



# Medical-Legal Partnership Resource Guide for Farmworker-Serving Health Centers and Legal Services Organizations

**Farmworker Justice & Health Outreach Partners**



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## Introduction



Farmworker Justice (FJ) and Health Outreach Partners (HOP) are national organizations that provide training and support to community-based organizations serving migrant and seasonal farmworkers and other underserved populations. While our work with these organizations has uncovered a strong need for collaboration, we have also observed some highly responsive, creative, and effective partnerships that deserve attention.

Our nation's farmworkers endure unsafe living and working conditions. Yet they are often reluctant to seek out help due to fear of employer retaliation, lack of health insurance, or documentation status. FJ and HOP developed this resource to encourage health and legal services organizations to work together to better meet the needs of the farmworkers they serve. We began by reviewing existing research and conducting informational interviews with migrant health and legal services organizations. In total, 17 migrant health and legal services organizations from across the country participated in short structured interviews to explore the components of their existing medical-legal partnerships. FJ and HOP then analyzed the data and organized it around key themes. The resulting resource is a collection of benefits, considerations, recommendations, and resources based on information gathered through this process.

This document provides an overview of medical-legal partnerships (MLPs) for organizations serving farmworkers. It reflects some of the framework and insights of the MLP toolkit developed by the National Center for Medical-Legal Partnership at George Washington University.<sup>1</sup> While farmworker-serving organizations provided the information featured and are the primary focus of this resource, much of the content is also relevant to organizations that work with other underserved populations, such as day laborers and other low-wage immigrant workers.

By presenting information on some of the key challenges and strategies from the field, we hope to provide both health centers<sup>2</sup> and legal services organizations with tools they can use to develop a medical-legal partnership or strengthen an existing partnership. The recommendations provided are geared towards a variety of staff from these organizations, including front-line staff, outreach program managers, attorneys and paralegals, senior leadership, and board members.

<sup>1</sup> An updated toolkit for MLPs will be released in early 2014; see [www.medical-legalpartnership.org](http://www.medical-legalpartnership.org) for additional tools and resources.

<sup>2</sup> In this document, the term "health center" is used to refer to organizations that receive grants under the Health Center Program as authorized under section 330 of the Public Health Service Act (referred to as "grantees"), including Federally Qualified Health Centers (FQHCs) and FQHC Look-Alikes, which meet all the Health Center Program requirements but do not receive Health Center Program grants.

## What is a Medical-Legal Partnership?

Community health has expanded in recent years to address the social determinants of health. To improve health and well-being, health centers, legal services organizations, and other farmworker-serving organizations need tools to address the social, economic, and political context in which people live. A medical-legal partnership is one such strategy. A medical-legal partnership is a healthcare delivery model that integrates legal care into the healthcare setting to address the social determinants of health.

According to the National Center for Medical-Legal Partnership, integration of legal services into a healthcare setting is the key to successful medical-legal partnerships. The National Center for Medical-Legal Partnership uses the following framework to show levels of collaboration between health and legal services organizations.<sup>3</sup>

AUTONOMY		INTEGRATION	
	Referral Network	Partially Integrated MLP	Fully Integrated MLP
Healthcare institution's view of legal services	Legal needs loosely connected to patient well-being; Legal professionals are valued allies, but separate from HC services.	Legal needs connected to patient health; Legal care is complimentary/ancillary to HC services.	Legal needs are tightly connected to patient health; Legal care is an integrated part of HC services.
Relationship between healthcare and legal institutions	Small legal team loosely connected to small number of HC providers who make case referrals for individual assistance.	Legal agency formally recognized by HC institutions as a partner, but services only restricted to single unit/clinic. HC engagement at front-lines, but not within HC administration.	Legal institution formally recognized by HC institution as part of healthcare team and service system. HC engagement at all levels including administration.
Patients' access to legal care	Patients have inconsistently screened for health-harming legal needs and have inconsistent access to legal assistance from lawyers. No clinic, population health or preventive legal care offered by institution.	Screened clinic patients get regular access to legal care, but not all patients and not across institution. Little clinic, population health or preventive legal care offered by institution.	All patients are screened for same health-harming legal needs and have some regular access to legal assistance from lawyers. Clinic, population health and preventive legal care regular part of institution's practice.

