

Justice Quarterly Spring 2014

News for Advocates from Vermont Legal Aid

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VHAP and CATAMOUNT END; VERMONT HEALTH CONNECT DEADLINE IS MARCH 31st

Vermonters should pay attention to this date to avoid the risk of having to wait until 2015 for health insurance coverage.

Vermont's Catamount and VHAP programs will end March 31, 2014.

To avoid any gap in coverage, Vermonters who have Catamount or VHAP now should have confirmed a plan through Vermont Health Connect **by March 15** and paid any premium owed by March 31. Those who don't **enroll by March 31** will have a two-month grace period (until **May 31**) to enroll in a new plan through Vermont Health Connect.

Those who enroll between March 15 and May 31 may experience a one-to-three-month gap in coverage, depending upon when they enroll and pay. Individuals who have been on Catamount or VHAP and don't enroll in a Vermont Health Connect plan by May 31 will have to wait until January 1, 2015 to be covered by a health care plan unless they can get insurance through their employer, become eligible for Medicaid, or have a [qualifying event](#). Open enrollment for January 2015 Vermont Health Connect plan coverage begins on November 15, 2014.

Vermont Health Connect open enrollment ends March 31

Uninsured Vermonters who don't enroll in an insurance plan through Vermont Health Connect by March 31 will have to wait until January 1, 2015 at the earliest to be covered by a Vermont Health Connect plan - unless they become eligible for Medicaid or have a [qualifying event](#). See the [announcement](#) on our Vermont Law Help website for more details and information about ways to enroll in and pick a Vermont Health Connect plan.

NEW ON THE VERMONT LAW HELP WEBSITE

[Vermont Law Help](#) has a revised, [robust tax section](#) that focuses on tax issues that are especially helpful for low income taxpayers. It includes:

- [5 simple tips](#) for 2014 to help low income taxpayers
 - hold onto their hard-earned money by avoiding "rapid refund" loans
 - get free tax filing help
 - get the tax credits they qualify for
- [How to track IRS and Vermont refunds](#) and what their rights are if all or some of their refund is withheld to pay a debt

The website also has a new [Health Care Policy](#) page that includes recent Health Care Advocate policy papers and comments on proposed policies affecting Vermonters.

The Disability Law Project recently posted a link to the [Department of Defense Education Directory for Children with Special Needs](#) to help military families make informed assignment decisions and easier transitions.

HOUSING TESTING PROJECT FINDS DISCRIMINATION

Between 2012 and 2013, Vermont Legal Aid conducted 286 paired rental tests, and 10 accessibility audits (measuring compliance with accessibility standards required under the Federal Fair Housing Act). Testing results indicate that housing providers disfavor African American renters, renters of foreign origin, renters with children, and renters with disabilities, and they favor white renters of U.S. origin without an apparent disability or children. The results reflect preferential treatment toward the white U.S. renters in 45% of the familial status tests, 44% of the national origin tests, and 36% of the race-based tests. In 22% of the tests conducted on the basis of disability, housing providers indicated preferential treatment toward the renter without an apparent disability, and in 80% of the accessibility tests conducted, some level of noncompliance with FHA accessibility requirements was found. The full Rental Discrimination Report will be available in April on our website, www.vtlegalaid.org

MHLP SUCCESS IN VOLUNTARY TREATMENT CASE

The Mental Health Law Project recently had a great success in a case asserting the patient's right to seek voluntary treatment. A young woman was hospitalized for obsessive-compulsive disorder and immediately began asking to be a voluntary patient. The Department of Mental Health filed an application for involuntary treatment against her, and although over the ensuing weeks she kept asking for voluntary treatment the State continued to pursue an involuntary commitment. On the day set for trial she again asked to be accepted as a voluntary patient, but because her OCD prevented her from signing the voluntary admission form she insisted on commitment.

Brigid Lynch, the client's MHLP attorney, requested a reasonable accommodation to hold the trial at the hospital and to have her accepted as voluntary even if she could not sign the form.

The court granted her motion. Finally, three days before the trial was scheduled, she signed the form and was accepted as a voluntary patient, and the commitment case has been dismissed. This resolution enabled our client, who knew she needed treatment and was actively seeking it, to obtain treatment voluntarily, as Vermont law prefers, and avoid an order of commitment.

VICTIMS COMPENSATION SERVICES

The Vermont Center for Crime Victim Services (VCCVS) is working to improve its Victims Compensation Program, with specific attention to improving access for victims with disabilities and victims who are seniors. Through the *Vermont Victims Compensation Initiative*, the VCCVS is conducting a statewide needs assessment to identify gaps in service. The Center also wants to gather suggestions for how it can better meet the needs of those who are eligible for compensation, but who have not been able to access the program. The Center will use this information to adopt new technologies, practices and policies that make Victims Compensation a more accessible and accommodating program - for *all* victims of crime in Vermont. If you would like more information on this initiative, or would like to provide comments, please contact Mandy Park at 802-241-1250 x 114 or mandy.park@ccvs.sate.vt.us

NATIONAL REPORT ON LOW INCOME TAXPAYER CLINICS RELEASED

Regular readers of Justice Quarterly know that Vermont Legal Aid has a special project to help low-income taxpayers with IRS problems. Our Tax Project is part of a nationwide program of Low Income Taxpayer Clinics funded by the IRS Taxpayer Advocate Service. In February, the Low Income Taxpayer Clinic program office released a report on how LITCs assist thousands of low income taxpayers nationwide with pro bono representation, education, and advocacy services. The report provides an overview and history of the LITC Program, discusses the type of work the LITCs perform, and explains how their work helps ensure the fairness and integrity of the tax system.

The Low Income Taxpayer Clinic Program Report is available at <http://www.irs.gov/pub/irs-pdf/p5066.pdf>.

Please refer clients who have received any IRS notice to VLA's Low Income Taxpayer Project at (800) 889-2047, or in Washington, Orange, or Lamoille counties to the Central Vermont Low Income Taxpayer Clinic at 802-479-1053.