

Chicago Medical Legal Partnership for Children (CMLPC)

tips

REMOVING BARRIERS TO ACCESS

Health & Disability Advocates (HDA)

205 W. Monroe, Suite 300

Chicago, IL 60606

(312) 223-9600

www.hdadvocates.org

We are supported by our medical partners and by The Legal Assistance Foundation of Metropolitan Chicago and Project Health.

The HDA TIPS and more detailed Patient Library Materials are available on our website.

CMLPC is a project of Health & Disability Advocates, designed to address the full continuum of children's needs by improving patients' access to healthcare, public benefits and social services. Attorneys with HDA and Legal Assistance Foundation of Metropolitan Chicago, along with healthcare providers, work together to tackle social and economic barriers that can impede access to health care and impact health outcomes. CMLPC attorneys are available to provide free legal services and advice to low-income families.

Patients can be referred to CMLPC for a range of issues, including:

- Public Benefit Denials (TANF, SSI, Food Stamps, WIC, DSCC)
- Health Insurance (Medicaid and private)
- Housing (evictions, conditions, utility shut-offs)
- Domestic Violence/Guardianship/Child Support
- Early Intervention/Special Education/Expulsion
- Immigration
- Consumer (Bankruptcy, Foreclosure, etc.)
- Employment (UI benefits, wrongful termination)
- Juvenile Court/DCFS Legal Matters and more.

Attorneys are available on-site at healthcare facilities. For resource questions or to make a referral contact:

- ▶ Amy Zimmerman, Project Director
(312) 265-9075
azimmerman@hdadvocates.org
- ▶ Sarah O'Connor, Project Attorney, Spanish-speaking
(312) 265-9078
sconnor@hdadvocates.org

Questions for Patients Critical Needs

- Does your child have adequate health insurance?
- Do you have a child with a chronic illness, disability or developmental delay?
- Do you have any problems regarding your housing conditions or affording your rent/mortgage?
- Do you have concerns about your child's education?
- Do you need childcare assistance?
- Are you having difficulties getting time off work to care for your child?
- Are you making ends meet?
- Do you always have enough food to eat?
- Do you have questions or concerns about your immigration status?
- Do you or your child experience verbal or physical abuse in your home?
- Do you have a teen in the house?
- Are you concerned about lead poisoning?
- Is the child accompanied by a parent?
If not, are there any questions concerning guardianship or legal authority of the decision making adult?

Overview Major Medical Programs

FAMILIES AND CHILDREN



Obtain Key Eligibility Info from Individual

Family Composition, Age, Relationship, Income, Assets, & Citizenship Status



Pregnant Woman, Parent, or Child Under Age 19
Who Meets Citizenship and Financial Criteria



TANF → Income Support and Medicaid

FamilyCare → Medicaid

AllKids → Medicaid

SSI for Child with Disability → Income Support

If not eligible for *free* Medicaid, may be eligible through spenddown.



Also check special programs for additional coverage:

DSCC Waiver If child has a disability

EI If child has a disability or developmental delay

Home Services Program If child has disability

WIC If woman is pregnant, or child is an infant

CHIP If child/adult is uninsured due to preexisting condition

Emergency Medical Coverage If adult doesn't meet citizenship requirements

Overview Major Medical Programs

ADULTS WITH DISABILITIES OR OVER AGE 65



Obtain Key Eligibility Info from Individual

Family Composition, Age, Relationship, Income, Assets, & Citizenship Status



Adult with Disability or Age 65 or Older
Who Meets Citizenship and Financial Criteria



SSI or SSDI → Income Support

AABD Medical → Medicaid

GA Medical/Transitional Assistance → limited Medicaid

Disabled Adult Child/1619(a) and (b) → Medicaid

If not eligible for *free* Medicaid, may be eligible through spenddown.



Also check special programs for additional coverage:

QMB, SLIB, QI-1 pays Medicare premiums

Illinois Cares Rx covers medications

Medicare Part D covers medications

ADAP pays for HIV medications

HCBS Waiver Programs home supports

CHIP If uninsured due to preexisting condition

Emergency Medical Coverage If adult patient doesn't meet citizenship requirements

HBWD/Medicaid Buy-In Working and disabled

IBCCP Coverage for Breast and Cervical Cancer Treatment

Application Documents

Documents to Bring When Applying for Benefits

- Social Security Number

- Birth certificate (or other evidence of birth date)

- Spouse's Social Security number and birth certificate

- Children's Social Security numbers and birth certificates

- Checking/savings account information

- Proof of income and assets (such as pay stubs, bank books, insurance policies, car registration)

- Mortgage, lease agreements, rent receipts or other documents that show living arrangement

Application Documents (continued)

If Applying for SSI, Also Bring These Documents

- Names, addresses, and phone numbers of all
 - Doctors,
 - Hospitals,
 - Clinics,
 - Therapists, and/or
 - Counselorsthat have provided treatment and the dates of treatment.

