

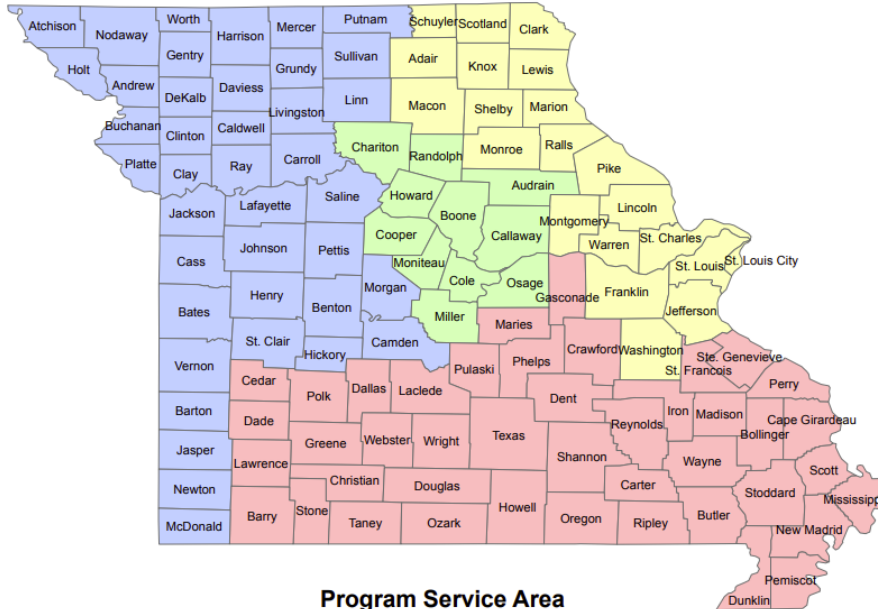


# **Legal Aid of Western Missouri**

[www.lawmo.org](http://www.lawmo.org)

# Legal Aid of Western Missouri:

## Legal Aid Programs in Missouri



### Program Service Area

- Legal Aid of Western Missouri
- Legal Services of Eastern Missouri
- Mid-Missouri Legal Services
- Legal Services of Southern Missouri

- Since 1964, Legal Aid of Western Missouri has provided dignity, self-sufficiency, and justice through quality civil (non-criminal) legal assistance for those who have nowhere else to turn
- Legal Aid provides free legal representation to low-income citizens residing in a 40-county service area
- Legal Aid's funding comes from a wide variety of federal, state, and local government sources; foundations; law firms; and individuals



## Consumer Protection:

- Foreclosure prevention and mortgage loan modifications
- Bankruptcy
- Debt collection defense and creditor harassment
- Unfair and deceptive practices and fraud
- Probate for small estates





## Family Law:

- Representation of survivors of domestic violence in court proceedings for divorce and paternity/custody
- Classes instructing low-income individuals about how to file a *pro se* divorce (without an attorney) (Kansas City Office)





## Orders of Protection:

- Legal assistance, including in-court representation, to survivors of domestic violence
- Clients can contact this team through Legal Aid's main number or be referred by certain community partner agencies





## Human Rights Protection:

- Comprised of the Immigration Project and the Migrant Farmworkers Project
- Provides trauma-informed representation to refugees, asylees, lawful permanent residents
- Assists non-citizens in a variety of civil legal matters including immigration, worker's rights, employment rights, farmworker's rights (wage theft, employer-provided housing matters, contract violations, workplace)





## Housing:

- Assists clients with both public and private housing, including eviction defense, and HUD-assisted housing denials or terminations
- Eviction defense available to qualifying tenants in all 40 counties served
- Kansas City residents can apply for Right to Counsel at (816) 474-5112 or online at <https://gkcassistanceprogram.org/EvictionDefense/>
- Residents in other cities can apply for Legal Aid assistance with our main telephone number
- We have resources for tenants experiencing habitability issues, Section 8/HCV problems, lease disputes, and more!





## Unemployment Benefits:

- Help with regular unemployment and Pandemic Unemployment Assistance by answering brief questions or extended representation, including addressing overpayment issues
- Assistance negotiating with the Division of Economic Security and navigating hearings with the Appeals Tribunal
- We are generally unable to assist with initial applications at this time





1040

Department of the Treasury  
**U.S. Individual Income Tax Return**

For the year Jan. 1–Dec. 31,

Your first name and initials

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United States



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## Low Income Taxpayer Clinic:

- Assists low-income taxpayers in Legal Aid's forty-county area
- Areas of assistance include but are not limited to: IRS Notices, including Notices of Intent to Lien or Levy and Notices of Deficiency, IRS Liens, Levies, and Installment Agreements; Innocent Spouse Relief and Injured Spouse Relief; and Earned Income Tax Credit Eligibility and Denials





## Probate & Estate Work:

- Minor and adult guardianships
- Powers of Attorney
- Beneficiary Deeds





## Federal Rights:

- Social Security Disability Insurance (SSDI), Social Security Retirement and Survivor's benefits and Supplemental Security Income (SSI)
- Medicare eligibility and related problems
- Federal Student Loans – discharge of student loans due to disability, school closing and false certification
- Individualized Education Program advocacy (Kansas City office only, limited availability)





## Public Benefits:

Help with denial, reduction, and termination of benefits, including but not limited to:

