



London Breed, Mayor

Department of Human Services
 Department of Aging and Adult Services
 Office of Early Care and Education

Trent Rhorer, Executive Director

MEMORANDUM

TO: AGING & ADULT SERVICES COMMISSION

THROUGH: SHIREEN MCSPADDEN, EXECUTIVE DIRECTOR

FROM: CINDY KAUFFMAN, DEPUTY DIRECTOR
 JOHN TSUTAKAWA, DIRECTOR OF CONTRACTS *JM*

DATE: OCTOBER 2, 2019

SUBJECT: NEW GRANT: LA RAZA CENTRO LEGAL INC. (NON-PROFIT)
 FOR THE PROVISION OF LEGAL SERVICES FOR OLDER ADULTS

GRANT TERM:	<u>New</u>	<u>Contingency</u>	<u>Total</u>		
	10/1/2019-				
	6/30/2020				
GRANT AMOUNT:	\$90,000	\$9,000		\$99,000	
ANNUAL AMOUNT:	<u>FY 19/20</u>				
	\$90,000				
FUNDING SOURCE	<u>County</u>	<u>State</u>	<u>Federal</u>	<u>Contingency</u>	<u>Total</u>
FUNDING:	\$90,000			\$9,000	\$99,000
PERCENTAGE:	100%				100%

The Department of Aging & Adult Services (DAAS) requests authorization to enter into a new grant agreement with La Raza Centro Legal Inc. for the time period beginning October 1, 2019 and ending June 30, 2020 in the amount of \$90,000 plus a 10% contingency for a total amount not to exceed \$99,000. The purpose of this grant is to ensure the rights and entitlements of older adults by providing or securing legal services.

Background

Legal services can be critical to maintaining or securing a better quality of life for older adults. DAAS legal service providers work to provide their clients with information and assistance designed to allow them to make informed decisions and assert their rights on a variety of issues. Legal services program providers help with a variety of legal issues which may include public benefit/income maintenance (such as public benefit applications and appeals), housing rights and eviction prevention, consumer fraud and debt collection issues, elder abuse prevention, simple will preparation, disability planning and advance directives, and immigration matters.

Services to be Provided

Services are funded through a one-time-only Board of Supervisors addback funding of \$50,000 and an additional one-time-only funding of \$40,000 from the Dignity Fund. Clients participating in Office of Community Partnership's Legal Services programs receive services in one or more of the four following categories of service:

1. Information and Referral – the client concern is more appropriately referred to another service for assistance.
2. Advise and Close – the client 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 client issue warrants more extensive legal representation and a case file is opened, e.g. elder abuse, consumer fraud, reasonable accommodation for housing, etc.

Outcomes for legal services assistance can include stabilizing or improving a housing situation, increasing or maintaining an income source, securing protective court orders against someone harming an older adult, or deterring predatory collection and illegal business practices targeting an older adult.

Selection

Grantee was selected through Request for Proposals (RFP) 837, which was competitively bid in February 2019.

Performance

A Citywide Fiscal and Compliance monitoring took place on November 2018. Grantee is in compliance with fiscal requirements for FY 18/19.

Program monitoring of Grantee's Older Adult Legal Services took place in January 2019 and found at that time that Grantee was on pace to meet contracted program service levels. Unfortunately, subsequent unexpected staff attrition resulted in vacancies within the organization and thus an inability to meet contracted levels for the year. Ongoing monitoring of Grantee has determined that vacant staff positions are now filled.

Funding

Funding will be provided through County General Funds (100%).

Attachments

Appendix A, Scope of Services
Appendix B, Budget

APPENDIX A

La Raza Centro Legal

LEGAL SERVICES FOR OLDER ADULTS

October 1, 2019 – June 30, 2020

I. Purpose

The purpose of this grant is to ensure the rights and entitlements of older adults by providing legal assistance.

II. Definitions

California State Bar The State Bar of California is the regulatory agency for the State's lawyers, charged with admitting and disciplining attorneys.

