



**SAN FRANCISCO
HUMAN SERVICES AGENCY**

Department of Benefits
and Family Support

Department of Disability
and Aging Services

Office of Early Care
and Education

P.O. Box 7988
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London Breed
Mayor

Trent Rhorer
Executive Director

MEMORANDUM

TO: DISABILITY AND AGING SERVICES COMMISSION

THROUGH: KELLY DEARMAN, EXECUTIVE DIRECTOR

FROM: CINDY KAUFFMAN, DEPUTY DIRECTOR
ESPERANZA ZAPIEN, DIRECTOR OF CONTRACTS

DATE: FEBRUARY 1, 2023

SUBJECT: NEW GRANT: **OPEN DOOR LEGAL (NON-PROFIT)** TO PROVIDE WESTSIDE LEGAL SERVICES

GRANT TERM: 1/1/2023-6/30/2024

GRANT AMOUNT:	New	Contingency	Total
	\$571,972	\$57,197	\$629,169

ANNUAL AMOUNT:	FY 22-23	FY 23-24
	\$162,750	\$409,222

Funding Source	<u>County</u>	<u>State</u>	<u>Federal</u>	<u>Contingency</u>	<u>Total</u>
		\$571,972		\$57,197	\$629,169
FUNDING:		100%			100%
PERCENTAGE:					

DS
EL

The Department of Disability and Aging Services (DAS) requests authorization to enter into a grant agreement with Open Door Legal for the period from January 1, 2023 through June 30, 2024, in an amount of \$571,972, plus a 10% contingency for a total amount not to exceed \$629,169. The purpose of the grant is to provide a west-side legal services pilot program.

Background

DAS funded legal services programs help people with a variety of legal issues including benefit appeals, eviction prevention, consumer fraud/issues, elder abuse prevention, simple will preparation, disability planning and advance directives, debt collection issues, and immigration matters. Legal interventions in any of these areas are critical to maintaining independence, safety, and wellbeing of older adults and adults with disabilities.

Review of DAS funded community-based services reveals lower participation rates on the west side of the City. This is associated with a lack of dedicated service sites in Districts 1, 4, and 7. Additionally, DAS has seen declining numbers of utilization of legal services programs by Asian and Pacific Islander clients.

This pilot program is intended to launch a legal services program with a focus on serving residents of the west side of the City. Services will also include meaningful outreach strategies to engage and serve Asian and Pacific Islander clients.

Services to be Provided

Grantee will open a space for legal services with a location on the west side of the City. Grantee will ensure that new office space will be clearly marked for recognition in the community.

With the launch of this new service location, Grantee will do outreach to raise awareness of the new location and services. Outreach efforts will focus on Districts 1, 4, and 7 as well as Asian and Pacific Islander populations. These efforts will include development and distribution of flyers and brochures in both hard and electronic format. Grantee will network with other community-based organizations in the nearby neighborhoods to foster additional referrals for service. Grantee will participate in off-site community events (such as farmers markets located in Districts 1, 4, and 7) as an additional method to raise awareness of services.

Grantee's legal services will include an initial screening process for clients to determine the nature of their issue. Based on results of that initial screening, Grantee will provide a range of assistance from brief advice and referral up to full legal representation in court.

Grantee will develop and maintain expertise in legal issues most relevant to older adults and adults with disabilities. This typically includes public benefits, housing, healthcare, elder abuse, consumer and civil rights. Grantee may develop additional areas of expertise as determined by need.

New service location under this grant is 1722 Irving Street (cross 19th Ave). Services will be open during regular business hours, Monday through Friday, 9 am to 5 pm.

Selection

Grantee was selected through Request for Proposals (RFP) #1031, which was competitively bid in August of 2022.

Funding

Funding for this grant is provided through State Funds.

ATTACHMENTS

Appendix A – Services to be Provided

Appendix B – Budget

APPENDIX A – SERVICES TO BE PROVIDED BY GRANTEE

Effective January 1, 2023 to June 30, 2024

OPEN DOOR LEGAL

WESTSIDE LEGAL SERVICES PILOT

I. Purpose

Legal Services programs help people with a variety of legal issues including benefit appeals, eviction prevention, consumer fraud/issues, elder abuse prevention, simple will preparation, disability planning and advance directives, debt collection issues, and immigration matters. Legal interventions in any of these areas are critical to maintaining independence, safety, and wellbeing.

This program will pilot a dedicated legal services office on the west side of the City, an area lacking in dedicated spaces providing services to older adults. Services included in this grant agreement will require outreach and engagement with residents of Districts 1, 4, and 7, as well as Asian and Pacific Islander populations.