- List of current medications, with dosages.

- Medical records, doctors' reports, therapy records, and test results related to the individual's condition.

- List of all work individual has done in the past 15 years. Include type of work performed, and names and contact information for employers.

All Kids

HEALTH INSURANCE FOR BIRTH THROUGH 18

How to Apply Go to the local Department of Human Services (DHS) office.

- ▶ To find the closest office call **1-800-843-6154**; or,
- ▶ call **1-866-ALL-KIDS** (**1-866-255-5437** and **1-877-204-1012**, TTY); or,
- ▶ apply online and receive income eligibility updates at **www.allkidscovered.com**

TIPS • There are *no* income, asset or citizenship requirements; • All Kids Rebate is available to some families to help pay for the insurance they get through their employer; • If monthly income decreases & children would be eligible for an All Kids plan with lower co-pays or no premium, family should immediately tell DHS so that they can be switched to the correct All Kids plan; • Ask for 3-month “backdate” of medical card for coverage prior to application date.

Incomes for 2008	Income % of FPL	Income per month for family of 2/3/4	Copay for visits/Rx	Premiums
All Kids Assist	< 133%	< \$1,552 \$1,951 \$2,350	no	no
AllKids share	> 150%	< \$1,750 \$2,200 \$2,650	yes	no
All Kids Premium levels 1-8	> 150%	copay/premium increases with income	yes	yes

FamilyCare

HEALTH INSURANCE FOR PARENTS

FamilyCare offers healthcare coverage to parents living with their children 18 years old or younger. FamilyCare also covers relatives who are caring for children in place of their parents. Like All Kids, FamilyCare covers doctor visits, dental care, specialty medical services, hospital care, emergency services, prescription drugs and more.

Parents can get FamilyCare if they live in Illinois and meet the FamilyCare income limits. They must be U.S. citizens or meet immigration requirements. All Kids or FamilyCare health benefits will not affect your immigration status unless you receive services in a nursing home or mental health facility.

Premiums vary based upon family income. There are no asset limits.

There are small co-pays, from \$2 to \$5, for doctor visits and prescriptions.

Parents in FamilyCare Premium pay a monthly premium, from \$15 to \$40, depending on the number of family members covered.

- ▶ Parents may apply at DHS office, at **1-866-ALLKIDS** or online at **www.familycareillinois.com/apply.html**

Children's SSI

This is an income support program for children with disabilities until age 18.

- 1 Income eligibility
- 2 Resource eligibility
- 3 Citizenship or qualifying non-citizen
- 4 Disability

The SSI disability standard for children assesses the child's ability to function as compared to a child of the same age without the condition in question.

- 1 Initial application;
- 2 If claim is denied, file request for reconsideration;
- 3 If reconsideration request is denied, file request for hearing before Administrative Law Judge (ALJ);

► **TO APPLY** Go to your local SSA office, call **1-800-772-1213** or begin application online at <http://secure.ssa.gov/apps6z/i3820/main.html>
To complete online application, you must also contact SSA.

TIPS • If asked to assess the child's functioning, remember to report how the child would function without special education, extra help or a special environment. • The application process can be long, and most people are denied, often more than once, before they receive SSI. Be persistent! • Always appeal decisions within 60 days rather than reapplying. Have families call CMLPC for legal help at any stage after an initial application is denied.

In 2008, maximum benefit for each recipient is \$637 per month, depending on household income. See the **Transition to Adulthood TIP** for more on SSI.

Social Security Disability (SSDI) and Supplemental Security Income (SSI) for Adults

Both programs provide income to disabled persons who meet the Social Security definition of disability and income requirements. Both use the same definition of disability, but the amount of income paid is different: **SSDI** is based upon payroll taxes if a person has a strong work history and **SSI** is based upon a fixed amount if a person is low income and lacks strong work history.

The monthly benefit for SSDI averages \$1,000 and is based upon past earnings. The SSI amount for 2008 is \$637 per month. People who receive SSDI generally qualify for Medicare after a 24 month waiting period. People who receive SSI generally qualify for Medicaid. Some people who have very low SSDI checks (under \$637) may receive both SSDI and SSI and receive both Medicare and Medicaid. These recipients are called dual eligibles.

