

LEGAL AFFAIRS

Metro, Legal Aid pair to advise on nonmedical issues

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More and more, doctors are finding that a quick office visit and prescription refill will not cure their patients' every ill.

That's where the new Community Advocacy Program comes in. The expanded partnership between The Legal Aid Society of Cleveland and Cleveland MetroHealth Medical Center aims to pick up where traditional medical care leaves off by focusing on patients' nonmedical hurdles, such as inadequate food, housing and education.

"A lot of the problems our patients face involve much more than a medical condition, but they don't know where to turn for help," said Dr. E. Harry Walker, director of MetroHealth's Center for Community Health. "They need someone who knows how to access state and federal benefit programs to step in and help them out."

With the help of a four-year, \$500,000 grant from the Robert Wood Johnson Foundation and

\$1.27 million in local donations and support, officials at MetroHealth and the Legal Aid Society have spent the past several months working to develop the Community Advocacy Program.

The collaboration is an expansion and renaming of the pediatrics-based Family Advocacy Program, which was initiated by attorney Mallory Curran in 2003. That program paired attorneys with pediatricians, child psychologists and social workers at MetroHealth's main campus to work on behalf of a child's well-being.

Power of attorneys

Since the grant was announced in mid-August, Anne Sowell has been hired as coordinator for the Community Advocacy Program. Also, attorney Lucas Caldwell-McMillan has been added to work with pediatric patients at MetroHealth's Broadway and Buckeye sites in an expansion of the pediatrics outreach off the main campus.

"In the three weeks since Lucas has arrived, we've already referred a handful of patients to him," Ms. Sowell said last week. "I expect that

his caseload will continue to grow over the next few months, especially as patients begin to understand that this program is providing legal help at no cost to them."

Eventually, the program will include services at MetroHealth community health centers for Cleveland's Spanish-speaking population, senior citizens and those recently released from prison.

Ms. Sowell, a social worker, said it's important to have attorneys working on behalf of patients. "I may have filled out paperwork for a patient or gone into a school with a mother to demand that they test her child or administer medication so that they can stay in school, but I don't have the same power as an attorney," she said. "Once an attorney picks up the phone to make a call, people start taking our patients seriously."

Plans also call for the addition of an elder law attorney in fall 2007 at the on Cleveland's Lorain Avenue, and a bilingual attorney in fall 2008 at the Broadway and Buckeye sites.

The Community Advocacy Program is the first medical-legal

partnership in the country to provide services outside of the pediatric population, according to Ms. Curran, who works full-time for the program.

"I think this is a natural expansion of the original Family Advocacy Program," Ms. Curran said. "By focusing on these four specific groups of people, we'll be able to make a difference in the lives of some of Cleveland's most vulnerable citizens."

Just the beginning

Mike Hardy, a managing partner at Thompson Hine LLP in Cleveland and a volunteer with the Community Advocacy Program, has launched an effort to make the program sustainable.

Mr. Hardy's plan of attack includes the development of an advisory committee, which has started to explore ways to create an endowment fund for the program and to recruit local lawyers to volunteer with the program on a pro bono basis.

"I think that the Robert Wood Johnson Foundation was impressed with our intention to make this

program self-sustaining," said Mr. Hardy, whose firm Thompson Hine contributed \$40,000 to the effort and nominated the medical-legal partnership for the foundation grant. "But I also think they realized that this program is a unique way to address complex social issues while solving the health problems that affect the Cleveland community."

Ms. Curran said while the program's initial goal is to provide free legal services in a medical setting, she eventually hopes to establish a statewide network of legal-medical partnerships and to improve broad-based advocacy on behalf of low-income families.

"Now that similar programs have been started in Toledo as well as several southeast Ohio counties, we'll be able to track the issues that affect low-income families across the state," Ms. Curran said. "By combining this data, we'll be able to participate in policy discussions with lawmakers and give voice to the people who may be adversely affected by changes to the state or federal benefits programs they rely on to remain healthy."