II. Definitions

Adult with a Disability	Person 18-59 years of age living with a disability.
At Risk of Institutionalization	To be considered at risk of institutionalization, a person must have, at a minimum, one of the following: 1) functional impairment in a minimum of two Activities of Daily Living (ADL): eating, dressing, transfer, bathing, toileting, and grooming; or 2) a medical condition to the extent requiring the level of care that would be provided in a nursing facility; or 3) be unable to manage his/her own affairs due to emotional and/or cognitive impairment, evidenced by functional impairment in a minimum of three Instrumental Activities of Daily Living (IADLs): preparing meals, managing money, shopping for groceries or personal items, performing housework, using a telephone.
CA GetCare	A web-based application that provides specific functionalities for contracted agencies to use to perform participant intake/assessment/enrollment, record service objectives, run reports, etc.
California State Bar	The State Bar of California, regulatory agency for the State's lawyers, charged with admitting and disciplining attorneys
CARBON	Contracts Administration, Reporting and Billing On Line System
City	City and County of San Francisco, a municipal corporation.
Communities of Color	An inclusive term and unifying term for persons who do not identify as White, who have been historically and systemically disadvantaged by institutionalized and interpersonal racism.
DAS	Department of Disability and Aging Services

Disability	Mental, cognitive and/or physical impairments, including hearing and visual impairments, that result in substantial functional limitations in one (1) or more of the following areas of major life activity: self-care, receptive and expressive language, learning, mobility, and self-direction, capacity for independent living, economic self-sufficiency, cognitive functioning, and emotional adjustment. Source: California Code of Regulations Title 22, Sec. 7630
Grantee	Open Door Legal
HSA	Human Services Agency of the City and County of San Francisco
Legal Assistance	Legal advice and representation provided by an attorney to older individuals with economic or social needs; and includes – (i) to the extent feasible, counseling or other appropriate assistance by a paralegal or law student under the direct supervision of an attorney; and (ii) counseling or representation by a nonlawyer where permitted by law. Direct legal assistance may be provided face-to-face, by telephone, or by electronic communication and includes, but is not limited to, advice and consultation, litigation, administrative representation, brief services, preparing legal documents and pro se assistance.
LGBTQ+	An acronym/term used to refer to persons who self-identify as non - heterosexual and/or whose gender identity does not correspond to their birth sex. This includes, but is not limited to, lesbian, gay, bisexual, transgender, genderqueer, and gender non-binary.
Limited English-Speaking Proficiency	Any person who does not speak English well or is otherwise unable to communicate effectively in English because English is not the person's primary language.
Low Income	Having income at or below 300% of the federal poverty line defined by the federal Bureau of the Census and published annually by the U.S. Department of Health and Human Services. This is only to be used by participants to self-identify their income status, not to be used as a means test to qualify for the program.
OCM	Office of Contract Management, Human Services Agency
Older Adult	Person who is 60 years or older, used interchangeably with senior
Older Americans Act	Federal legislation originally signed in 1965 and reauthorized in subsequent years. Creates a nationwide network of services focused on older adults.
OCP	Office of Community Partnerships (formerly known as Office on the Aging / OOA).
Senior	Person who is 60 years or older, used interchangeably with older adult
Socially Isolated	Having few social relationships and few people to interact with regularly.
SOGI	Sexual Orientation and Gender Identity; Ordinance No. 159-16 amended the San Francisco Administrative Code to require City departments and contractors that provide health care and social services to seek to collect and analyze data concerning the sexual orientation and gender identity of the participants they serve (Chapter 104, Sections 104.1 through 104.9).

III. Target Population

Services will be designed to engage one or more of the following target populations, which have been identified as demonstrating the greatest economic and social need:

- Persons with low income
- Persons who are socially isolated
- Persons with limited English-speaking proficiency
- Persons from Communities of Color
- Persons who identify as LGBTQ+
- Persons at risk of institutionalization

IV. Client Eligibility

To be eligible for services, clients must be:

- 1) A resident of San Francisco *and*
- 2) An older adult aged 60 years or older *and*
- 3) In need of Legal Services

V. Location and Time of Services

Services will be based at Grantee's offices, located at 1722 Irving Street in San Francisco. Services will be available during regular business hours, Monday through Friday 9 am – 5 pm, with the exception of holidays.

VI. Description of Services

There are two main components to this program: legal services and outreach and education.

