

August 26, 2014

Mr. Dan Ruben
Equal Justice America
Building II – Suite 204
13540 East Boundary Road
Midlothian, VA 23112

Dear Mr. Ruben,

My work this summer at the New York Legal Assistance Group (NYLAG) centered on the organization's Elder Law Practice within its General Legal Services unit; and its Total Life Choices Unit (TLC). The Elder Law practice spanned issues from public health insurance benefits and food stamps to eviction issues. One case, on which I spent most of my time, involved an elderly, deaf Holocaust survivor who, after undergoing invasive surgery, was admitted to a skilled nursing facility (SNF) for several weeks to recover. Distrustful of government entities, she refused to enroll in Medicaid, leaving her with a \$12,000 bill. As I worked with her representative, it became clear that the billing coordinator at the SNF had submitted a preauthorization request to the client's insurance company, but when the request was denied due to "lack of medical necessity", the billing coordinator chose not to submit a final claim for the services. Unfortunately for the client, the insurance company was adamant in its policy that it could not consider our client's appeal for requesting coverage of the SNF stay until someone – whether the client or the facility – submitted a proper claim. I devoted a significant amount of time to collecting the proper documents from the client's hospital and SNF; maintaining contact with specific offices at the insurance company; and calling the city of New York to determine whether the client truly did not have Medicaid coverage. Each entity required different information-release and authorization forms, and the process required constant coordination with the client's social worker to ensure that we were providing the speediest resolution possible, as the SNF had begun to send collection notices to our increasingly anxious client. In the end, I was able to collect the necessary medical records and physicians' letters to submit a comprehensive claim to the insurance company.

My TLC work took a slightly different bent. TLC recently began accepting Article 17a and Article 81 guardianship cases. Article 17a cases are those in which the reason for the alleged incapacitated person's (AIP) need for a guardian is either a developmental disability acquired before the age of 18 (and the AIP is now entering adulthood), or a severe brain trauma. I spent several weeks working with a client who is an undocumented immigrant, seeking guardianship over her son, a United States citizen with Down Syndrome who had just turned 21 years old. Our client, the mother, only spoke Spanish, and each ten-minute conversation would take over an hour of preparation and interaction because I needed to explain the legal implications to a Spanish interpreter, who would then relay the information to our client. Through this case, I realized that our guardianship-related documents were only in English; while most of our clients were comfortable seeking out help with translation, this lengthened the process considerably. It also required individuals to share very personal information – including financial, employment, and criminal histories – with potentially complete strangers. I spent the remainder of my free time over the course of the Fellowship working with a Spanish translator to convert as many

documents as possible into Spanish. In this process, we learned that several terms, such as “estate”, do not have direct Spanish translations; and other terms, while best known to our clients in slang terms, needed to be translated with a different nuance to make them acceptable for placement in legal documents. By the end of the Fellowship period, I had translated or prepared about a dozen documents that we could use with both current and future clients.

I am extremely grateful for the opportunities that I was granted through this Fellowship. Through this funding, I was able to experience meaningful changes not only for myself but also for the dozens of clients I was able to help.

Sincerely,

A handwritten signature in black ink, appearing to read 'Abigail Lowin', with a long horizontal flourish extending to the right.

Abigail Lowin
Columbia Law School 2016