Generally, an adult must prove that they: are not currently working, have a severe impairment that is expected to last at least 12 months or result in death, cannot return to past work, and cannot engage in substantial gainful employment. Certain medical conditions are automatically qualifying based upon a Listing of Impairments.

► The application process consists of an initial application which may be made in person, online at www.ssa.gov, or by phone **1-800-772-1213**.

If a patient receives a denial of their initial application, they should appeal the decision within 60 days by filing an appeal online or by phone. If patients are denied at any stage of the application process, please call CMLPC for assistance.

Work Incentive Programs for People with Disabilities on SSI/SSDI

Work Incentive Planning and Assistance (WIPA)

Projects assist people with disabilities who receive SSI or SSDI and are considering entering the workforce or returning to work.

WIPA staff will explain possible impact on state and federal benefits (cash and healthcare: SSI, SSDI, Medicare, Medicaid, TANF, etc.) that may result from employment.

Once individuals are working, the certified Community Work Incentives Coordinator (CWIC) will also assist individuals to understand how to manage the work incentives that may apply as they move forward on their career path.

For free advice about how employment earnings may affect your benefits, ask to speak to a CWIC at:

- ▶ Mayor's Office for People with Disabilities:
(312) 746-5743 (Chicago)
- ▶ Illinois Department of Human Services—
Division of Mental Health: **866-390-6771**
(outside Chicago)
- ▶ Illinois Department of Human Services—
Division of Rehabilitation Services: **800-807-6962**
(outside Chicago)

Protection and Advocacy for Beneficiaries of Social Security (PABSS)

provides free legal and advocacy assistance to SSI/SSDI recipients with legal issues related to beginning or returning to work.

- ▶ Contact a PABSS advocate at Equip for Equality, Inc.
PABSS Project: **(800) 537-2632**.

Home Services & Community Care

The Home Services Program assists the following people to live independently in their homes or to transition from an institution to a home through various waiver programs for:

- People < age of 60 with physical disabilities;
- People any age with HIV/AIDS or traumatic brain injuries; or
- People < age of 60 with Developmental Disabilities

Services available include assistive equipment, environmental modification, homemaker services, personal care, therapy and supportive services, maintenance home health, and respite services.

► **FOR MORE INFORMATION**, call the Division of Rehabilitation Services at **1-800-843-6154** or go to www.dhs.state.il.us/ors/

The Community Care Program is available to people who meet the following requirements:

- Aged 60 years or older;
- Are U.S. citizens or legal residents;
- Have non-exempt assets of \$17,500 or less;
- Have an assessed need for long-term care (scoring 29 points or higher on the “Determination of Need” form).

This program provides case management, adult day, and homemaker services.

► **FOR MORE INFORMATION**, go to www.state.il.us/aging/1athome/ccp.htm

The Division of Specialized Care for Children (DSCC)

DSCC is designed to assist children up to age 21 who have certain serious medical problems and whose families meet the program's income limits. To be eligible for DSCC children must be U.S. citizens & have one of several specific medical conditions.

What does DSCC Offer? Each of the 3 DSCC programs provides different services.

The Core Program Financial assistance for diagnosis/treatment (therapy, medications, specialized equipment, and supplies). Coordinates medical care. No-cost diagnostic services for children up to age 21.

The Home Care Program Intensive, in-home skilled nursing and respite care. The program also pays for any home modifications necessary to improve access and accommodate medical equipment.

Children's Habilitation Clinic Evaluation, ongoing care, resources and education for developmentally disabled children and their families.

► How to apply for DSCC? DSCC is run by the University of Illinois at Chicago. To apply for benefits call **(312) 996-6380**. You can also download an application at www.uic.edu/hsc/dsc

TIP DSCC is considered the “payer of last resort.” This means that DSCC will only pay for your child's program services after you have used up all your other available sources of payment.

Preventing Homelessness

It's possible to help get financial assistance with the security deposit and 1st month's rent. "Homeless prevention" funding is available from several sources:

Catholic Charities assists with security deposits and 1st month's rent on new apartments (paid directly to the new landlord).

- ▶ Individuals should call **(312) 655-7700** and ask for assistance with homeless prevention funding.

311 connects families to the **Homeless Prevention Call Center** which assists with determining eligibility for financial assistance with rent, mortgage or utilities and makes appropriate referrals.

DCFS can assist with rental payments and security deposits for families with an open DCFS services case.