Collaborations between health and legal services organizations can range from referral networks to fully integrated partnerships that completely involve legal services in the health care team. Farmworker-serving MLPs may focus on access to workers' compensation or farmworker camp access for health centers. Legal providers (such as attorneys, paralegals, and legal services outreach workers) may also work with front-line health center staff (such as clinicians, outreach workers, *promotores de salud*, community health workers, case managers, or front-desk staff) to screen for legal problems related to housing, immigration, disability, and other situations that lead to stress and make health problems worse.



*"We have been able to address the policy and systems issues. None of that could happen without the partnership."*

- Health Center CEO, West Coast

<sup>3</sup> National Center for Medical-Legal Partnership. Medical-Legal Partnership Toolkit - Phase I - Laying the Foundation. (2014). Available at [www.medical-legalpartnership.org](http://www.medical-legalpartnership.org).

# Why Engage in a Medical-Legal Partnership?

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Many farmworkers experience issues that are both medical and legal. Often, these issues are closely connected. For example, a farmworker who suffers an injury after falling while picking apples may be entitled to workers' compensation insurance benefits. A child with lead poisoning likely lives in substandard housing. A medical-legal partnership encourages a multidisciplinary approach to farmworker health and safety.

## Benefits for health centers:

- Increase revenue to the health center through successful workers' compensation applications
- Enhance screening tools for patients
- Encourage knowledge-sharing about farmworker issues including workers' compensation, immigration, and occupational safety and health
- Promote the coordination and sharing of resources
- Build coalitions or relationships with other advocates who care about the well-being of farmworkers
- Influence policies that impact a large number of farmworkers in your area or state

## Benefits for legal services organizations:

- Help with "issue spotting" and identifying clients
- Educate advocates about the pressing health issues that affect farmworkers
- Educate a larger pool of attorneys in the private bar to represent farmworkers
- Encourage knowledge-sharing about farmworker issues including workers' compensation, immigration, and occupational safety and health
- Promote the coordination and sharing of resources
- Build coalitions or relationships with other community leaders who care about the well-being of farmworkers
- Influence policies that impact a large number of farmworkers in your area or state
- Allocate and target resources aligned with health center priorities

## Benefits for farmworkers:

- Empower farmworkers to improve their health, living, and working conditions by connecting them to both health and legal services
- Educate farmworkers about their legal rights and available sources for healthcare
- Integrate the medical and legal needs of farmworkers, thus promoting a whole-person approach to farmworker health
- Assist injured or ill farmworkers to navigate the state workers' compensation system, and maximize their benefits so that they can focus on recovery and career longevity rather than worrying about lost wages in the short-term
- Address systemic problems that lead to poor health outcomes; this reduces the time and money spent on repeat doctor visits and prevents long-term negative health effects
- Educate a larger pool of attorneys in the private bar to represent farmworkers



### **Maine: Legal representation on migrant voucher program Board of Directors**

In Maine, an attorney from a local legal services organization serves on the board of a migrant voucher program. By being a part of the Board of Directors, legal advocates have direct input into decisions at a management level, which impacts the availability of services to the farmworker population. It also allows for better coordination between legal services and access to healthcare for farmworkers through the sharing of information, such as farmworker camp locations, and the provision of referrals during outreach.

# Challenges Experienced by Farmworker-Serving Organizations

A medical-legal partnership can begin informally. Many start as a conversation between two outreach workers who meet while doing outreach to farmworkers in the fields. Others emerge from a coalition of community advocates. Like any collaboration, MLPs face many challenges. Consider the following challenges and innovative practices when thinking about forming an MLP.



