

# The Clinician

VOLUME 1, INAUGURAL ISSUE

FALL 2012

## UNIVERSITY OF MIAMI SCHOOL OF LAW HEALTH RIGHTS CLINIC

### Our Program

The Health Rights Clinic is a Medical Legal Partnership with the Miller School of Medicine. Students assist low-income health-impaired clients under the supervision of a professor and supervising attorneys. Clients are referred by the clinic's health care provider partners at the University of Miami Miller School of Medicine Comprehensive AIDS Program,

Jefferson Reaves Sr. Health Center and the VA Hospital. Students work in partnership with UM medical staff to provide clients holistic legal representation. Under the supervision of licensed attorneys, students function as the client's primary advocate in all aspects of the client's case. This legal service is free of charge to the public.

### Veteran Receives Fully Favorable Social Security Disability (SSDI) Decision

James, a Vietnam War veteran, diagnosed with terminal stage-four lung cancer. After being denied benefits twice, James' doctor at the VA Hospital recommended him to the Clinic, where Intern Phillip Grosdidier took the case.

Undergoing intensive chemotherapy treatments for his rapidly deteriorating health, the teamwork of the VA and Clinic allowed James to focus on his treatment. The partnership gave James the physical treatment and legal assistance he needed during this difficult time.

Resolving the tax matter that prevented him from receiving benefits originally, James collected \$4,000 in back pay and over \$900/mo. for the rest of his life.



Health Rights Clinic 2011-2012 Student Lawyers

## TABLE OF CONTENTS

Citizenship Success	2
Medical Community	2
By the Numbers	3
Faculty News	3
Alumni Spotlight	3

**Editor:** Joel H. Feigenbaum  
*Special thanks to Vanessa Alpizar*

Published by  
**Health Rights Clinic**  
University of Miami School of Law

Listed on the **National Center for Medical-Legal Partnership** website.

<http://educatingtomorrowlawyers.du.edu/course-portfolios/detail/health-and-elder-law-medical-legal-partnership>

**MIAMILAW**  
UNIVERSITY OF MIAMI SCHOOL OF LAW

**Health Rights Clinic**  
A MEDICAL-LEGAL PARTNERSHIP  
WITH THE MILLER SCHOOL OF MEDICINE

# The Newest American Citizen Is...

By: David Werner

On September 13, 2012, Wilsond swore allegiance to the United States, waved a tiny American flag to the rhythm of Lee Greenwood's "God Bless the USA," and formally naturalized as a United States Citizen. A native of Haiti, Wilsond had been a Legal Permanent Resident since 1990 before trading in his worn out and disintegrating LPR card for his citizenship certificate.

Wilsond's beaming smiling and

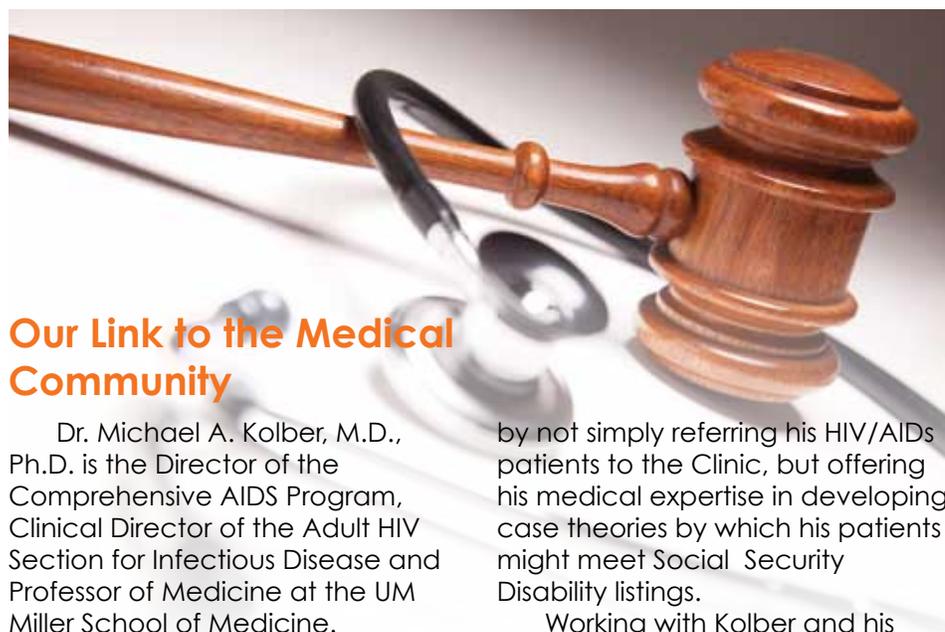
joyful pride in his newly minted status as a United States Citizen was the result of months of diligent work performed by the Clinic. Two weeks prior to his ceremony, Wilsond, a primarily Creole-speaker, faced the daunting task of a naturalization interview by the U.S. Citizenship and Immigration Service (USCIS). David Werner, only a week into his yearlong internship with Clinic, handled the task of representing Wilsond at this

meeting with all the poise of pro. Assisted in large part by the efforts of his predecessor, Corey Grey, Werner presented USCIS with all of the requisite documentation to make Wilsond's job easy. The combined efforts of the interns ensured that Wilsond qualified for a disability exception for the civics and language portions of the interview by filing an N-648—the Medical Certification for Disability Exceptions—detailing the client's cognitive impairment with a comprehensive assessment performed by a forensic psychiatrist.