Unions: Health care workers could be affected by ruling

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In an interview with *Crain's Cleveland Business*, Andy Stern, president of the Service Employees International Union, said the NLRB's action will push "millions, not thousands" out of unions nationwide by changing the description of supervisors. The SEIU has 1.8 million members, 900,000 of whom are in the health care industry, including nurses at Community Health Partners in Lorain, according to the union.

Nationwide, union numbers have been dwindling for years. In 2005, 12.5% of all workers were union members, according to the most recent Bureau of Labor Statistics data. The number of union workers has declined since 1983 when 20.1% of all employees were in unions.

Despite his concern over the ruling, Mr. Stern said he does not believe it will be the knock-out blow to unions.

"I don't think it hurts unions, it hurts people," said Mr. Stern, who was in Cleveland Oct. 24 promoting a book he has written.

The new guidelines are applicable to a broad range of industries, attorneys said, including the service and manufacturing sectors.

Richard Sippola, who is president of medium- and heavy-duty truck repairer Carnegie Body in Brooklyn, said his 20 union members already have clearly defined roles, so he's not expecting the labor board's action to affect his business.

"Our foremen tend to be working guys," Mr. Sippola said.

Tim Linville, an associate at Thompson Hine LLP in Cleveland, foresees the ruling as having a "minor effect." "I don't think this is the death knell a tall (for unions)," he said.

Effect on health care

Locally, Al Mixon, secretary-treasurer of Teamsters Local 507, which

represents a variety of employees including manufacturing, assembly and warehouse workers, is concerned over what this ruling will mean for the approximately 225 workers at the American Red Cross operation in Cleveland who are negotiating their first contract.

For the past two and a half years, the Red Cross workers, mostly blood collectors, have been trying to organize and negotiate their initial contract, Mr. Mixon said.

Mr. Mixon fears there are about 30 charge staff who might be at risk of being deemed as having a supervisory role because of the NLRB's ruling, which specifically ruled that charge nurses are supervisors because of their duties.

"Where it's really going to be tough is in the area of nursing," he said.

Ohio's health care institutions are among those organizations taking a closer look at worker duties, said Tiffany Himmelreich, spokeswoman for the Ohio Hospitals Association.

"It helps, from an operational standpoint, to have a clarification of roles," she said.

Paul Monahan, vice president of human resources at Cleveland-based MetroHealth System, said the NLRB decision affects only private employers, and not public institutions such as MetroHealth that are under state guidelines.

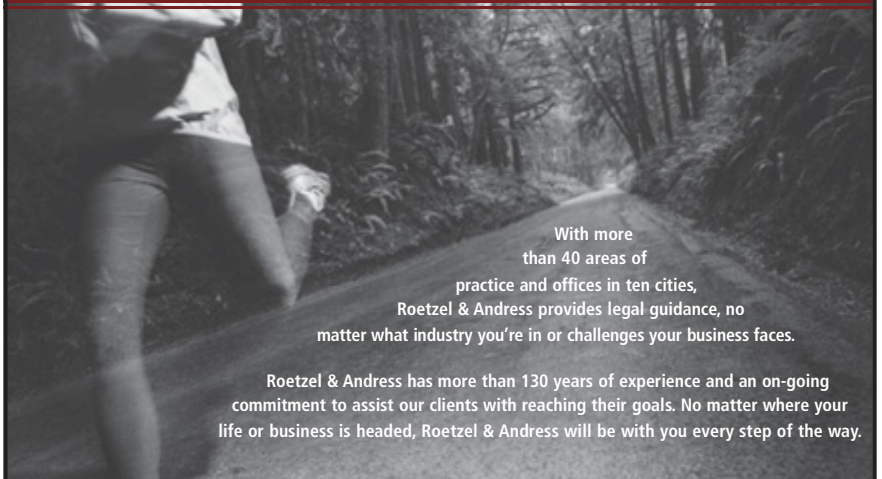
Still, the labor decision has sparked an internal discussion at MetroHealth, which has about 2,000 unionized employees.

"Probably every hospital employer is taking a closer look at job duties," he said.

But, in this volatile political season, anything can happen. If Democrats regain power, the decision could be reversed, attorneys say.

"You may see the winds change and this decision revisited," said Calfee's Mr. Cernelich.

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