

OTHER PROFESSIONAL SERVICES

HRSA Description (10-22-2018)

Other Professional Services allow for the provision of professional and consultant services rendered by members of particular professions licensed and/or qualified to offer such services by local governing authorities. Such services may include:

- Legal services provided to and/or on behalf of the HRSA RWHAP-eligible PLWH and involving legal matters related to or arising from their HIV disease, including:
 - Assistance with public benefits such as Social Security Disability Insurance (SSDI)
 - Interventions necessary to ensure access to eligible benefits, including discrimination or breach of confidentiality litigation as it relates to services eligible for funding under the HRSA RWHAP
 - Preparation of:
 - Healthcare power of attorney
 - Durable powers of attorney
 - Living wills
- Permanency planning to help clients/families make decisions about the placement and care of minor children after their parents/caregivers are deceased or are no longer able to care for them, including:
 - Social service counseling or legal counsel regarding the drafting of wills or delegating powers of attorney
 - Preparation for custody options for legal dependents including standby guardianship, joint custody, or adoption
- Income tax preparation services to assist clients in filing Federal tax returns that are required by the Affordable Care Act for all individuals receiving premium tax credits

HRSA Program Guidance

Legal services exclude criminal defense and class-action suits unless related to access to services eligible for funding under the RWHAP.

See 45 CFR § 75.459¹

Baltimore EMA Guidance

Ryan White legal services are limited to civil legal services, including redress for discrimination, human rights violations, legal name and gender changes², and the provision of services that support access to HIV prevention and treatment.

¹ Code of Federal Regulations. 45 CFR § 75.459. Professional service costs. <https://www.ecfr.gov/current/title-45/subtitle-A/subchapter-A/part-75/subpart-E/subject-group-ECFR5d90ba314caea08/section-75.459>

² Gender Affirming Care in the RWHAP. <https://ryanwhite.hrsa.gov/sites/default/files/ryanwhite/hiv-care/gender-affirming-care-rwhap.pdf>

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Qualifications

Competencies, Knowledge, and Skills	Evaluation/Documentation
All legal services must be performed by trained professional staff. Attorneys must: <ul style="list-style-type: none">• Possess a Juris Doctorate (J.D.) from an accredited ABA law school; and• Maintain active state and/or federal bar membership in good standing.	A copy of the active state and/or federal bar membership must be available upon request. Demonstrated competencies, knowledge and skills must be available upon request (e.g. participation in training, formal supervisory review, direct observation, case review, etc.).
Paralegals, other legal service providers, and support staff, or other employees must be qualified to hold the position in which they are employed. Non-licensed staff must be supervised by a licensed attorney.	
Referral sources, particularly for HIV medical care and Medical Case Management	