

From: Kester, Tony
To: Angus, Catherine <cangus@aging.sc.gov>
Watson, Dale <dwatson@aging.sc.gov>
Date: 2/25/2014 5:25:52 PM
Subject: RE: Legal Representation for Seniors In Fairfield, Lexington, Newberry and Richland

The services are not coming from HCBS dollars. We are moving Title IIIB Supportive to Title IIIB Legal. HCBS makes up the difference in Supportive Services.

Tony Kester
Aging Director
South Carolina Lieutenant Governor's Office on Aging
1301 Gervais Street, Suite 350
Columbia, SC 29201
Phone 803-734-9910, Fax 803-734-9886
kester@aging.sc.gov

CONFIDENTIALITY NOTICE: This electronic email may contain information that is privileged, confidential, and/or otherwise protected from disclosure to anyone other than its intended recipient(s). Any dissemination or use of this electronic mail or its contents by persons other than the intended recipient(s) is strictly prohibited. If you have received this communication in error, please notify the sender immediately by reply email so that we may correct our internal records. Please then delete the original message.

From: Angus, Catherine
Sent: Tuesday, February 25, 2014 4:24 PM
To: Kester, Tony; Watson, Dale
Subject: FW: Legal Representation for Seniors In Fairfield, Lexington, Newberry and Richland

I need to make you aware of email I just received, and is this something that should be clarified to the recipients of the email below?

According to the email below, Sharon has allegedly told SC Legal Services that the LGOA has reduced the money available for legal services from \$50,000 to \$10,000. You also know that we don't set the AAA/ADRC budget. They do. And with other cuts, they opted to reduce funds from \$50,000 to \$10,000. However, that is not a result of an LGOA decision.

I believe that Andrea is using this and attempting to put us in a bad light with the Bar and the Access to Justice Commission, burdening them with the responsibilities that SCLS doesn't want to take on. This goes back to the fact that we are no longer allowing them to create wills and bill us enormous amounts of money for them on a routine basis. We are now requiring them to use our funding for actual casework and they are extremely incensed over this. It is not optional...it is a decision made in accordance with the OAA.

The fact is, Advance Directives are NOT in the priority list. The misrepresentation exists in that we will still pay for them, as well as for Wills and POAs, on a case by case basis IF there is significant need (such as someone in terminal condition where emergency need exists).

Additionally, remember that some regions...and I believe that Central Midlands was one of them...are now supplementing their III-B for legal from HCBS dollars. That is not reflected in the MUSR/PRF process. I will need to do some additional research on this to see if units of service are being reported. Ultimately, this is a double-edged sword. They may be providing services which is great, but the downside is, we have no accountability if the services come from HCBS dollars because there is no reporting under the legal services category. If they are providing services, without accountability, we are open to the kinds of allegations stated below. I will pursue the reports to see if AIM gives us any additional information.

Cat

Catherine S. Zavoras
State Legal Services Developer
South Carolina Lieutenant Governor's Office on Aging
Office of the State Long Term Care Ombudsman
1301 Gervais Street, Suite 350
Columbia, SC 29201
Phone 803-734-9983, Fax 803-734-9988
cangus@aging.sc.gov

CONFIDENTIALITY NOTICE: This electronic email may contain information that is privileged, confidential, and/or otherwise protected from disclosure to anyone other than its intended recipient(s). Any dissemination or use of this electronic mail or its contents by persons other than the intended recipient(s) is strictly prohibited. If you have received this communication in error, please notify the sender immediately by reply email so that we may correct our internal records. Please then delete the original message.

From: Andrea Loney [<mailto:andrealoney@sclegal.org>]
Sent: Tuesday, February 25, 2014 12:36 PM
To: Robin Wheeler; Cindy Coker
Cc: Thomas Trent; Sharon Seago; Angus, Catherine
Subject: Legal Representation for Seniors In Fairfield, Lexington, Newberry and Richland

Dear Robin and Cindy,

Central Midlands Aging and Disability Resource Center had about \$50,000 in funding for legal representation during the July 2012 to June 2013 grant cycle . SCLS had the contract to provide the legal representation. Ms. Seago, the Aging Unit Director, informed us in November that the Lt. Governor's Office had reduced the funding for legal representation to \$10,000 in counties served by Central Midlands. Prior to this notification, we were referring seniors who wanted advance directors, in non-emergency situations, to the SC Bar Pro Bono Program. We represented the others with grant funds from Central Midlands.

As you are aware, SCLS continues to get reductions in funding from other grantors at a time with the number of low income residents in the state has increased. Unfortunately, we are simply unable to give special consideration to the same number of seniors we accepted when Central Midlands had the funding to contract with SCLS. Rather than outright denying them, as we must sometimes do with other applicants, I am writing to let you know that we will begin to refer seniors from the counties listed above to the SC Bar Pro Bono Program. We hope you are successful in placing the senior referrals with a private attorney.

Sincerely,

AEL

Andrea E. Loney, Esq.
Executive Director
South Carolina Legal Services
2109 Bull Street, P.O. Box 1445
Columbia, South Carolina 29201
andrealoney@sclegal.org
Phone: (803) 744-4179 || Fax: (803) 799-9420
www.sclegal.org | www.lawhelp.org/sc
www.probono.net/sc

Confidentiality Notice: This e-mail is intended only for the addressee named above. It contains information that is privileged, confidential or otherwise protected from use and disclosure. If you are not the intended recipient, you are hereby notified that any review, disclosure, copying, or dissemination of this transmission, or taking of any action in reliance on its contents, or other use is strictly prohibited. If you have received this transmission in error, please reply to the sender listed above immediately and permanently delete this message from your inbox. Thank you for your cooperation.