Legal Services

Legal service providers help eligible clients with a variety of legal issues which may include benefit appeals, eviction prevention, consumer fraud/issues, elder abuse prevention, simple will preparation, disability planning and advance directives, debt collection issues, and immigration matters. Legal service providers will often work in conjunction with other service providers to carefully assess and triage client needs.

Clients seeking legal services will go through an initial screening process. Legal providers will then categorize the services they provide into one of the following four modules:

- 1) Information and Referral – the concern is more appropriately referred to another service for assistance
- 2) Advise and Close – the legal issue is very easily addressed, advice is provided and the case is closed
- 3) Brief Services – the client is in need of assistance to prepare legal correspondence, fill out an official form, review legal documents, etc.
- 4) Case Acceptance – the legal issue warrants more extensive legal representation and a case file is opened, e.g., elder abuse, consumer fraud, challenging eviction petitions, etc.

Grantee will be provided with a copy of the California Department of Aging's California Statewide Guidance for Legal Assistance. Grantee is expected to use these Guidelines in the provision of Older Americans Act (OAA) legal services. While non-binding, the Guidelines should be considered for guidance and technical assistance in the provision of services.

Areas of expertise for legal service Grantees should include at least one of the following:

- 1) Income/Nutrition: Supplemental Security Income ("SSI"), Social Security, pensions/retirement, CalFresh/Supplemental Nutrition Assistance Program (SNAP), unemployment
- 2) Housing/Utilities: Tenant rights, real property, utilities
- 3) Long-term Care: Skilled Nursing Facility (SNF) issues, community-based, long-term care services
- 4) Healthcare: MediCal, Medicare, managed care, provider/services access, private insurance
- 5) Protective Services/Elder Abuse/Defense against Conservatorship: Conservatorship issues with a focus on defending older persons against guardianship as called for in the OAA § 321(a)(6)), restraining orders, abuse/neglect, exploitation, advanced planning/autonomy/advance directives
- 6) Consumer: Bankruptcy/debt, contracts/warranties, scams/identity theft
- 7) Civil Rights: Limited English Proficient (LEP) rights, discrimination, immigration

Clients can expect that the legal service provider is experienced and knowledgeable about working with an older adult population. Grantee is expected to keep up with changes in the law that affect older adults, particularly in the issue areas in which services are provided. Grantee will further assure that services delivered are consistent with professional standards for this service. Grantee should be as culturally and linguistically competent as possible to serve an ethnically diverse population.

Legal services provided and to be reported under this grant will meet the definition of Legal Assistance as described in the Definitions section above. Legal Assistance will be recorded by number of hours of Legal Assistance provided.

Grantee agrees to meet on a quarterly basis or as needed with other legal service providers and the Office of Community Partnerships staff to help develop and maintain a comprehensive citywide approach to legal service programs funded by DAS.

Grantee will assign staff to help in the planning, development, and distribution of a quarterly legal services newspaper in conjunction with other DAS legal service providers. The newsletter will serve as an outreach and educational tool. Content will be printed in multiple languages and cover legal topics most relevant to the target population.

Outreach and Engagement

Grantee shall engage in outreach efforts to raise community awareness of this new program. While these program services are available to residents City-wide, outreach and engagement should focus on Asian and Pacific Islander populations as well as residents of Districts 1, 4, and 7. (The 'westside' of San Francisco.) Outreach and engagement efforts will include:

- Grantee's service location will be clearly marked and identifiable in the neighborhood, including visible signage.
- Grantee will develop promotional materials such as flyers and brochures for distribution both electronically and in hard copy. Materials will be translated for outreach to limited and non-English speaking community members.
- Grantee shall utilize their website, social media channels, newsletters, and other forms of agency communication where appropriate to promote this program.
- Grantee will participate in off-site community events (such as farmers markets located in the focus districts) as an opportunity to raise awareness of program services.
- Grantee will meet with other community based organizations in the focus districts to raise awareness of services.

Grantee shall document outreach efforts including time spent as measure of performance.

***Grantee shall continue to follow guidance in or instructions from health care providers, the Centers for Disease Control and Prevention (CDC), California Department of Public Health (CDPH), and local health departments relating to COVID-19. If there are contradictory requirements between the most current CDC, CDPH, and local health department guidance or health orders, providers should follow the strictest requirements. These requirements shall be followed with the intent to maximize the health and safety of Grantee staff and clients receiving services.

VII. Service Objectives

For the contract period January 1, 2023 – June 30, 2023:

- 1) Grantee will serve at least **65** unduplicated clients.
- 2) Grantee will provide at least **1,600** units of service of Legal Assistance. A unit is one hour of Legal Assistance.
- 3) Grantee will provide at least **75** hours of outreach and education.