CARBON Contracts Administration, Reporting, and Billing Online System

DAAS Department of Aging and Adult Services

Disability A condition or combination of conditions that is attributable to a mental, cognitive or physical impairment, including hearing and visual impairments, that results in substantial functional limitations in one (1) or more of the following areas of major life activity: a) Self-care: activities of daily living (ADL), and instrumental activities of daily living (IADL); b) Capacity for independent living and self-direction; c) Cognitive functioning, and emotional adjustment

Frail An individual determined to be functionally impaired in one or both of the following areas: (a) unable to perform two or more activities of daily living (such as bathing, toileting, dressing, eating, and transferring) without substantial human assistance, including verbal reminding, physical cueing or supervision; (b) due to a cognitive or other mental impairment, requires substantial supervision because the individual behaves in a manner that poses a serious health or safety hazard to the individual or others.

Grantee La Raza Centro Legal

HSA Human Services Agency of 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.
Low Income	Having income at or below 100% 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.
Minority	An ethnic person of color who is any of the following: a) Black – a person having origins in any of the Black racial groups of Africa, b) Hispanic – a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin regardless of race, c) Asian/Pacific Islander – a person whose origins are from India, Pakistan or Bangladesh, Japan, China, Taiwan, Korea, Vietnam, Laos, Cambodia, the Philippines, Samoa, Guam, or the United States Territories of the Pacific including the Northern Marianas, d) American Indian/Alaskan Native – an American Indian, Eskimo, Aleut, or Native Hawaiian. Source: California Code of Regulation Sec. 7130.
OAA	Older Americans Act
Older Adult	Person who is 60 years or older, used interchangeably with senior
Senior	Person who is 60 years or older, used interchangeably with older adult
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 clients they serve (Chapter 104, Sections 104.1 through 104.9).

III. Target Population

According to the federal mandates of the Older Americans Act, services must target clients who are members of one or more of the following groups that have been identified as demonstrating the greatest economic and social need. In particular:

- Low-income
- Limited English proficiency
- Minority
- Frail
- Member of LGBTQ+ Community

IV. Eligibility for Services

- 1) A resident of San Francisco *and*
- 2) Aged 60 and above

V. Location and Time of Services

La Raza Centro Legal is located at 474 Valencia Street, Suite 295 in San Francisco, California. Services are offered during regular business hours, Monday through Friday,

VI. Description of 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 services and interventions are critical to maintaining or securing a better quality of life affecting older adults. Legal service providers often work in conjunction with other service providers to carefully assess and triage consumer needs.

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

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

Consumers 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 effect older adults, particularly in the issue areas in which services are provided. 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.

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

VII. Service Objectives

On an annual basis:

- Grantee will serve 75 unduplicated consumers.
- Grantee will provide 1,125 units of service of Legal Assistance. A unit is one hour of Legal Assistance.

VIII. Outcome Objectives

Completion and submission of the following reports will be used to measure the amount, range, and impact of services provided.

1. Grantee will, on a quarterly basis, complete and submit to the OCP (Office of Community Partnerships) analyst the California Department of Aging (CDA) standardized Legal Services Report (Form 1022) which includes the following:
 - a. Total clients served including aggregate demographic information
 - b. Total number of cases closed during the quarter
 - c. Description of module of service for each case closed during the quarter (Information and Referral, Advise and Close, Brief Service, Case Acceptance).
 - d. Recording of each case closed into standardized categories based on legal issue assisted with (e.g. housing, income maintenance, consumer/finance).
 - e. Community education, outreach efforts, and client narratives

The completed form shall be completed and submitted to OCP based on the following deadlines:

- a. 2nd Quarter (covering October, November, December 2019) due January 25th, 2019
 - b. 3rd Quarter (covering January, February, March 2020) due April 25th, 2020
 - c. 4th Quarter (covering April, May, June 2020) due July 25th, 2020
2. Grantee will, on a twice yearly basis, provide a report categorizing each case closed into a series of standardized categories based on the outcome of the closed case (e.g. obtained, preserved, or increased disability or age related benefit to which entitled, prevented loss of current housing, etc.).

Reporting will be completed via a standardized form developed by Office of Community Partnerships (OCP) staff and provided to Grantee. Report will be submitted by December 31st and June 30th each year and cover the previous 3 and 6 month contract periods.

Collecting outcomes through this manner will allow DAAS and Grantee to track positive outcomes in a year (and in turn to measure the value of a program) as well as comparing the outcomes from year to year. Results from these outcome reports may help establish benchmarks for performance in future years.

