

# PWA CAUCUS – JANUARY 2002 REPORT

## LAST MONTH’S CASES

|     | Type of Service | Agency         | Issue                         | Outcome   |
|-----|-----------------|----------------|-------------------------------|-----------|
| 1-  | Housing         | DPH/HWL        | Confusion with HWL            | Resolved  |
| 2-  | Mental Health   | AHP            | Reggie                        | Resolved  |
| 3-  | *Housing        | Derek Silva    | Alleged Lack of Policy        | Pending   |
| 4-  | Housing         | SFAF           | No extension of subsidy       | Resolved  |
| 5-  | Housing         | Walden House   | Termination of Services       | Withdrawn |
| 6-  | Primary Medical | Haight Ashbury | Substandard Services          | Resolved  |
| 7-  | Housing         | Derek Silva    | Access to Services            | Pending   |
| 8-  | Housing*        | Derek Silva    | Freedom of Expression         | Resolved  |
| 9-  | Housing         | SFAF           | Documentation Production Time | Pending   |
| 10- | Housing         | Haight Ashbury | Standard of Care              | Resolved  |

- 1- Client claims he signed up with the Housing WaitList (Chips) in 1992 and then moved into Derek Silva in 1994. In 1994, while in a deteriorated condition, client claims that he received a phone call for a housing subsidy. Because of his condition, he declined the subsidy. Now, client would like the subsidy based on the theory that his residency at Derek Silva was temporary and he is now in a condition to accept his subsidy that was offered to him many years ago. Advocacy Project has contacted HWL, SFAF, Shanti and Derek Silva and has reviewed documents in order to determine whether client was aware of his long-term placement at Derek Silva. No documents were located. Client also claims that residents of Derek Silva who allegedly have a later brief enrollment date have been offered a subsidy. Advocacy Project investigated these claims and discovered that while it may have been possible that some residents were placed at Derek Silva with a “temporary status” in 1996 & 1997 and then later offered a subsidy, all residents at Derek Silva are now considered permanently placed by the HWL. Client also grieved about the violence he has encountered at Derek Silva during his residency; however, a lack of evidence made a reasonable inquiry difficult. Finally, client also grieved that he still struggles with his sobriety and never agreed to a residential facility with a harm reduction model. Client is dissatisfied with the outcome.
  
- 2- Client sought services from AHP. During his intake the client was informed that his information would be shared with two other agencies, Shanti and SFAF. Client did not want his personal information shared, thus, the intake process concluded because AHP could not proceed with the intake without disclosing the information to the other two agencies. Clients contacted the Advocacy Project and filed a grievance on how to access mental health services from AHP without having his information shared with the other two agencies in the HIV Services Partnership. AHP responded

- with a special mechanism for this particular client to access services without having his information shared with the other two agencies. Client wants this option presented to all clients and the Advocacy Project is assisting the client in asking AHP to provide this “AHP only” option to all clients. AHP responded that they will continue to make this exception to policy available to clients as individually indicated. AHP believes the issue to be resolved. Client is reluctantly satisfied with the outcome.
- 3- Client claims that during a Clinical Case Conference she asked to see a Patient Bill of Rights and after repeated requests, no document was provided. Client filed a grievance stating that for Clinical Case Conferences, clients should be given a Patients Bill of Rights in order to better understand their rights during such an important meeting. Derek Silva responded that the meeting was a voluntary and that they are not legally obligated to have a written statement of rights for a voluntary meeting with the resident. Additionally, Derek Silva responded that attendance at meetings is not a requirement for tenancy. Client wishes to appeal the decision to the Director of HIV Services for Catholic Charities so that other residents will better understand their rights during similar meetings. Advocacy Project has begun negotiations with the Director if the information is appropriate for a housing program and how the information should be disseminated to clients.
  - 4- Client’s partner died suddenly while vacationing in Asia. Client and his partner both received a subsidy through the SFAF. Now, client will not be able to live in his apartment with only his subsidy. The SFAF has paid the deceased partner’s subsidy for approximately 2 months in order to give the surviving partner time to locate another apartment. The client has filed a grievance asking for more time because he suffers from a documented anxiety condition, physical manifestation of his AIDS condition as well as the difficulty in finding an apartment during the holidays. SFAF, client and Advocacy Project met to discuss a resolution; however, the SFAF could not offer a transition plan because Department of Public Health’s interpretation of the HRSA regulations do not allow for a transition plan for more than 30 days. Client is not satisfied with the outcome.
  - 5- Client claims that she received substandard services from Walden House. Client filed a grievance outlining four areas of concern. First, client claims she was harassed by other residents for being a transgender woman and staff did not properly respond to her pleas for help. Second, client claims that she was kicked out of the program for a minor infraction. Third, client claims that when she was asked to leave the program, she was not given any referrals for transition services. Finally, client claims that Walden House still has some of her possessions. Advocacy Project assisted client with a grievance and is awaiting a response from Walden House. Grievance withdrawn through inaction.
  - 6- Client claims he received substandard medical services from Haight-Ashbury Free Clinic. After weeks of stomach pain and gastrointestinal problems, client went to Haight-Ashbury for medical attention. Client believes that his symptoms were overlooked and misdiagnosed. Finally, when his concerns and pain were not taken seriously, client demanded blood work to be done. When the results of his blood work were completed, the doctor told him he had AIDS without even performing an HIV test. Client claims that the physician based his knowledge solely on a low T-cell count (100 T-cells). The client claims that the manner in which he was told was completely inappropriate. Client and Advocacy Project filed a grievance about his alleged poor treatment. Haight-Ashbury responded that more sensitivity will be taken in the future. Client is satisfied with the outcome.
  - 7- While living at Derek Silva, the client receives regular assistance through a worker at In-Home Support Services (IHSS). This IHSS worker arrived for her shift to assist the client and had an altercation with another resident in the building. As a result of this altercation, the IHSS worker was asked to leave the building. The client filed a grievance because he claims he was told that his IHSS

worker would never be allowed to enter the building again. The Advocacy Project contacted the Program Director who met with the IHSS worker to determine if the IHSS worker could in fact be a threat to other residents in the building. It was determined that the IHSS worker was not a threat and within 24 hours was admitted into the building. Client is still waiting for a written response from the Program Director