The last obstacle standing between Wilsond and citizenship was ensuring that he understood the oath of citizenship. Although Wilsond aims to live a peaceful existence through a Rasta lifestyle, he assented to carry arms if called upon to serve his new homeland. Two weeks after his interview, Wilsond made the same declaration alongside 200 of the United States' newest citizens.



Wilsond is the Newest American Citizen!



## Our Link to the Medical Community

Dr. Michael A. Kolber, M.D., Ph.D. is the Director of the Comprehensive AIDS Program, Clinical Director of the Adult HIV Section for Infectious Disease and Professor of Medicine at the UM Miller School of Medicine.

Kolber has played an integral role in forging a relationship between the University's School of Law and Medicine. Dr. Kolber has furthered the Clinic's objectives

by not simply referring his HIV/AIDS patients to the Clinic, but offering his medical expertise in developing case theories by which his patients might meet Social Security Disability listings.

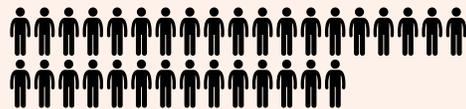
Working with Kolber and his students has provided interns with the medical background necessary to adequately represent their clients and achieve the best possible results on their behalf.

## DID YOU KNOW?

**The Health Rights Clinic** is a two-semester, six credit course in which students assist **low-income** health impaired clients under the **supervision** of faculty.

# 1234568

## BY THE NUMBERS



**33** law students have been trained in the past year by the Health Clinic.



# 252

hours of clinical work have been completed by students with individual caseloads of 5-8 cases.

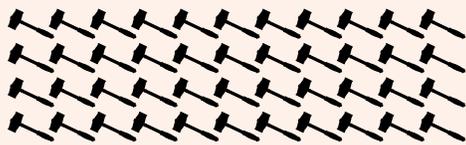
Students represented clients in **46** Immigration Status Adjudications before USCIS officers.

# \$202,000



has been secured in back pay awards for clients along with ongoing monthly benefits.

**150** approvals for clients were secured in the Haitian TPS Project.



**44** Social Security Disability Hearings before Federal Administrative Law Judges conducted by students.

**50** impoverished clients were granted Medicaid and Food Stamps.

## Faculty News

JoNel Newman, Esq. is the Director of Health Rights Clinic and a Professor at the University of Miami School of Law.

- Recent publications include: Helping Haiti in the Wake of Disaster: Law Students as First Responders, which was co-authored with fellow Clinic professor, Melissa Swain, in INTER. HUM. RIGHTS L. REV. (2011) and Miami's Medical-Legal Partnership: Preparing Lawyers and Physicians for Holistic Practice in IND. HEALTH L. REV. (forthcoming 2012)
- Speaker, AALS Annual Conference, Section on Law, Medicine and Healthcare, Washington, DC (January 12, 2012)
- Speaker, Berkeley Law Disability Rights Symposium, Berkeley, CA (March 23, 2012)

- Speaker, Greater Miami Chamber of Commerce event: America's Health: The 21st Century Challenge, Miami, FL (April 13, 2012)



Clinic Director, JoNel Newman, advocating at State Health Department Hearing on Ryan White Services

## Clinic Alumni Inspired to Do More

Intern, Kathy Walker parlayed her passion and experience in the Clinic to land her dream summer job in D.C. Working for the U.S. Health & Human Services, Office of the General Counsel, Medicaid/Medicare Division, Kathy had the unique opportunity to work with attorneys from each section of HHS General Counsel's Office. Enhancing her understanding of different viewpoints and philosophies within the Agency, she was able to work on Olmstead litigation in conjunction with the DOJ. She researched the sensitivity of the phrase

"pattern and practice" using the Departmental Appeals Board database and drafted memos to providers on the administrative rulemaking.

Reflecting on her interview for the position, Kathy said, "the attorneys were very interested in hearing about my experience as a written and oral advocate in social security disability hearings and opportunity provided by the Clinic. They were impressed that I had experience handling a case load of multiple clients, and were generally enthusiastic about the experience I had gained."



Medical Student, Dillion Bannis and Law Student, Alec Heydemann work together on a Social Security Disability case.



# BRIDGING THE GAP BETWEEN PATIENT AND CLIENT

## Health Rights Clinic

University of Miami School of Law  
1311 Miller Drive, Room F303

Ph: 305.284.3951 | Fax: 305.284.6407  
[www.law.miami.edu/clinics/helc.php](http://www.law.miami.edu/clinics/helc.php)