- ▶ Individuals should contact their case manager or call DCFS at **(312) 814-6800**.
- ▶ Former IL wards, or former wards from other states, under age 21 who are facing homelessness should contact the Youth Housing Assistance Program at **(312) 814-5571**.

DHS Emergency Food and Shelter program gives immediate and comprehensive shelter services to homeless persons and persons at risk of becoming homeless.

- ▶ **1-800-843-6154**

Evictions

A landlord must file a lawsuit against the tenant in order to evict him/her.

- "Lock-outs" are illegal: If the landlord tries to evict tenant without going to court, call the police. (Examples of "lock-outs"—Changing locks, shutting off utilities, removing furniture from unit, etc.)
- Tenants must be properly evicted even if the property is under foreclosure.

If the landlord obtains a judgment against the tenant without proper notice to the tenant (i.e. court summons), the tenant may file a "motion to vacate" *within 30 days* after the judgment is entered.

Refer to CMLPC if:

- Family receives a termination of tenancy notice (e.g. 5-day notice; 10-day notice; 30-day notice).
 - Family is served with court summons
 - Family believes the property is under foreclosure
 - Family believes landlord has filed an eviction
- ▶ To find out if a landlord has filed an eviction, call the Circuit Court Civil Division at **(312) 603-4290**

Utilities

Utility companies must delay a shut-off or restore service for up to 60 days if the utility is medically necessary.

- When notice of pending shut-off is received, or within **14** days of the shut-off, physician should call the utility company and say that termination of the utility will aggravate the person's medical condition.
- Within five days of the phone call, the physician needs to either (1) complete any form provided by the utility for medically necessary service; or (2) send a letter to the utility company including:
 - 1** The name of the ill person,
 - 2** That he or she is a resident of the premises,
 - 3** The name, business address and telephone number of the certifying party,
 - 4** The nature of the illness,
 - 5** And the period of time during which a utility shut off will aggravate the illness.
- This form/certification letter will prevent a utility shut-off for 30 days. A physician can renew this protection for another 30 days by sending a second form/letter (with the same information) to the utility company.
- The person must be working out a payment agreement with the utility company during this time.
- This is not a permanent solution. After 60 days, the service may be shut off despite illness.
- Refer utility denials to CMLPC.

Utilities (continued)

Utility companies may not shut off heat or any utility needed to operate heat when the weather is too cold.

Landlords must provide tenants access to essential services and honor their lease agreements.

- ▶ Call the City Heat Hotline: **(312) 744-5000**.

LIHEAP (Illinois Low Income Home Energy Assistance Program) provides eligible households a one-time per year benefit to pay energy bills.

- ▶ See www.liheapillinois.com

IHWAP (Illinois Home Weatherization Assistance Program) provides free weatherization services for renters and home owners.

- ▶ See www.weatherizationillinois.com

Both **LIHEAP** and **IHWAP** are administered locally by **CEDA**. To apply for either program:

- ▶ Call **1-800-571-CEDA (2332)** or go to the central office 208 South LaSalle, Suite 1900, or go to www.cedaorg.net to find an intake office nearby.

Refer denials to CMLPC.

TIP LIHEAP Energy Assistance Program currently does not require proof of immigration status to receive assistance.

Early Intervention (EI)

EI provides therapy services, in the child's home or at provider's site, to children from birth to age 3.

Who Can Get Early Intervention?

The state must offer EI services to 3 groups of children:

- 1 Children with a disability due to developmental problems (cognitive or physical development; vision; hearing; speech; or social and emotional development);
- 2 Children with a physical or mental condition likely to cause a developmental delay; and
- 3 Children who were diagnosed by a clinician of being at risk for developmental delay.

The child must be given a free evaluation within **45** days of a referral. Parents have the right to appeal denials and any part of the child's Individualized Family Service Plan (IFSP). Children **CAN NOT** be placed on waiting lists. A transition plan must be developed before the child turns 3 years old.

Services include Speech Therapy / Physical Therapy / Occupational Therapy / Developmental Therapy / Psychological Therapy / Nutrition Counseling / Social Work Services / Family Counseling / Assistive technology devices & services / Transportation reimbursement / and more

COST Screenings, assessments, and service coordination are free. Children on Medicaid or receiving WIC will not be billed for services. Some families pay a fee for services, depending on income. A family's insurance may be billed for EI services. In some circumstances fee and insurance waivers are available.

► For more info on EI or to refer a child call **1-800-323-GROW (4769)**.