*“One of the pediatricians approached both Executive Directors about initiating this program. Both organizations thought it would be a great idea, and they both serve the same clients. That was what started the process.”*

- Attorney, Midwest

## Funding

Health centers and legal services who want to engage in an MLP will need to consider how they will allocate or raise funds to support the MLP activities. Funding varies depending on its size, type of assistance provided (paid or pro bono), and the number of patients or clients served. Funding cuts or the loss of a grant can threaten the sustainability of the partnership.

### Innovative practices

MLPs should consider a variety of medical and legal resources, including grants from federal and state agencies, private foundations and universities. Students from local professional schools (law schools, medical schools, nursing schools, or social work schools) can provide additional staff support to the MLP. An MLP on the East Coast partners with a local medical school to assist with client intakes at the legal services organization.

To coordinate funding and maximize resources, another MLP established a leadership team to manage the fiscal needs of the partnership. In addition to overseeing the MLP's budget, the leadership team seeks out funding opportunities for the MLP. Programs may want to consider piloting an MLP and tracking the outcomes of the referrals. The demonstrated success of the pilot program may help raise money to expand the MLP.



### Texas: Paralegals in the health center

At a Texas health center, patients can talk to a paralegal while at the clinic. The paralegal, who is at the clinic four days a week, answers patients' questions and takes down information related to housing, education, healthcare, and public benefits, which is later reviewed by an attorney. Some patients are referred to the paralegal by health center staff. Everyone at the health center is involved in the partnership, working together to connect patients to the legal services they need. By having a paralegal on-site, patients have access to legal resources on issues that impact their health and well-being.

# Challenges Experienced by Farmworker-Serving Organizations

## Staffing

Staff turnover and busy schedules can be challenging for an MLP. Many outreach workers and *promotores de salud* work seasonally. There can be a learning curve for new staff in making connections and building trust with the farmworker community.

### Innovative practices

Start small and focused. Staff roles must be clearly defined. Writing down these roles will ensure that new staff can quickly and easily plug into the MLP.

Establish a point of contact and referral system within each organization involved in the partnership. Oftentimes, the point of contact is the Outreach Director. It is preferable to have a full-time or non-seasonal staff member as the point of contact so communication continues throughout the year.

Several MLPs meet before the start of the harvest season to plan activities, including trainings and outreach. They continue to meet regularly during the season. Regular meetings may be difficult to coordinate, but as one MLP emphasized, it is important to come together and discuss each other's efforts. In-person meetings are ideal. However, conference calls may be easier to plan, especially if partners are in different areas of the state.

## Recognition of Health and Legal Issues

Patients may be reluctant to open up to clinicians about legal issues or may not recognize that their health is connected to their living and working conditions.

### Innovative practices

Front line staff on both sides of the partnership need to recognize how health and legal issues are related. They need to be aware of the resources available for clients to resolve their health and legal issues.

Many MLPs provide training to health center and legal services staff (including outreach staff) on issues impacting farmworker health such as pesticides and housing. Health centers often invite legal services partners to participate in health fairs and community meetings with farmworker patients.



*“Make sure you have direct contact and that you explain what you are doing and spend time building the relationship. If you don’t, there are a lot of misconceptions.”*

- Legal Services Executive Director, East Coast



*“Our needs assessment work confirms that health center staff understand the importance of addressing the social determinants of their patients’ health and that many of their patients would benefit from access to free legal services. The greater question is how health centers and legal services providers can best work together to address these issues. Successful and sustainable collaborations require potential partners to identify their capacity and constraints in order to align expectations and priorities.”*

-Attorney, East Coast



# Challenges Experienced by Farmworker-Serving Organizations

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## Impact on Existing Relationships

Employers and landlords may feel threatened by a legal presence at farmworker camps. Many health centers have worked to gain the trust of employers and landlords to reach farmworkers in the fields and at home. Many health centers have employers on their Board of Directors. A health center may be worried about sharing specific information with legal services or may not want to advertise the partnership. As a legal services organization, it may be beneficial to discuss non-farmworker specific services that the office can provide to health center patients.