For the contract period July 1, 2023 – June 30, 2024:

- 1) Grantee will serve at least **200** unduplicated clients.
- 2) Grantee will provide at least **4,500** units of service of Legal Assistance. A unit is one hour of Legal Assistance.
- 3) Grantee will provide **75** hours of outreach and education.

VIII. Outcome Objectives

Grantees will participate in a quarterly reporting process designed by Office of Community Partnership (OCP) staff. Reporting on outcomes through this framework will demonstrate and measure the impact, outcomes, and results of legal services provided. Outcome measures

originally developed by the State Bar of California serve as the basis for this reporting framework.

Collecting outcomes through this manner will allow DAS and Grantee to track positive outcomes in a particular contract year as well as comparing the outcomes from year to year. Results may help establish benchmarks for performance in future years.

Grantee will, on a quarterly basis, complete and submit to OCP a report on program performance including the following:

- Total clients served including aggregate demographic information
- Total hours of Legal Assistance provided.
- Total number of cases opened during the quarter
- Total number of cases closed during the quarter
- Categorization of level of service for each case closed during the quarter (Information and Referral, Advise and Close, Brief Service, Case Acceptance).
- Recording of each case closed into standardized categories based on legal issue assisted with (e.g. housing, income maintenance, consumer/finance).
- Categorization of each case closed within a series of standardized outcomes (e.g. obtained, preserved, or increased disability or age related benefit; prevented loss of current housing, etc.) as defined by the State Bar of California.
- Community education, outreach efforts, and client narratives

Completion of quarterly reporting via an online portal developed and supported by OCP analyst staff. Reporting periods and deadlines will be as follows:

- 1st Quarter (covering July, August, September) due October 25th each year
- 2nd Quarter (covering October, November, December) due January 25th each year
- 3rd Quarter (covering January, February, March) due April 25th each year
- 4th Quarter (covering April, May, June) due July 25th each year

IX. Reporting Requirements

Grantee will provide various reports during the term of the grant agreement.

- A. Grantee will record the enrollment of eligible participants into the program funded through this contract agreement by entering participant data obtained from participants, using a DAS-OCP approved intake form, into the CA-GetCare database.
- B. Grantee will enter into the CA GetCare Service Unit section all the units of service by the 5th working day of the month for the preceding month.
- C. Monthly, quarterly, and annual reports must be entered into the Contracts Administration, Reporting, and Billing Online (CARBON) system as required by DAS and Contracts Department staff.
- D. Grantee program staff will complete the California Department of Aging (CDA) Security Awareness Training on an annual basis; Grantee will maintain evidence of staff completion of this training.
- E. Grantee will submit response rates and aggregated data from annual participant survey to assigned Office of Community Partnerships staff by March 15th of each grant year.
- F. Grantee will issue a Fiscal Closeout Report at the end of the fiscal year. The report is due to HSA no later than July 31 each grant year. This report must be submitted to the CARBON system.

- G. Grantee will develop and deliver ad hoc reports as requested by HSA/DAS/OCP.
 - H. Grantee will develop and deliver a bi-annual summary report of SOGI data collected in the year as required by state and local law. The due date for submitting the bi-annual summary reports are January 10th (July-December data) and July 10th (January-June data).
 - I. Grantee will develop and maintain with OCP's approval, an updated Site Chart (using OCP's format) with details about the program.
 - J. Grantee program staff will complete an elder abuse mandated reporter training on an annual basis. Grantee will maintain evidence of staff completion of this training.
 - K. Grantee will develop a grievance policy consistent with DAS-OCP policy memorandum.
 - L. Grantee will be compliant with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) privacy and security rules to the extent applicable and to take all reasonable efforts to implement HIPAA requirements.
- M. Apart from reports to be sent via email to the Program Analyst and/or Contract Manager, all other reports and communications should be sent to the following addresses:

Rocio Duenas
Contracts Manager/HSA
P.O. Box 7988
San Francisco, CA 94120
rocio.duenas@sfgov.org

Michael Zaugg
DAS, Office of Community Partnerships
P.O. Box 7988
San Francisco, CA 94120
michael.zaugg@sfgov.org