Special Education

ELIGIBILITY To qualify for special education services, children ages 3 *through* age 21 must meet the IDEA (Individuals with Disabilities Education Act) disability criteria. Disabilities that may qualify include:

hearing impairments; speech and language problems; vision problems; serious emotional disturbances; autism; traumatic brain injury; orthopedic impairments; cognitive impairments; other health impairments (e.g. ADHD) and specific learning disabilities.

A range of services necessary to successfully support the child in their education can include:

Transportation; Speech and hearing services; Psychological services and counseling; Physical and occupational therapy; Social work services; classroom aide; Diagnostic medical care; Assistive technology; Parental training and counseling services, etc.

School personnel, parents, the student, or an employee of the Board of Education or other state agency may request that a child be evaluated by the Chicago Public Schools.

The Individuals with Disabilities Education Act (IDEA) requires that schools evaluate a referred child within 60 school days of parents' consent or inform the family in writing the reasons for the denial and the procedure for appeal within 14 school days. Parents are entitled to participate in this process, and can appeal decisions. Transition planning must begin at age 14 1/2.

Children ineligible for IDEA may be able to receive program modifications and accommodations through Section 504.

Generally, when a special education student reaches 18 all educational rights exercised by the parents are transferred to the student. This transfer does not occur if the adult student has a guardian appointed or if the adult student chooses to delegate his/her rights back to parent(s) or another adult.

Child Support and Parentage

Child Support Resources

- ▶ Division of Child Support Enforcement (DCSE):
1-800-447-4278 or **www.ilchildsupport.com**

The DCSE (through the IV-D program and the State's Attorney) provides free services to custodial parents and legal caregivers of a child, regardless of income or marital status.

The services include:

- Establishing paternity
- Starting a child support case and obtaining a child support order, including medical insurance
- Enforcing a child support order
- Modifying a child support order

The DCSE/State's Attorney cannot:

- Help the party in a divorce or decide who gets the property
- Petition the court or decide issues of custody, visitation
- Petition the court to provide college expenses
- Provide legal advice

To appeal a decision by the DCSE, submit an appeal in writing within the time frame stated in the notice.

Child Support (continued)

- ▶ For complaints or questions about the DCSE, call the Regional Office of Child Support Enforcement at **(312) 353-4863**.
- ▶ If you have basic information regarding the location of a non-custodial parent, send your comments to **tipline@acf.hhs.gov**.

Some Facts about Child Support

The custodial parent or care-giver is entitled to child support—even if she's signed an agreement to the contrary.

Either party may request a modification of child support at any time based on:

- Specific increased needs of the child;
- Change of income of either party;
- Change of custody

If the custodial parent is receiving public aid:

- The child support will be paid to the state and the parent will receive a "pass-through" amount (currently \$50 per month).
- The parent must cooperate with the DCSE when it brings a child support case. To learn about exceptions to this rule, contact the CMLPC.

Guardianship and Medical Decision Making Authority

If a child receiving health care services is not accompanied by either:

- 1 A competent custodial parent, or
 - 2 A person with legal guardianship of the child
- there may be questions regarding decision-making authority.

Generally, parents, legal guardians and legal custodians of a minor may make medical decisions for that minor including: examinations, treatment for illnesses, immunizations and diagnostic tests. Medical information may be released to these individuals as personal representatives of the minor patient under HIPAA.

Medical Decision Making by Parents

If a parent is present and willing to make medical decisions concerning a minor child then those decisions must be honored. Generally, if the parent's rights have not been terminated and if there is no court appointed guardian for the minor child, full authority to make all medical decisions remains with the parent, regardless of where or with whom the child is living.

Medical Decision Making without Court Involvement

- 1 If a parent is not available, Illinois law provides for a surrogate decision maker to make medical decisions for a minor. Legal guardians and adult siblings, in that order, are among the listed surrogate decision makers.

Guardianship and Medical Decision Making Authority (continued)

- 2 Short-Term Guardianship may be appropriate for a parent who foresees a temporary period during which they will be unable to make decisions for a child. The parent must fill out a short-term guardianship form and sign it in front of two witnesses. The proposed guardian must also sign the form. This guardianship is effective when signed, can last for 365 days, and may be revoked by the parent at any time.

► Forms are available at www.illinoislegalaid.org.

Court Ordered Medical Decision Making: Legal Guardianship

A child may need a court appointed legal guardian. Legal guardians may make medical decisions for the child, subject to any limitations the court places in its order.

When DCFS is court-involved with a minor, medical decision-making authority may rest with the DCFS Guardianship office, with a foster parent, or with a person assigned that duty by court order.

