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TESTIMONY BEFORE THE APPROPRIATIONS COMMITTEE IN OPPOSITION TO GOVERNOR RELI'S MARCH 1ST PROPOSED DEFICIT MITIGATION PLAN

Good afternoon, Chairpeople and Committee Members. I am Randi Mezzy, an attorney with Connecticut Legal Services, one of four agencies in the state that work to enforce and protect the legal rights of poor people.

The Governor's plan to eliminate paying attorneys' fees when a SAGA recipient is successfully represented by counsel in an SSI appeal, is penny-wise but pound foolish. **The financial benefits to the state by continuing those fees will far outweigh the savings of \$200,000/year the Governor seeks by eliminating these attorneys' fees.**

Legal Services attorneys have been representing SSI applicants in appeals for over 30 years. It is a complex process to navigate, as well as having innumerable rules and nuances to follow in order to gain eligibility for the SSI program that provides, at present, **\$674/month** to its beneficiaries.

Keep in mind that applicants are, by definition, people with a disability, often uneducated, often with limited English skills, and are very often, people with mental illness. The typical process of applying, being denied, asking for reconsideration within a specific time period, being denied again, and then asking for a hearing before a judge within 60 days is terribly daunting for even the most sophisticated applicant. But we do not typically represent sophisticated applicants.

We represent many SAGA recipients: adults without children who have been determined by DSS to be "unemployable," in order to be eligible for either \$50 or \$212 per MONTH, depending on their living arrangements. SAGA recipients are required to apply for SSI, as a condition of eligibility for SAGA. So each of the approximately 4500 current SAGA cash recipients has filed an application for SSI benefits. Some are pending, but many have been denied, and that means the SAGA recipient could stay on the SAGA rolls indefinitely.

With the help of an attorney, however, those denied applications could become successful SSI grants. This means:

- The SAGA recipient moves to SSI, **ending the \$212/month CT now spends on that person.**
- The State of Connecticut is, by law, entitled to reimbursement for all months of SAGA that correspond with retroactive SSI-eligible months. Because it takes quite a while to navigate the SSI process, **Connecticut will receive hundreds or thousands of dollars in reimbursement money** from the successful SSI applicant's retroactive benefits.



- SSI eligibility means automatic Medicaid eligibility, so **instead of spending 100% SAGA Medical state dollars on the successful SSI applicant's care, CT will be sharing those expenses** with the federal government, with the matching funds Medicaid provides.

It's easy to see how these financial benefits to the state will far outweigh the savings of \$200,000/year the Governor seeks by eliminating these attorneys' fees.

Does every SAGA applicant need an attorney to get SSI? No, but let me show you how an attorney makes a difference:

- Medical records are the key to success at an SSI hearing. SAGA recipients get all of their medical care from busy clinics. Doctors don't have the time or the desire to fill out long SSI forms.
So SSI attorneys spend lots of time cajoling clinic doctors to fill out the necessary forms, and explaining what SSI terms of art mean in order to give the doctor an understanding of what she is being asked. SSI has a language all its own, and SSI attorneys act as the translators for busy medical professionals!
- Some SAGA recipients need special testing. SSI attorneys advocate for tests such as neuropsychological exams, without which the SAGA recipient could not prove her case.
- Some SAGA recipients have what the SSI regulations call "a combination of impairments." That means that alone, the person's bad back is not disabling, but perhaps the effects of the medications she takes to prevent non-disabling epileptic seizures further compromise her ability to work. Without an attorney to point out the legal link between the two non-disabling conditions that makes them meet the definition of a disabling condition, an SSI application is likely to be denied, and an appeal lost.
- We can obtain school records for an adult SSI applicant when we learn that he was in special education 20 years ago. The effect of having the applicant testify about being in special education versus actually having those educational records before the judge is huge.

We take the extra time to seek out these SAGA clients -- we go to the shelters and state institutions to meet with them. We represent many non-English speaking clients. We represent clients no one else will represent because the cases are not sure winners and need a lot of work to succeed; in fact, private attorneys often refer these cases to us. We take cases for the duration, i.e., we appeal all meritorious cases to the Appeals Council and federal District Court; many private attorneys won't do appeals because they are time-consuming.

In addition, the attorneys' fees we receive subsidize our representation of other DSS clients, for whom we get no fees at all, such as TFA parents and children, which also saves the state money when the TFA benefit is reduced because of SSI income.

Although it has recently become legal to do so, we don't believe we should collect a fee from SSI clients' retroactive benefits. After the reimbursement to DSS for months of SAGA, there may not be much left for the client who has survived on \$212/month for years and who has no resources to secure an apartment and furnishings, clothing, etc. We believe that it is not right for us to take money from a retroactive award in a poverty-based program. That retroactive award should be used to get the former SAGA recipient on his or her feet: find a place to live, get some new clothes, and so on.

With proposed new cuts to the SAGA Medical program, including the elimination of access to non-emergency transportation, SAGA recipients face an even more difficult battle to attain eligibility for SSI. Retaining legal fees for Legal Services attorneys is a wise investment for the State of Connecticut. Please reject the Governor's cuts.