- MO HealthNet (Medicaid) for the Aged, Blind, and Disabled (MHABD)
- Food Stamp Program (SNAP)
- Childcare Assistance (CCA)
- Temporary Assistance (TA/TANF)
- Blind Pension and Supplemental Aid to the Blind
- Vendor level of care (nursing home payment assistance)
- Federal Health Insurance Marketplace plans (usually advance premium tax credit issues)





## Advocates for Family Health Project:

- Assists with family MO HealthNet (Medicaid) coverage issues, including MO HealthNet for Families, Children, and Pregnant Women; Children's Health Insurance Program (CHIP); and the **Adult Expansion Group**
- Helps participants having problems with their Managed Care Plan or unpaid medical bills that should have been paid for by MO HealthNet coverage
- Advises and assists with denial/delayed applications or service/equipment
- Hotline telephone number – 1-866-897-0947



## Why does a law firm have to do with government benefits? *There are many legal aspects to public benefits advocacy!*

Benefit applicants & recipients have various rights under both U.S. and Missouri Constitutions, including:

- Right to file an application
- Right to timely decision on the application
- Right to written notice about any Agency decisions
- Right to appeal Agency adverse decisions
- Right to know basis upon which adverse decisions made



## Government Benefits & Legal Advocacy (cont.)

Attorneys and paralegals help with these various legal issues:

- Whether the Agency approved the correct amount/type of benefits or is correctly terminating/rejecting benefits
- When the Agency assesses an overpayment/claim against a benefit recipient for allegedly receiving benefits in error
- When the Agency refuses to provide medically necessary services or equipment to people under 21
- When the Agency accuses a recipient of fraud



## Government Benefits & Legal Advocacy (cont.)

What we advise when someone learns of an adverse decision (application is rejected, benefit is being reduced or terminated):

- Do not assume the Agency is right or **just** re-apply!
- Review the notice reporting the adverse decision for instructions and a deadline to appeal
- Call LAWMO if the individual would like a review of the issue and possible assistance with an appeal
- Failure to appeal can lead to lost benefits, debts to the Agency of hundreds to thousands of dollars, and/or unpaid medical bills





## FSD Benefits: Medicaid and the Public Health Emergency (PHE) Declaration

- CMS increased Medicaid funding in exchange for States' agreement to freeze Medicaid enrollment
- Someone approved for Medicaid before or during PHE cannot be terminated even if they become ineligible
- Can be moved to different program if coverage similar
- Includes “suspended” premiums in Medicaid SD and CHIP: pay once to activate coverage, will stay active thru PHE
- Exceptions: participant moved out of state, requested termination, was erroneously approved, or died; or CHIP recipient ages out



## Medicaid and the PHE Declaration (cont.)

- With passage of Congressional Omnibus Bill in Dec. 2022, PHE declaration de-linked from termination freeze
- Annual Renewal process resumes 4/1/23 (6/30 deadline)**
- States must conduct redeterminations on ALL cases before taking any action *even if* processed update *during* PHE
- FSD redeterminations will occur as during normal year (month of initial application or CIC processed)
- Best way for participants to prepare: update address w/ FSD



## Medicaid and the PHE Declaration (cont.)

- Methods participants can use to provide updates to FSD:
  - Upload Portal: [Change Report \(mo.gov\)](#)
  - Chat: [Welcome to myDSS | mydss.mo.gov](#) > DSS Chat
  - In person: visit a [local resource center](#)
  - Phone: 855-373-4636
- More information about the PHE unwinding:  
<https://mydss.mo.gov/renew>



## Reasons a Case Might Not be Accepted:

- Conflict of interest
- Income or assets are too high
- Problem is not a legal issue (e.g., help with a benefit application)
- Client's legal issue or legal status is a type we are not allowed to help with
- We are a nonprofit with very limited resources

Please keep referring! We accept as many cases as we can.



## Types of Cases We Cannot Accept:

- Personal Injury Lawsuits
- Worker's Compensation
- Criminal (including traffic violations)



## Contacting Legal Aid:

Legal Aid is comprised of a Central Office in Kansas City and numerous smaller offices focusing on specific practice or geographic areas.

### **Central Office:**

4001 Dr. Martin Luther King Jr.  
Boulevard., Ste. 300  
Kansas City, MO 64130  
(816) 474-6750

### **Warrensburg Office:**

305 North Holden Street  
Warrensburg, MO 64093  
660-747-7101 or  
1-800-892-2943

### **St. Joseph Office:**

706 Felix Street  
St. Joseph, MO 64501  
(816) 364-2325

### **Joplin Office:**

Gryphon Building  
1027 S. Main Street, Ste. LL7  
Joplin, MO 64801  
417-782-1650 or  
1-800-492-7095



## Contacting the Presenters:

### ADVOCATES FOR FAMILY HEALTH

<http://lawmo.org/afh/>

Toll free: 1 (866) 897-0947

#### **Kaitee Brown:**

Kbrown@LAWMO.org  
(816) 474-1413 x 5204

#### **Maura Weber:**

[Mweber@LAWMO.org](mailto:Mweber@LAWMO.org)  
(816) 474-1413 x 5202

Online LAWMO application:

<https://lawmo.org/get-legal-help/>

> Click “APPLY ONLINE”