- 8- All residents at Derek Silva received a copy of a new non-discrimination and harassment policy. Client believes this policy was directed at him personally because he is an artist and his artwork contains an image of Archbishop Levada in an unfavorable light. Secondly, client claims that the new policy was not signed; therefore, he was uncertain who sent out this new policy. Client claims the community was never consulted in the development of this new policy. Client filed a grievance on these two issues and the Program Director responded that this new policy was given to all Catholic Charities employees and clients and distributed to every Catholic Charities program. Also, the Program Director will attempt to bring emerging issues to the monthly building meeting where client input can be included in the development of new policy. Client is not satisfied with the outcome.
- 9- Client receives a subsidy from the SFAF and began working a few months ago. Client called the SFAF to inform them that he was working. The SFAF informed the client that his next check would be suspended until he could demonstrate more clearly how much money he had earned over the last few months. Because the client works for the SF Unified School District, obtaining the proper documentation was difficult to retrieve quickly; however, client was able to obtain the proper documentation and the client's subsidy was paid on time. Client filed a grievance so that funds should not be suspended while necessary documents are being provided. Client believes that a 30-day response time should be allowed for in providing financial documentation. The SFAF disagreed and claims that they could potentially be violating a funding contract by releasing a check for a client who no longer meets the eligibility requirements by working. Client is not satisfied with the response and has requested documentation from the SFAF regarding this alleged provision that would not allow for his desired flexibility. Advocacy Project is monitoring the grievance.
- 10- Client claims that she does not receive adequate meal portions while staying at the Smith Ryan residential house that is operated by Haight Ashbury Free Clinics. Additionally, client claims that other residents are hostile to her HIV status and staff has been unresponsive to her complaints. Because the client fears retaliation, the Advocacy Project filed a confidential grievance based on the client's claims and is awaiting a response. Haight-Ashbury responded that the hostility was real and coming from one specific resident that they could not evict because she was protected from eviction because of her confinement to a wheelchair. The Program Director also stated that noticeable improvements will be seen by residents because of significant staff changes. Client could not indicate whether she was satisfied or not with the outcome.

**NEW CASES**

|    | <u>Service</u> | <u>Agency</u>                     | <u>Issue</u>           | <u>Outcome</u> |
|----|----------------|-----------------------------------|------------------------|----------------|
| 1- | Housing        | Peter Claver - Catholic Charities | Unsafe Housing         | Resolved       |
| 2- | Housing        | Leland – Catholic Charities       | Freedom of Association | Resolved       |
| 3- | Housing        | HWL                               | Permanent Placement    | Resolved.      |

- 1- Client claims that he was harassed by another resident at Peter Claver for approximately seven months. This harassment has allegedly taken the form of loud music, hostile language and violent threats. Client claims he went to staff on numerous occasions and filled out numerous incident reports but the situation had not improved. Client then collected 25 signatures (out of 31 residents at Peter Claver) for a petitioned to Peter Claver staff to permanently expel the harassing resident from the building. The Advocacy Project contacted Peter Claver and was informed that the resident was in jail that weekend for another incident of documented violence. Peter Claver staff had obtained a Stay Away Order from the court and had begun eviction proceedings. Client was satisfied with the response and outcome.
- 2- Client claims that he wants to visit his local church by having church members pick him up from Leland house and drive him to services and other social functions. Leland has objected to such outings because Leland has a policy which does not allow for such activity when transportors (church members) are also volunteers at Leland who conduct a Bible study onsite. Client contacted the Advocacy Project and wanted assistance. Advocacy Project contacted the Program Director who stated that such social visits and other outings would be acceptable after a 3 month grace period whereby church members transition from “volunteer status” to “friend status” so not to confuse the boundaries of person who assist residents at Leland. Also, the Program Director proposed making such activities part of the activities committee at Leland in order to allow for all residents to participate. Client is minimally satisfied.
- 3- Client was offered a subsidy while living at Derek Silva about 1 year ago. He was unable to accept the subsidy at the time but would like to accept it now. However, the HWL now recognizes this resident as permanently placed at Derek Silva. Since he declined the subsidy once, he will have to request a change in status which would put him at the end of the list since he already received one placement. Advocacy Project assisted client with the HWL Transfer form. Client is satisfied with the outcome.

|                 |   |          |
|-----------------|---|----------|
| Referral Calls: | SFAF Services                             | 2        |
|                 | SFAF Grievance Procedures                 | 1        |
|                 | Derek Silva Grievance Procedures          | 2        |
|                 | CARE Council Support                      | 1        |
|                 | Mission Dolores                           | 1        |
|                 | ALRP Services                             | 1        |
|                 | BayView/Hunter’s Point Foundation         | 1        |
|                 | AEF Services                              | 1        |
|                 | Small Claims Court                        | 1        |
|                 | Instituto de la Raza Grievance Procedures | 1        |
|                 | Private Attorney                          | 1        |
|                 | UCSF Dental Clinic Services               | 1        |
|                 | <u>HWL Services</u>                       | <u>1</u> |
|                 | Total                                     | 16       |

\* Duplicated Client