumstances are in turn shaped by a wider set of forces: economics, social policies, and politics.

 Investing in People

• Hiring staff from the community
• ESL program
• Sewing Program
• Job skills training (KVIBE, Ho'oulu 'Aina)
• Job preparation
• Internships

Major Determinants of Population Health

- Physical Environment (10%)
- Biology and Genetic Factors (15%)
- The Health Care System (25%)
- The Social and Economic Environments (50%)

Another view of SDH...

www.medical-legalpartnership.org

MLP in 2000

MLP in 2005

• First MLP founded in 1993 by Barry Zuckerman, MD, Professor & Chair of Pediatrics at Boston Medical Center.
• In 2012, more than 83 MLP sites at over 250 health institutions.
• MLP sites organized around legal services for: children, elderly, pregnant women, patients with cancer, the formerly incarcerated, and other vulnerable populations.

www.MLPCHawaii.org

Medical-Legal Partnership for Children in Hawaii (MLPC)

Because 50,000 children in Hawaii need legal care to be healthy.
50 million Americans need legal care to be healthy.

And every single one has a civil legal problem that negatively affects their health.

What we do:
- Legal Advocacy Clinics (on-site @ CHC).
- Transforming Legal and Health Institutions and Practice via Professional Education.
- Systemic Advocacy via Health Policy and Community Engagement.

What Are Legal Needs?

Health-harming legal need:
A social, financial, or environmental problem that has a negative health impact and can be addressed through civil legal aid.

Case example: Asthma
Case example: Housing & Family Law

Who provides legal services?

Civil Legal Aid:
- The national system of publicly funded lawyers (Legal Services Corp./Legal Aid) who handle housing, public benefits, family law, and non-criminal problems for low-income and other vulnerable pops.
- Supplemented by law school programs, private lawyers and law firms (pro bono).

Availability of Legal Assistance in the U.S.

Table 6: Comparison of Private Lawyers to General Population and Legal Aid Lawyers to Low Income Population

What we do: Trainings/Outreach

What we do: Systemic Advocacy & Community Engagement

What we do: Systemic Advocacy & Community Engagement

What we do: “Know Your Rights” & “Self-Advocacy Academy”

Patients Need More Than Healthcare....

Access to Justice in Hawai‘i

• Poor families have significant unmet legal needs.
• Only 1 out of 5 low & moderate-income Hawaii residents have their legal needs met.
• Legal service providers are able to help only 1 in 3 of those who contact them for assistance.
• There is one legal service attorney for every 4,402 persons living below 200% of the federal poverty guideline in Hawaii. (Contrast: one private attorney for every 361 people in general pop.)
• Significant barriers to obtaining legal assistance in addition to inability to afford an attorney
  – language & culture barriers;
  – lack of knowledge of one’s legal rights;
  – lack of knowledge of available legal services; and
  – difficulty in accessing legal services programs.

“Achieving access to justice for Hawai‘i’s people” 2007 assessment of civil legal needs in Hawaii, report by the Access to Justice Hui

Jack Maypole, MD
Incomes in Hawai'i

- UH Center on the Family: (2007 report)
  Family of four in Hawaii needs $4,824/month or $57,893 annual income for basic living expenses.
- 200% of Federal Poverty Guidelines for family of four in Hawaii is $4,285/month or $51,420 annual income.
- Approx. 1 in 4 people in Hawaii live below 200% of Federal Poverty level.
- Minimum wage = $7.75/hour = $1,343/month = $16,120/year


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Micronesian Health in Hawai‘i


“I can’t imagine practicing medicine without a lawyer on my team. I think I’d be practicing substandard care. Not asking questions about housing, benefits, and food would feel wrong, but so would asking if I couldn’t do anything about it. Our lawyers help me treat those things.”
http://medical-legalpartnership.org/join-movement/health-centers/
Micronesian region

- 1500s – late 1800s: under Spanish rule
- 1880s – WWI: under German rule
- WWI – WWII: under Japanese rule
- WWII – 1980’s: under U.N.’s Trust Territories of the Pacific Islands (U.S. oversight)

UN’s International Trusteeship System
(Chapter XII of UN Charter, 1945)

“...to promote the political, economic, social, and educational advancement of the inhabitants of the trust territories, and their progressive development towards self-government or independence.”

"...one elderly citizen... said, "You know, we've learned in our day to be Spanish, and we've learned to be German, and we've learned to be Japanese, and now we're learning to be American—what should we be preparing to learn to be next?"

