

 <b>Department of Human Resources</b> <b>311 West Saratoga Street</b> <b>Baltimore MD 21201</b>	<b>FIA ACTION TRANSMITTAL</b>
<b>Control Number:</b> 01-19	<b>Effective Date:</b> January 1, 2001 <b>Issuance Date:</b> November 27, 2000

**TO: DIRECTORS, LOCAL DEPARTMENT OF SOCIAL SERVICES  
DEPUTY/ASSISTANT DIRECTORS FOR FAMILY INVESTMENT  
FAMILY INVESTMENT SUPERVISORS/ELIGIBILITY STAFF**

**FROM:** *Charles E. Henry*  
**CHARLES HENRY, ACTING EXECUTIVE DIRECTOR, FIA**  
**JOSEPH E. DAVIS, EXECUTIVE DIRECTOR, OOE, DHMH** 

**RE: LEGAL REPRESENTATION**

**PROGRAM AFFECTED: MEDICAL ASSISTANCE (LTC)**

**ORIGINATING OFFICE: OFFICE OF POLICY, RESEARCH AND SYSTEMS**

**SUMMARY:** Customers applying for long-term care medical assistance must meet technical and financial criteria before eligibility can be determined. Often times, customers may be denied eligibility for failure to meet certain requirements of eligibility. These customers may require legal assistance with the appeals process. The customers can receive, upon request, a booklet titled "**Some Questions and Answers about Financial Eligibility for Medicaid Nursing Home Services**" from their case managers. This booklet lists the names of organizations that assist customers in the pursuit of Medicaid eligibility. (A new supply of the booklet will be sent to each local department by the DHR warehouse.)

The Maryland Bar Association's Elder Law Section has instituted a new program to provide free legal representation, if qualified, to individuals denied Medicaid eligibility for long-term care benefits. The Maryland Volunteer Lawyers Service (MVLS) will accomplish eligibility screening and locate an attorney to assist with the appeal.

**ACTION REQUIRED:** At present, all computerized notices pertaining to long-term care are suppressed. Case managers must notify all parties concerned by manual notification. The Bureau of Systems Development and Management is currently in the process of reviewing and revising the language that is included

on the long-term care computer generated notices so that they can be system generated. Case managers will be notified via a **CARES Bulletin** when the language is added to the notices.

In the interim, case managers are **required** upon denial or closure of long-term care benefits, to add the following text to all adverse action notices: **"You may qualify for free legal representation. Contact the Maryland Volunteer Lawyers Service at 1-800-510-0050"**. You may add the text by typing it on the manual notice or by attaching a copy of the insert attached to this action transmittal.

**INQUIRIES:** Please direct questions to Deborah Weathers at (410) 767-7994.

cc: DHR Executive Staff  
FIA Management Staff  
Constituent Services  
Help Desk  
CTF

**Attachment**

**You may qualify for free legal representation. Contact the Maryland Volunteer Lawyers Service at 1-800-510-0050.**

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