IX. Reporting Requirements

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

- A. The grantee will enter into the CA GetCare Service Unit section all Service Objectives by the 5th working day of the month for the preceding month.
- B. Monthly reports must be entered into the Contracts Administration, Reporting, and Billing Online (CARBON) system and include Service Objectives

- C. Grantee shall 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 shall be submitted via the CARBON system.
- D. Grantee shall develop and deliver an annual summary report of SOGI data collected in the year as requested by DAAS/HSA. The due date for submitting the annual summary report is July 10th and shall be submitted via the CARBON system.
- E. Grantee shall develop and deliver ad hoc reports as requested by DAAS/HSA.
- F. 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.
- G. Grantee shall be compliant with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) privacy and security rules to the extent applicable.
- H. Grantee will assure that services delivered are consistent with professional standards for this service.
- I. Pursuant to California Department of Aging Requirement, Grantor reserves the right to reduce funding available for this contract in the event that actual costs are below funding levels initially budgeted for the delivery of services.
- J. Grantee will develop a Grievance Policy consistent with Office on the Aging Program Memorandum #33 - Consumer Grievance Policy.
- K. Through the Older Americans Act Area Plan development process, the City of San Francisco identifies “Focal Points” which are designed to help older adults connect to services throughout the City. These Focal Points are:

Designated Community Focal Points		
Name	Address	Phone
Western Addition Senior Center	1390 1/2 Turk St, San Francisco, 94115	415-921-7805
Bayview Senior Connections	5600 3rd St, San Francisco, 94124	415-647-5353
OMI Senior Center (CCCYO)	65 Beverly St, San Francisco, 94132	415-335-5558
Richmond Senior Center (GGSS)	6221 Geary Blvd, San Francisco, 94121	415-404-2938
30th Street Senior Center (On Lok)	225 30th St, San Francisco, 94131	415-550-2221
Openhouse	1800 Market St, San Francisco, 94102	415-347-8509
SF Senior Center (SFSC)	481 O’Farrell St, San Francisco, 94102	415-202-2983
Aquatic Park Senior Center (SFSC)	890 Beach St, San Francisco, 94109	415-202-2983
South Sunset Senior Center (SHE)	2601 40th Ave , San Francisco, 94116	415-566-2845
Self-Help for the Elderly	601 Jackson St, San Francisco, 94133	415-677-7585
Geen Mun Activity Center (SHE)	777 Stockton St, San Francisco, 94108	415-438-9804
Toolworks	25 Kearny St, San Francisco, 94108	415-733-0990
DAAS Benefits and Services Hub	2 Gough St, San Francisco, 94103	415-355-6700

- L. For assistance with reporting requirements or submission of reports, please contact:

Michael Zaugg
 Program Director, Office of Community Partnerships
 DAAS
 P.O. Box 7988

San Francisco, CA 94120-7988
michael.zaugg@sfgov.org

and

Tahir Shaikh
Contract Manager
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PO Box 7988
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Tahir.Shaikh@sfgov.org

X. Monitoring Activities

- A. Program Monitoring: Program monitoring will include review of compliance to specific program standards or requirements; client 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 of provision of the California Department of Aging (CDA) Security Awareness training to staff; 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 consumers who are homebound, hours of operation are current according to the site chart; a board of directors list and whether services are provided appropriately according to Sections VI and VII, the log of service units which are based on the hours of scheduled activities; sign-in sheets of consumers who participated in each activity; documentation that shows reported units of service are based on scheduled activities at the site, not activities that are always available at the facility such as cards or pool; translation and social services are based on staff hours.
- B. Fiscal Compliance and Contract Monitoring: Fiscal monitoring will include review of the Grantee's organizational budget, 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 the Personnel Manual, Emergency Operations Plan, Compliance with the Americans with Disabilities Act, subcontracts, MOUs, the current board roster and selected board minutes for compliance with the Sunshine Ordinance.