Vintage Books, 1996

Micronesian region under Trust Territories:
- Marshall Islands
- Chuuk
- Kosrae
- Pohnpei
- Yap
- Palau
- Northern Marianas
- Guam
- Nauru
- Kiribati

New political entities:
- Rep. of the Marshall Islands
- Fed. States of Micronesia:
  - Chuuk State
  - Kosrae State
  - Pohnpei State
  - Yap State
- Republic of Palau
- Commonwealth of the Northern Marianas Islands (U.S. territory)
- Guam (U.S. territory)
- Republic of Nauru (ind.)
- Republic of Kiribati (ind.)
Compact provisions...

Under the compacts, FAS citizens are exempt from meeting the visa and labor certification requirements of the Immigration and Nationality Act (INA) as amended. The migration provisions of the compacts allow compact migrants to enter the United States (including all U.S. states, territories, and possessions) and to lawfully work and establish residence indefinitely.

In addition, under the compacts, the United States provided economic assistance, and access to certain federal services and programs, among other things. Also under the compacts, the United States has a responsibility for the defense of the FAS, and the compacts provide the United States with exclusive military use rights in those countries. A further compact-related agreement with the Marshall Islands secured the United States access to the U.S. military facilities on Kwajalein Atoll, which are used for missile testing and space tracking activities.

Kwajalein, RMI

“Hello [name],

Hawaii’s economy has slowed. The state must decrease spending. The health benefits you are receiving from DHS will end on August 31, 2009.”

Basic Health Hawaii (BHH)

- July 2009: DHS announces BHH to start Sept.
- Aug. 31, 2009: LEJ & Alston attorneys file for TRO and Preliminary Injunction
- Sept. 1, 2009: Judge Seabright issues TRO and Preliminary Injunction (Sound v. Koller)
- July 1, 2010: DHS implements BHH
- Dec. 15, 2010: J. Seabright issues injunction (Korab v. Koller)
- Sept. 18, 2012: 9th Circuit Court of Appeals oral args
- April 1, 2014: 9th Circuit reverses Korab v. Fink
- Nov. 3, 2014: U.S. Supreme Court denied review
Micronesian Health in Hawai’i

- Nov. 2014: DHS announces all COFA migrants on Med-QEST (state-funded Medicaid) will be moved to Hawaii Health Connector (ACA).
- Jan - March 2015: Communities organize to support sign-ups by the ACA deadlines.
- June 2015: Hawaii Health Connector closes and ends all outreach contracts.

Amendment language for the “Federal Fix.”
Supported by:
- Rep. Abercrombie
- Sen. Akaka
- Rep. Hanabusa
- Sen. Hirono

www.HealthyPacific.org
Approx. 100 new patient-client families/year who receive free, direct legal services (15% of peds pts). Hundreds more reached/year through outreach, workshops, and “curbside” consultations. Typical week, 10-15 “curbside” consultations with health providers and walk-in clients. Legal Advocacy Clinics 2x/week (Tues/Thurs @ Peds). Legal Advocacy Clinic 1x/week at Kuhio Park Terrace public housing (state’s largest public housing complex). 2015 Pilot program: “Self-Advocacy Academy.” Grew from small planning grants in 2008-09 to diverse funding in 2015 (grants, individual donors, service contracts, institutional support, and state funding).
MLP Hawaiʻi Expansion

Waimanalo Health Center
- Over 50% Native Hawaiian patient population
- UH Law submitting application to private foundations
- WHC submitting app to include MLP as enabling service

West Hawaiʻi Community Health Center
- Significant # of Marshallese living in poverty
- Significant # of Spanish-speaking migrant workers
- Building relationships w/East Hawaiʻi CHC’s (Bay Clinic, Hamakua Clinic); Waianae Coast Comp. Health Center; Waikiki Health Center, others.

MLP Hawaiʻi Expansion

Law Fellows model:
- 4 Law Fellows/year
- Two-year commitment (2 new fellows/year)
- MLP Hawaii will train and supervise all Law Fellows and help to establish new programs at CHCs or hospitals.
- After two years, the health center and Law Fellow will have a sustainability plan, including shared funding.

Law Fellows are post-JD, have interned or volunteered with an MLP, and demonstrate a commitment to public service.

Partners: UH Law School, Hawaii Primary Care Association, Hawaii state legislators, Hawaii Congressional reps, National Center for MLP, local health centers.

Questions?

Take home points for MLPC

- The MLP model is innovating health-based solutions to the social determinants of health.
- We practice preventive law to meet preventive healthcare. Sometimes basic legal advocacy at an early stage reduces problems, alleviates stress, improves health.
- This new collaborative model is ripe for research!