Chicago Public School Enrollment

According to Chicago Public School policy, adults acting in the role of guardian or custodian of a child can enroll a child in school by providing any one of the following documents: proof of a valid court order of custody or guardianship, a tax return with the child as a dependent, health insurance coverage for the child, or public aid enrollment for the child.

Early Education and Illinois Child Care Assistance Program (ICCAP)

ICCAP is run by the Department of Human Services

▶ **1-800-843-6154**

It pays for part of the cost of child care for eligible families. Children must be either under age 13, or under age 19 with disabilities who are incapable of self-care. Caregivers must meet work and/or education requirements for the family to be eligible.

Caregivers choose their own child care providers. ICCAP can help pay for licensed or license-exempt child care centers and family homes, licensed group child care homes, in-home and/or relative care.

The family must pay a portion of the cost based on family income, size, number of children receiving care and number of hours of care per day.

▶ More information is available at
<http://www.dhs.state.il.us/page.aspx?item=30355>

Early Education Programs

Early Head Start for children aged 0–3. Head Start, Pre-School for All, and Child-Parent Centers (CPCs) for children aged 3–5. Early Head Start, Head Start and Pre-School for All have income guidelines. CPCs are located in or near low-income elementary schools.

▶ For more information call **(773) 553-2010**
or visit: www.ecechicago.org

Illinois Action for Children

▶ **(312) 823-1100**

Call for referrals to child care providers.

Family & Medical Leave Act (FMLA)

The Family & Medical Leave Act requires employers with 50+ employees to provide up to 12 weeks of unpaid job-protected leave to employees who have worked for the employer for at least one year.

Employees may take this leave to

- Recover from serious health conditions that make them unable to perform their jobs;
- Care for a child after birth or adoption; or
- Care for a spouse, child or parent with a serious health condition.

Generally employees must give employers 30 days notice, if possible, and employers may require medical documentation to support requests.

During the leave, employers must maintain the employee's health coverage under any group plan and, upon return, usually return the employee to the original or an equivalent position.

Refer FMLA violations to **CMLPC**.

Domestic Violence

A variety of assistance is available to individuals dealing with domestic violence:

- ▶ Statewide Helpline: domestic violence shelter referrals: **877-863-6338** (TO END DV).
- ▶ National DV Hotline: **800-799-SAFE (7233)**.

Lifespan domestic violence comprehensive services:
▶ **(847) 824-4454, www.life-span.org**

Mujeres Latinas en Accion provides crisis assessment, intervention, education, and training on domestic violence issues.

▶ **(312) 738-5358. www.mujereslatinasenaccion.org**

Family Rescue Shelter provides domestic violence services on Chicago's South East side.

▶ **800-360-6619**

Civil Orders Of Protection

Who can get an Order of Protection (OP)?

Any person ("Petitioner") abused by a family or household member, including people:

- related by blood or by present or prior marriage;
- of the opposite sex or of the same sex who have or had a dating relationship;
- who have or claim to have a child in common;
- who share or used to share a common dwelling (e.g., roommates); and,
- with disabilities and their caretakers.

Minor children/dependent adults in the care of the Petitioner and other members of the Petitioner's household can also be protected by the OP.

What is abuse?

- Physical abuse
- Harassment
- Interference with personal liberty
- Intimidation of a dependent
- Willful deprivation
- Stalking
- Neglect of an adult with a disability
- Exploitation of an adult with a disability

How do I get an Order of Protection?

- ▶ Contact CMLPC or, in Chicago, go to Domestic Violence Court, **555 West Harrison, 1st floor, Monday-Friday 8:30 am-3:00 pm, (312) 325-9500**

Temporary Assistance to Needy Families (TANF)

Temporary Assistance to Needy Families (TANF) is run by the Department of Human Services (DHS) and gives low income families a monthly check to help them become self-sufficient.

- ▶ Apply at local DHS office. To find call **800-843-6154** or visit www.dhs.state.il.us/officeLocator/

Who Can Get TANF?

- 1 Families with a child under 19 (18 yr-olds must be in school full time) and in some circumstances a child may be eligible for a child-only case if the parents are not eligible.
 - 2 Unmarried parents under 18 who live with a parent, guardian or in an adult supervised setting.
 - 3 Pregnant women
- Benefits are only available to US citizens or certain legal immigrants.
 - The TANF application process is complicated. Families should not be afraid to speak with a supervisor.

How Much Will TANF Pay?

In 2008, the cash benefit for a family of 2 is \$292/mo.