### Innovative practices

Farmworker-serving MLPs may be informal. A health center and legal services organization may hand out each other's materials but not do outreach together. One MLP uses an ombudsman program to provide referrals. The health center, as the ombudsman grantee, hires individuals (law students or law advocates) to hand out information to farmworkers. The ombudsman provides the referrals to the legal services organization. A health center involved in another MLP sometimes calls the employer directly when an issue of concern (such as housing) is brought up by a legal services partner, allowing the employer an opportunity to address the issue.

## Workers' Compensation

One needs to quickly identify occupational injuries and illnesses so that farmworkers receive help with filling out potential workplace-related claims as soon as possible. Healthcare providers can facilitate the workers' compensation process. Farmworkers are often reluctant to report their work-related injuries or illnesses due to fear of employer retaliation. It is up to healthcare providers to identify the cause of injury or illness and to initiate the workers' compensation claim. However, the workers' compensation system can be complicated and confusing. When targeting workplace health and safety, it is beneficial to have a legal advocate with specialized knowledge of the workers' compensation system who can address the barriers farmworkers face in filing workers' compensation claims.

### Innovative practices

An MLP in California holds monthly workers' compensation clinics. Injured workers are interviewed by volunteer attorneys, who then help initiate workers' compensation claims. A local health insurance company also trained the health center's administrative staff on workers' compensation billing procedures. MLPs can develop a system to identify and refer injured or ill farmworkers, either during outreach or patient/client intake. It is important to note that not all states cover agricultural workers under workers' compensation. To find out if your state covers agricultural workers under workers' compensation, you can go to the workers' compensation resources section on the [Farmworker Justice website](#).



### North Carolina: Joint trainings

In a partnership in North Carolina, health centers and legal services organizations work together to train outreach workers on a number of issues affecting farmworkers. Legal staff work with health center staff to ensure farmworker access to health services. In addition, staff from legal services provide trainings to health center staff on workers' compensation in order to clarify any confusion about the role of the provider in workers' compensation claims.

# Challenges Experienced by Farmworker-Serving Organizations

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*“Don’t be intimidated by medical-legal partnerships. Think expansively about how your legal work intersects and how your outreach workers help the partnership.”*

- Attorney, West Coast

## Evaluation

Evaluation is often challenging. It is important to document what the MLP does and evaluate its impact. This can provide accountability to stakeholders and funders, as well as information that will help to continually improve the partnership. Evaluation gives you the documentation to show the true value of your efforts.

### Innovative practices

Look at what the partnership seeks to do and whether or not it is accomplishing its goals. Some partnerships use client feedback surveys to assess satisfaction with services. MLPs can also collect stories about the way the program has helped to address clients’ medical and legal needs. If the MLP involves cross trainings, the evaluation can focus on how trainings have improved job performance. Evaluating policy change looks at how specific policy changes made by the MLP have impacted the health and quality of life of farmworkers in the community. While any program should be tracking user numbers, one MLP also began tracking workers’ compensation payments as a way to measure positive outcomes. Depending on the scope of work of the MLP, tracking the percentage of MLP clients whose medical visits are paid for by workers’ compensation may be an indicator of the success of the partnership.



### California: Access to workers’ compensation

The Agricultural Workers’ Access to Health Project (AWAHP) provides outreach, education and access to legal and medical clinics for agricultural and other low-wage workers who have experienced a work-related injury or illness. The partners, California Rural Legal Assistance, Watsonville Law Center, and Salud Para La Gente, help individuals access medical treatment and other important benefits under workers’ compensation. AWAHP also leads the Workers’ Compensation Enforcement Committee, a statewide collaborative of government agencies and non-profit organizations committed to eliminating barriers faced by agricultural and other low-wage immigrant workers in the workers’ compensation system. The overall goal of the collaborative is to improve access to workers’ compensation benefits through reporting, enforcement, and the development of more effective statewide policies.