X. Monitoring Activities

- A. Program Monitoring: Program monitoring will include review of compliance to specific program standards or requirements; participant eligibility and targeted mandates, back up documentation for the units of service and all reporting, and progress of service and outcome objectives; how participant records are collected and maintained; reporting performance including monthly service unit reports on CA Getcare, maintenance of service unit logs; agency and organization standards, which include current organizational chart, evidence of provision of training to staff regarding the Elder Abuse Reporting, evidence that program staff have completed the California Department of Aging (CDA) Security Awareness Training; program operation, which includes a review of a written policies and procedures manual of all OCP funded programs, written project income policies if applicable, grievance procedure posted in the center/office, and also given to the participants who are homebound, hours of operation are current according to the site chart; a board of director list and whether services are provided appropriately according to Sections VI and VII.
- B. Fiscal Compliance and Contract Monitoring: Fiscal monitoring will include review of the Grantee's organizational budget, the general ledger, quarterly balance sheet, cost allocation procedures and plan, State and Federal tax forms, audited financial statement, fiscal policy manual, supporting documentation for selected invoices, cash receipts and disbursement journals. The compliance monitoring will include review of Personnel Manual, Emergency Operations Plan, Compliance with the Americans with Disabilities Act, subcontracts, and MOUs, and the current board roster and selected board minutes for compliance with the Sunshine Ordinance, and HIPAA compliance.

HUMAN SERVICES AGENCY BUDGET SUMMARY BY PROGRAM

Name	Term		
Open Door Legal	1/1/23-6/30/24		
(Check One) New <input checked="" type="checkbox"/> Renewal <input type="checkbox"/> Modification <input type="checkbox"/>			
If modification, Effective Date of Mod. No. of Mod.			
Program: WESTSIDE LEGAL SERVICES PILOT			
Budget Reference Page No.(s)			
Program Term	1/1/23-6/30/23	7/1/23-6/30/24	1/1/23-6/30/24
DAS Expenditures			
Salaries & Benefits	\$81,234	\$324,937	\$406,171
Operating Expenses	\$60,288	\$30,909	\$91,197
Subtotal	\$141,522	\$355,846	\$497,368
Indirect Percentage (%) - CDA 10% (10% maximum funded by CDA)	10%	10%	10%
CDA Indirect Cost (Line 16 X Line 15)	\$14,152	\$35,585	\$49,737
Indirect Percentage (%) - GF % (General Fund 5% maximum)	5%	5%	5%
GF Indirect Cost (Line 18 X Line 15)	\$7,076	\$17,792	\$24,868
Subcontractor/Capital Expenditures	\$0	\$0	\$0
TOTAL DAS EXPENDITURES	\$162,750	\$409,222	\$571,972
HSA-DAS Revenues			
State Funds	\$162,750	\$409,222	\$571,972
TOTAL HSA-DAS REVENUES	\$162,750	\$409,222	\$571,972
Non-DAS Revenues			
Fundraising	\$70,000	\$0	\$70,000
Volunteer In kind	\$5,000	\$0	\$5,000
TOTAL NON-DAS REVENUES	\$75,000	\$0	\$75,000
Total DAS & Non-DAS Revenues	\$237,750	\$409,222	\$646,972
Full Time Equivalent (FTE)			
Prepared by: Victoria Harris	Telephone No.: (510) 858-1518		
HSA-CO Review Signature:	_____		
HSA #1	12/21/2022		

**Open Door Legal
Program: WESTSIDE LEGAL SERVICES PILOT**

Operating Expense Detail

H.S.A-DAS

TOTAL

<u>Expenditure Category</u>	TERM	<u>1/1/23-6/30/23</u>	<u>7/1/23-6/30/24</u>	<u>1/1/23-6/30/24</u>
Rental of Property		\$16,500	\$8,000	\$24,500
Utilities (Elec, Water, Gas, Phone, Garbage)		\$470	\$1,000	\$1,470
Office Supplies, Postage		\$4,000	\$1,350	\$5,350
Building Maintenance Supplies and Repair		\$7,500	\$0	\$7,500
Printing and Reproduction		\$3,818	\$1,500	\$5,318
Insurance		\$8,000	\$10,000	\$18,000
Staff Training		\$3,000	\$1,059	\$4,059
Staff Travel (Local & Out of Town)		\$1,000	\$1,000	\$2,000
Rental of Equipment		\$0	\$0	\$0

CONSULTANTS

Employment Law Attorney (1099)		\$1,000	\$0	\$1,000
Post-Bar LFA Fellow		\$4,000	\$0	\$4,000

OTHER

Court & Litigation Fees		\$2,000	\$3,000	\$5,000
Telecommunications		\$1,000	\$2,000	\$3,000
Information Technology		\$5,000	\$2,000	\$7,000
Language Translation		\$3,000	\$0	\$3,000

TOTAL DAS OPERATING EXPENSE		\$60,288	\$30,909	\$91,197
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HSA #3