Work Requirements:

Adults receiving TANF must do work, job training or other “self-sufficiency” activity to stay eligible.

Exceptions: parents with a child under 1, a child with special needs, victims of domestic violence, and sick or disabled adults may be exempt from these work requirements.

NOTE TANF is time limited so that no one over 18 can receive benefits for more than 60 months in their lifetime. Appeal denial (within 45 days) and contact CMLPC.

Food Insecurity/Food Resources

Resources

- ▶ Food Pantry Locator: Greater Chicago Food Depository at **(773) 247-3663** or www.ChicagosFoodBank.org.
- ▶ Food Stamps Calculator www.illinoisprobono.org/index.cfm?fuseaction=home.dsp_content&contentID=871
A family is probably eligible if they are 1) receiving subsidized childcare, 2) have received public aid benefits in the last 12 months, or 3) have a gross household income below 130% of the FPL.
- ▶ Apply for food stamps at local DHS office. Closest office call **800-843-6154** or visit www.dhs.state.il.us/officeLocator/
- ▶ Expedited Food Stamps are available to households in certain emergency situations within 5 days or less from date of application.

Appeal denial (within 90 days) and contact CMLPC.

OTHER RESOURCES

- ▶ Catholic Charities: Emergency Assistance Department www.catholiccharities.net/services/emergency_assistance/
- ▶ Illinois Board of Education nutrition programs www.isbe.net/nutrition/
- ▶ Illinois Hunger Coalition **800-359-2163**
- ▶ Chicago Public School Children and Family Benefits Unit: **(773) 553-KIDS**.

TIP Encouraging families to apply for food stamps will help de-stigmatize their use.

Consumer Issues

The CMLPC can help consumers defend against:

- Automobile Repossession
- Mortgage Rescue Scams: (e.g. Sale-leaseback: homeowner surrenders deed to house and pays rent to the new owner; outrageous fees charged for minimal paperwork or unfulfilled promises).
- Mortgage Foreclosure
- Bankruptcy
- Denial of Credit/Credit Reporting
- Debt Collection Abuse
- Unfair Sales Practices
- Wage Assignment and Garnishment
- Public Utilities (e.g. Shut-offs and denial of service; high bills; deposits; LIHEAP/CEDA denials)
- Loans and Installment Purchases (e.g. Payday loans; Auto title loans; Rent-to-Own; Tax refund anticipation loans)
- Insurance Claims

Helpful Numbers:

- ▶ Federal Trade Commission: **1-877-FTC-HELP**
(consumer complaints and information)
- ▶ Annual Credit Report: **1-877-322-8228**
(free annual credit reports)

Unemployment Insurance (UI)

In Illinois individuals are eligible for Unemployment Insurance benefits in these two circumstances:

- 1 They have left their job for “good cause” that can be attributed to their employer. Good cause includes a range of things that would cause a “reasonable” person to leave the job. Before leaving an individual should notify the employer *in writing* of the problem and request a solution.
- 2 They are *discharged* from their job, so long as they were not discharged because of misconduct.

To be eligible for UI, individuals must also:

“Have earned at least \$1600 within a recent 12 month period, over the course of two or more calendar quarters” or “Have earned wages during two or more calendar quarters within a recent 12 month period” and Be able and available and seeking work.

If benefits are denied, timely appeal in writing:

- First and Second Stage: 30 days from the date of the Claims Adjudicator Determination letter or ALJ decision.
- Third Stage: 35 days from Board of Review Decision

- ▶ See www.ides.state.il.us/individual/

Refer benefits denials at any stage to CMLPC.

Disabled Teens Transition to Adulthood

- 1** Apply for adult SSI 2 months before 18th birthday. Parents' income is not counted against a person older than age 18; teen previously denied benefits based on parental income may now qualify at age 18.
 - 2** Medicaid benefits will continue until age 19 if already receiving Medicaid benefits. Medicaid uses the same disability definition as SSI so once teens receives SSI determination, he/she should apply for Medicaid.
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- TIP** Plan to apply early and be persistent. If application for benefits is first denied, always appeal that decision and contact CMLPC.
-
- 3** As teens turns age 16, family should inquire to see if teen is eligible to participate in the state Vocational Rehabilitation (VR) Program.
 - ▶ Find your local VR office by contacting the Illinois Department of Human Services at **800-843-6154** or on the web at www.dhs.state.il.us/page.aspx?item=29737. The VR program is designed to help you become self-supporting.
 - 4** Contact the local Work Incentives Planning and Assistance (WIPA) Program which is available to all Social Security and SSI recipients who are age 14 or older.
 - ▶ In Illinois, call WIPA at **800-807-6962** to find the county program coordinator. WIPA will help teen to understand how working will affect benefits and health care as well as discuss individual employment goals and opportunities.