# Recommendations for Farmworker-Serving Medical-Legal Partnerships

A strong MLP blends the expertise of multiple professionals to provide quality services. These partnerships provide farmworkers with access to services they may not have otherwise. The National Center for Medical-Legal Partnership (NCMLP) outlines steps that health and legal services organizations should take before engaging in an MLP. Below are recommendations for organizations interested in pursuing an MLP based on these steps and the experiences of staff working in MLPs that serve farmworkers.

## Examine the Specific Health and Legal Needs in Your Community

Before laying the groundwork of an MLP, it is important to assess the health and legal needs of your community. The National Center for Medical-Legal Partnership suggests a community needs assessment to gather demographic information about your community. You can find NCMLP's community needs assessment scan by going to their MLP toolkit available at [www.medical-legalpartnership.org](http://www.medical-legalpartnership.org).

## Build Relationships between Health Centers and Legal Services Organizations

Meet with your potential MLP partners. Find out what services each partner offers and discuss potential collaborations between organizations. It's important to take time to "get to know" your partner to ensure a flexible and robust partnership.

## Conduct an Assessment of Your Organization and Your Partner Organization

Create a list of strengths, weaknesses, barriers and challenges for your organization and your potential partners. Strengths and weaknesses include human resources, physical resources, activities, etc. Opportunities and challenges include future trends (local, regional, or national), funding sources, and policy. These assessments assist in strategic planning and ensure that the partnership is a good fit for both organizations. A sample assessment can be found in NCMLP's medical-legal partnership toolkit available at [www.medical-legalpartnership.org](http://www.medical-legalpartnership.org).



*"Migrant healthcare providers want to take some action that will help their patients. They have a stake and sincere and deep desire to help their patients. If that means getting them legal assistance, they are more than willing to work with us."*

- Attorney, Midwest

# Recommendations for Farmworker-Serving Medical-Legal Partnerships

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## Have a Discussion about Public Perception of the Partnership

Knowing the organizations' reputations in the community and how likely it is that community members will trust the partnership is one of the essential pieces of setting up an MLP. Health centers often need to consider the perception of employers. When health centers are perceived to facilitate workers' connections to legal services, employers may respond by restricting the health centers' access to workers. This may put farmworker access to health services at risk. Discuss this important consideration and how to navigate this dynamic within the partnership. This discussion could include how public the partnership will be, messaging about the benefits of the partnership, as well as potential unintended impacts of the partnership and how to handle some of these impacts.

## Create a Shared Vision for the Partnership

Have an initial discussion about common areas for partnership, level of commitment, availability, communication, and points of contact. Mutual respect for each other's work and a shared vision is necessary for a successful partnership.

## Define a Realistic Scope of Work

Understand the realities and limitations of each partner organization. Have staff attend each other's meetings at the beginning of the harvest season as they plan activities. Be clear about boundaries and upfront about your goals. Create a shared work plan that defines the parameters of the partnership. Decide how to carve out time dedicated to tasks specific to the partnership.

## Develop a Budget

As with any program, it is important to document the resources available to you, as well as the operating costs (staffing, supplies, equipment, work space, etc.). Budgeting will help you determine your capacity and the financial needs of your program. Some programs have found that creating a formal partnership can be helpful in leveraging resources.

## Clarify Specific Roles in the Partnership

Start off with an understanding of the structure of each organization. Think ahead about what each organization needs to do. Define the contact person who is a champion of the partnership for each organization and clarify their roles within the partnership. Strong support from staff and leadership makes the work easier and more effective.

## Communicate Regularly

Face time is important. Have open communication and regular monthly or bi-monthly meetings with all stakeholders involved in the partnership. Spend time building the relationship. Avoid misconceptions and be patient with each other. Share the outcomes of the MLP referrals with your partners.