	A	B	C
1	Appendix B, Page 1		
2	Date: 9/23/2019		
3	HUMAN SERVICES AGENCY BUDGET SUMMARY		
4			
5	Name	Term	
6	La Raza Centro Legal Inc.	10/1/19-6/30/20	
7	(Check One) New <input checked="" type="checkbox"/> Renewal Modification _____		
8	If modification, Effective Date of Mod.		No. of Mod.
9	Program: Legal Services		
10	Budget Reference Page No.(s)		Total
11	Program Term		10/1/19-6/30/20
12	Expenditures		
13	Salaries & Benefits	\$64,440	\$64,440
14	Operating Expenses	\$17,339	\$17,339
15	Subtotal	\$81,779	\$81,779
16	Indirect Percentage (%)	10%	10%
17	Indirect Cost (Line 16 X Line 15)	\$8,221	\$8,221
18	Capital/Subcontractor Expenditures	\$0	\$0
19	Total Expenditures	\$90,000	\$90,000
20	HSA Revenues		
21			
22	General Fund	\$90,000	\$90,000
23			
24			
25			
26			
27			
28			
29	TOTAL HSA REVENUES	\$90,000	\$90,000
30	Other Revenues		
31			
32			
33			
34			
35			
36	Total Revenues	\$90,000	\$90,000
37	Full Time Equivalent (FTE)	1.07	
39	Prepared by: Jessica Garcia	Telephone No.: 415-553-3407	Date: 05/10/2018
40	HSA-CO Review Signature: _____		
41	HSA #1	10/25/2016	

	A	B	C	D	E	F	G	
1	Appendix B, Page 2							
2	Date: 9/23/2019							
3								
4	Program: Legal Services							
5	(Same as Line 9 on HSA #1)							
6								
7	Salaries & Benefits Detail							
8								
9								
10						10/1/19-6/30/20	10/1/19-6/30/20	
11		Agency Totals		HSA Program		DAAS	TOTAL	
12	POSITION TITLE	Annual Full Time Salary for FTE	Total FTE	% FTE funded by HSA (Max 100%)	Adjusted FTE	Budgeted Salary	Budgeted Salary	
13								
14	Senior Law Attorney	\$55,000	100%	47%	0.47	\$25,695	\$25,695	
15	Senior Law Legal Assistant	\$42,240	100%	47%	0.47	\$19,733	\$19,733	
16	Admin/Legal Assistant	\$46,214	100%	13%	0.13	\$6,123	\$6,123	
17								
18								
19								
20								
21								
22								
23								
24								
25								
26								
27								
28	TOTALS	\$143,454	3.00	107%	107%	\$51,551	\$51,551	
29								
30	FRINGE BENEFIT RATE	25%						
31	EMPLOYEE FRINGE BENEFITS	\$35,864				\$12,889	\$12,889	
32								
33								
34	TOTAL SALARIES & BENEFITS	\$179,318				\$64,440	\$64,440	
35	HSA #2							10/25/2016

	A	B	C	D	E	F	G
1	Appendix B, Page 3						
2	Date: 9/23/2019						
3							
4	Program: Legal Services						
5	(Same as Line 9 on HSA #1)						
6							
7	Operating Expense Detail						
8							
9							
10							
11							
12	<u>Expenditure Category</u>			<u>TERM</u>	<u>10/1/19-6/30/20</u>		<u>TOTAL</u> <u>10/1/19-6/30/20</u>
13	Rental of Property				\$3,824		\$3,824
14	Utilities(Elec, Water, Gas, Phone, Garbage)						
15	Office Supplies, Postage				\$897		\$897
16	Building Maintenance Supplies and Repair				\$382		\$382
17	Printing and Reproduction				\$161		\$161
18	Insurance				\$1,652		\$1,652
19	Staff Training				\$362		\$362
20	Staff Travel-(Local & Out of Town)				\$229		\$229
21	Rental of Equipment				\$2,299		\$2,299
22							
23	CONSULTANTS						
24	Halpert CPAs				\$1,000		\$1,000
25	Gabriel Negrete (Budgeting)				\$2,000		\$2,000
26	NOW CFO Outsourced Accounting (Invoicing)				\$598		\$598
27	Computer Consultant				\$459		\$459
28	Janitorial Service				\$619		\$619
29	Auditor				\$1,000		\$1,000
30							
31	OTHER						
32	Bar Dues				\$93		\$93
33	AILA (American Immigration Lawyers Association)				\$125		\$125
34	Computer Hardware				\$764		\$764
35	Updates to Practice Guides				\$50		\$50
36	Phone Service				\$825		\$825
37							
38	TOTAL OPERATING EXPENSE				\$17,339		\$17,339
39							
40	HSA #3						10/25/2016