Teen Tips

Helpful Resources for Teens

AFTER SCHOOL

Boys and Girls Club of Chicago
(312) 235-8000
www.bgcc.org

HEALTH ISSUES

Planned Parenthood

Medical Services 800-230-7526
Facts of Life Line (312) 592-6880
www.plannedparenthood.org/illinois

Illinois Caucus for Adolescent Health

(312) 427-4460
www.icaah.org
Education, information, and advocacy

JOB TRAINING

JobCorps

800-733-5627
<http://chicagoregion.jobcorps.gov>
High school diploma and GED programs
as well as career technical training

Lead Poisoning Prevention

Lead is in **87%** of homes built pre-1940; **69%** of homes built 1940–59; and **24%** of homes built 1960–1977.

Warn families that dry sanding and scraping of paint can create lead dust which causes lead poisoning.

- ▶ For info on free/low cost lead testing and inspections in Chicago only call **(312) 747-LEAD (5323)**.
- All Chicago Children under 4 should have blood tests at 6, 12, 18, 24 and 36 months or at 9,15,24 and 36 months.
- Outside of Chicago, children in high-risk zip codes and children insured by Medicaid or All Kids should be tested at 12 and 24 months.
- In Illinois, home inspections are conducted by IDPH or CDPH after a child is lead poisoned. CDPH will even conduct a home inspection where a child < 1 has a blood lead level 6µg/dL or higher. Under certain circumstances, CDPH will conduct house inspections where a child has not been poisoned but the family is concerned about lead risks in the home.

If a child is lead poisoned, the child may be entitled to services including Early Intervention, Special Ed, and Case Management through state and local Health Departments.

- ▶ For more information, including local health department contacts check out the Health and Education Resource Guide at www.lead-safe-illinois.org
- ▶ For info on children's products found to contain lead visit www.kidsindanger.org

DCFS/Child Abuse and Child Welfare

Child Abuse is the mistreatment of a child under the age of 18 by a parent, caretaker, someone living in their home or someone who works with or around children. The mistreatment must cause injury or must put the child at risk of physical injury. Child abuse can be physical (such as burns or broken bones), sexual (such as fondling or incest) or emotional.

Child Neglect happens when a parent or responsible caretaker fails to provide adequate supervision, food, clothing, shelter or other basics for a child.

Mandated reporters must make report to DCFS if they have reasonable cause to suspect abuse or neglect of a child. Mandated reporters include: physicians, psychiatrists, surgeons, residents, interns, osteopaths, chiropractors, registered and licensed nurses, hospital administrators, social workers and personnel involved in the examination, care and treatment of children.

- ▶ To report suspected abuse or neglect, mandated reporters should call the DCFS hotline: **1-800-25-ABUSE**. If you have a Child Protection Team consult team regarding the suspected child abuse/neglect.

Immigrant Families

There are various public benefits programs that are available to all children, regardless of parental or child immigration status. Applying for these benefits will not affect parental or child immigration status:

- WIC
- Homeless Shelters
- School Meals
- All Kids/Medicaid
- Testing & Treatment of Communicable Diseases
- Immunizations
- Food Pantries

There are additional programs that are only available to **citizens and some lawful permanent residents**, although “mixed families” may apply (e.g. undocumented mother with citizen children). These include:

- Food Stamps
- TANF
- Housing / Section 8 Programs
- SSI

(Benefits will be prorated based on the number of eligible household members)

NOTE In some cases, victims of domestic violence may be eligible for additional benefits and services

Immigrant Families (continued)

The government may deny an application for a green card, or attempt to revoke green card status, if the person is determined to be a public charge, which is someone who is likely to become primarily dependent on the government for support.

Applying for the following benefits, even if otherwise eligible, may affect parental or child immigration status if the benefits serve as a family's primary source of income:

- Temporary Assistance Needy Families (TANF)
- Supplemental Security Income (SSI)
- General Assistance (GA)

TIP A refugee, asylee, NACARA applicant and some immigrant victims of domestic violence cannot be deemed a public charge and can safely use any public benefit program if otherwise eligible.

Emergency medical coverage is available for non-citizens with medical emergencies, including for prenatal care and labor and delivery for undocumented women, and ESRD services, but not organ transplants.