

Just What the Doctor Ordered: A Lawyer on the Health Care Team

Mary, a stage IV cancer patient living in the Twin Cities, lost her job, depleted her savings, and ended up losing her home to foreclosure during the course of her cancer treatment. Mary was on an extended leave from work and her only income was from her employer's long-term disability plan. Late one Friday afternoon, Mary was notified by a voicemail message that her disability carrier had reviewed her medical records and deemed her no longer disabled as her blood work numbers showed that she was technically in remission. The voicemail went on to inform her that her direct deposit would not be made on Monday. In that one phone message, Mary's ability to pay rent to her sister, afford her daily oral chemotherapy medication, and sustain herself was threatened. Mary was in a deep state of panic.

Does Mary's story sound all too familiar to you?

How often have you suspected that one of your patients had a housing, employment, disability, immigration, benefits, or financial problem that adversely affected their health? How often have you wanted to ask about it but hesitated because you didn't have the tools to help treat their problem? At best, this aspect of caring for your patients is frustrating, at worst, heartbreaking. Although the causes of these problems are often outside of the medical system, their impact on patient health increasingly lays them squarely on the threshold of the medical provider.

Mary quickly contacted her oncology social worker and was referred to Cancer Legal Line, a Minnesota nonprofit organization providing free legal care to Minnesotans

affected by cancer. By Monday afternoon, a Cancer Legal Line volunteer attorney was working on Mary's behalf and ultimately got the disability carrier to reinstate Mary's full benefits. With her income stabilized, Mary was able to move out of her sister's apartment and into her own, and has the ongoing ability to pay for her housing, health insurance, and medications.

As Mary's story illustrates, legal problems are health problems. At a time when people are at their most vulnerable physically and emotionally, they are asked to navigate two increasingly complex and confusing systems: the medical system and the legal system. For their medical decisions, they have a team of multi-disciplined providers. For the legal issues, they have all too often been left on their own. The social determinants of health—among them housing, employment, access to benefits—have both their roots and solutions in the legal system. As such, bringing a lawyer on to the health care team makes all the sense in the world.

Cancer Legal Line began as a way for Minnesotans with cancer to bridge this gap and get legal care for the unmet legal issues that adversely affect their health. Since 2007, Cancer Legal Line has provided over \$2,400,000 in free legal care services to nearly 2,000 individuals and families who otherwise would not be able to afford an attorney's help. The biggest issues Cancer Legal Line clients face surround employment (navigating leave laws, job loss, discrimination), insurance coverage denials, housing and financial loss, disability determination and benefits, and end-of-life planning, often involving guardianship for minor children of a parent with advanced cancer—very different legal issues than



what is traditionally handled by Legal Aid.

Cancer Legal Line's legal counseling and information services are available to all cancer patients and survivors, regardless of diagnosis, across the state. If additional legal care is needed and clients are income eligible, Cancer Legal Line's staff or volunteer attorneys work to provide the legal care they need at no charge to them.

Cancer Legal Line's largest group of clients by diagnosis is women with breast cancer between the ages of 30-55—the at the height of their working and family raising years. Funding from Susan G. Komen Minnesota enabled the creation of the Breast Cancer Legal Program that has served over 400 women since its inception. The next biggest group of clients by diagnosis is adults with blood and related cancers. Over the years, health care providers from the University of Minnesota's Blood and Marrow Transplant Unit

By Lindy Yokanovich, Esq.

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(BMT) have contacted Cancer Legal Line on many occasions seeking legal care for their patients. Cancer Legal Line's staff and volunteer attorneys have helped BMT patients complete their wills and guardianship documents, negotiate extended employment leave, and, in one case, successfully appeal a visa denial allowing a young man to travel to the United States to serve as his sister's donor.

"The challenges that face cancer patients and their families are complex and exhausting. On top of the medical and emotional stresses, problems with insurance, employment, financial catastrophe and estate planning add further stress to all of them and their families. Assistance with legal issues can offer a respite from worry and a salve for their pain. Caring for the whole patient and the whole family means helping protect all cancer patients from financial pain as well," says Daniel Weisdorf, M.D., Chief, Division of Hematology, Oncology & Transplantation, Director, Adult Blood & Marrow Transplant Program, University of Minnesota.

Looking for a better, more integrated approach to get these legal issues addressed proactively, Cancer Legal Line and BMT joined together in May 2014 with funding from the Fairview Foundation to create the first oncology based Medical-Legal Partnership (MLP) in Minnesota. A growing movement nationally, MLP's mission is to mainstream an integrated medical-legal approach to health and health care in a wide range of settings. At the time of this writing, MLPs have been established in 262 health care institutions in 36 states.

The BMT Legal Clinic provides for an onsite legal clinic in the BMT Unit one day each week. Cancer Legal Line attorneys meet with blood cancer patients

pre-transplant to complete a legal check-up and prepare legal documents, including a financial Power of Attorney, with the goal of preventing and avoiding legal obstacles from occurring down the road. The partnership is studying the impact of receiving integrated medical-legal care on a patient's perceived stress and well being. The BMT Legal Clinic was a long time in the making, but because of the mutual understanding of the depth and breadth of the legal issues BMT patients face, both sides of the partnership were committed to seeing it become a reality.

Cancer Legal Line views MLP as a way of improving the health outcomes of not only cancer patients, but a wide range of people and populations as well. Whether set in primary care, pediatrics, hospice, or public hospitals, many patients have legal needs that adversely impact their health. "I recognize that there are forces outside of what I can do for my patients from a medical standpoint, that need to be addressed through the legal system," says Robert Pettignano, M.D., of Children's Healthcare of Atlanta and a nationally recognized expert on MLP and the interplay of legal and health issues. "I can provide every medication and known technology to help an asthmatic patient, but if I send that child back to a mold infested apartment, what have I really done?" asks Pettignano. "Adding an attorney to the health care team improves patient care. Period." ♦

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