# Recommendations for Farmworker-Serving Medical-Legal Partnerships

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## Have a Legal Partner Participate on the Board of Directors of the Health Center

The presence of legal services staff on the Board of Directors can provide health centers with direct input on various legal issues. But be aware that this can lead to conflict if employers also sit on the Board of Directors. Assess the potential impact and decide how to balance the benefit with the unintended consequences it may have.

## Privacy Considerations

Whenever two or more organizations share information about clients, it is important to develop privacy protections. Clinicians may be especially reluctant to refer patients to legal services due to HIPAA (Health Insurance Portability and Accountability Act) rules. Patients or clients may need to sign a release before an organization can disclose information to its MLP partner. Develop a mutual understanding about how to protect confidentiality and ensure that you are consistent with the policies of your organization.

## Possible Partnership Activities

- Set up a system for cross-training. Identify what types of trainings are needed for each organization and what content the other organization(s) can provide. Clinicians and outreach workers often need support in identifying legal issues. Legal staff may also require support to understand how to navigate health systems.
- Create a referral system. Be careful not to share confidential information.
- Host town hall meetings and conduct presentations to provide education, promote awareness, and address legal/health questions for the community. Educate workers about their rights. Migrant and seasonal farmworkers, and H-2A agricultural workers in particular, benefit from understanding their rights to a safe and healthy workplace. Coordinate this education between health and legal partners.
- Build workers' compensation into the health billing system. This can generate additional revenue for a health center.



## Conclusion & Additional Resources



We hope that this resource has provided you with an overview as well as some practical tips and strategies for navigating medical-legal partnerships in the context of farmworker health and well-being. For more information about starting a new MLP or strengthening an existing partnership, we have compiled a list of helpful resources.

*Starting Your Own Medical-Legal Partnership: A Step-by-Step Toolkit to Implementing the MLP Model* – Toolkit developed by the National Center for Medical-Legal Partnership  
Available at <http://www.medical-legalpartnership.org/resources>

*Guidebook: Model Tools for Community Health Centers in California – Providing Medical Services to Low Wage Workers with Job Injuries* – Developed by UC Berkeley School of Public Health's Center for Occupational and Environmental Health and the Watsonville Law Center  
Available at <http://www.lohp.org/docs/pubs/workerscomp/MedicalServicesToWorkers-2012.04.10.pdf>

*Medical-Legal Partnerships: Developing and Expanding Outreach Services to Address Legal Needs of Underserved Populations* – Article written by Health Outreach Partners  
Available at <http://outreach-partners.org/resources/outreachconnection/166>

*Medical-Legal Partnership for Children in Hawaii*. Medical-Legal Partnership for Children - Hawaii (MLPC). Kookia Kalihi Valley Comprehensive Family Services, Honolulu, HI – Innovative Outreach Practice  
Available at <http://outreach-partners.org/resources/outreachconnection/168>

*Integrating a Legal Resource Calendar with Health Outreach*, Quincy Community Health Center – Innovative Outreach Practice  
Available at <http://outreach-partners.org/resources/outreachconnection/167>

*Medical-Legal Partnerships For Farmworker Health and Legal Service Organizations* – Recorded webinar developed by Health Outreach Partners and Farmworker Justice  
Available at <http://outreach-partners.org/resources/ptp>

*Why Doctors Need Lawyers: The Sea Mar Medical-Legal Partnership* – Sea Mar Community Health Center and Northwest Justice Project  
Available at <http://farmworkerjustice.org/content/health-initiatives-resources>

*A Guide to Workers' Compensation for Clinicians Serving Agricultural Workers* – Developed by Farmworker Justice and Migrant Clinicians Network  
Available at <http://farmworkerjustice.org/content/health-initiatives-resources>

*Farmworker Legal Services Directory*  
Available by contacting [Farmworker Justice](#)

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