

TEXAS
LEGAL
SERVICES
CENTER

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TLSC

OVERVIEW OF PROGRAMS

TRAINING:

BENEFITS COUNSELOR

QUALIFICATIONS

MEDICAID ELIGIBILITY: QIT

MEDICAID ELIGIBILITY: TODD

TLSC CONTACT INFO

TLSC

Who is TLSC?

- Founded in 1977, TLSC is a nonprofit organization which manages more than a dozen practice areas and serves all 254 Texas counties.
- Our mission is to ensure equal justice for all Texans by providing legal advice, advocacy, education, and by empowering, and representing vulnerable and underserved Texans while reshaping the greater legal system that impacts us all.

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- OVERVIEW

Overview of services offered



WE HELP WITH

Family, Parenting, and Child Welfare

Supporting families and individuals through domestic legal matters, such as custody, visitation rights, child support, child safety, and name changes.

- Parenting Order Livechat (POLL)
- Family Helpline



WE HELP WITH

Accessing Government Benefits

Helping you get the Medicare
and Medicaid.

- Legal Hotline for Texans
(LHT)



WE HELP WITH

Senior Retirement

Offering support, education, and guidance for legal matters that affect us later in life.

- South Central Pension Rights Project



WE HELP WITH

Overcoming Violence, Abuse, and Stalking

Helping individuals who've experienced domestic violence, sexual abuse, and other violent crimes stay safe, receive financial compensation, and work through numerous legal considerations.

- Crime Victims Legal Services
- LASSA Hotline(Sexual assault)



WE HELP WITH

Discrimination and Social Justice

Challenging inequities faced by people with disabilities, people of color, immigrants, women, and the LGBTQ+ community.

- Impact Litigation



WE HELP WITH

Employment and Work-Related Concerns

Expunging criminal records, helping acquire occupational driver's licenses, and removing other legal barriers that hold you back from landing a job.

- Virtual Self-Help Center



WE HELP WITH

Accessing Military Benefits and Other Veterans Issues

Helping veterans and their families in most civil legal matters, including military discharge upgrades and accessing VA benefits.

- Texas Veterans Legal Assistance



WE HELP WITH

Housing and Financial Matters

Ensuring your home is a safe place to live, and helping you navigate bankruptcy, debt collection, and other financial issues.

- Eviction Helpline
- Veterans Foreclosure Prevention Project

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TRAINING OFFERED

What is offered?

Texas Legal Services Center is the sole contractor partnered with Health and Human Services to train and certify Benefits Counselors as BC1 and BC2 pursuant to the Texas HICAP program,

The counselors may then help callers regarding Medicare and Medicaid questions related to SHIP and MIPPA matters including assisting with finding Medicare plans during periods of open enrollment.

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Who can be certified?

To be certified as a Benefits Counselor in the Texas HICAP program, the applicant must be either:

- An employee of the Area Agency on Aging, or
- A volunteer of the Area Agency on Aging.

The applicant must be free of conflicts of interest.

Directors can find the proper forms for an application at <https://www.tlsc.org/hicap>

Send forms to: BCtraining@tlsc.org

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Becoming Certified

Application for certification can only be made through an Area Agency on Aging.

There are three HICAP certification levels—

Level I

Level II

Long Term Care Planner

The training is offered by Texas Legal Services Center following a request by an Area Agency on Aging.

The training can be by webinar so as to make it available statewide with no travel expense.

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TRAINING OFFERED

Becoming Certified

A Benefits Counselor I is the first level. You cannot become a Benefits Counselor II until you have completed the requirements for Benefits Counselor I.

There is also a certification process to be an Advance Directives Preparer pursuant to the very stringent requirements of 40 Texas Administrative Code Section 83.4.

Either level of Benefits Counselor – Level I or Level II – can take the training and the test for AD certification as well as the Long-Term Care Planner.

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Becoming Certified

Initial certification as a Benefits Counselor I requires 25 hours of training on approved topics, and 20 hours of supervised counseling.

Initial certification also requires passing a test with a score of at least 70%.

Test is “Open Book” and must be completed in an 8 hour day

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Becoming Certified

Certification as a Benefits Counselor II requires certification as a Benefits Counselor I, Five(5) additional hours of administrative appeals training, and serving as an advocate in at least one mock or real administrative hearing.

To meet program requirements, the hearing must include an opening statement, the introduction of documentary evidence into the record of the hearing, the questioning of a witness, and a closing statement.

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Becoming Certified

An actual hearing that meets those requirements is sufficient. If the candidate has not handled an actual hearing that meets those requirements, Texas Legal Services Center will provide a date, a presider, and the logistics for a mock hearing that meets those requirements.

Re-Certification as a Benefits Counselor I or II (which should occur every two years) requires 12 additional hours of training on approved topics during the two-year period.

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Becoming Certified

State-level training conducted by Texas Legal Services Center count toward the 12 additional hours of training.

Trainings of other providers may count – please check ahead of time with Texas Legal Services Center to be sure.

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QIT

Qualified Income Trust (Miller Trust)

- For use when an applicant meets resource and medical necessity requirements for Long Term Medicaid, but income exceeds \$2523 in monthly income.
- Qualifies individuals for institutional, home or community-based services
- Income, NOT assets passes through a trust.
- Pays personal needs allowance and spousal minimum maintenance allowance before paying for NH copayments.

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QIT

Qualified Income Trust (Miller Trust)

- Texas Legal Services Center can prepare.
- Need referral and completed intake form.
- With permission, can be sent to AAA for client's signature/notarization.

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Transfer on Death Deed

Transfer on Death Deed

- Estate Planning Tool - Good substitute for a will
- Done while alive and while still competent
- Does not take effect until one passes
- Avoids Probate
- Protects from Medicaid Estate Recovery (MERP) NH, STAR=PLUS, In home provider care

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Transfer on Death Deed

Transfer on Death Deed

- Only for real property
- Any Age, Any Income
- TLSC does not currently handle
- Can advise – Part of Medicaid eligibility
- Can direct to online forms
- Must be notarized and filed at County Clerks office

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TLSC Contact Information

Resources for Benefits Counselors

- One of the most important resources is the unlimited backup and support of Texas Legal Services Center. Dedicated phone number -1-800-880-9797
- Legal information for you as Benefits Counselor and for your clients is www.texaslawhelp.org.
- The HICAP Manual is available at www.tlsc.org.
- The programs offered by Texas Legal Services Center are described at www.tlsc.org.

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Resources

The Family Helpline

Monday - Friday | 9:00

AM - 6:00 PM

844.888.6565

LASSA Statewide Hotline

Monday - Friday | 9:00

AM - 7:00 PM

844.303.SAFE
(7233), Option 1

Crime Victims Legal
Services

Monday - Friday | 8:00

AM - 5:00 PM

844.303.SAFE
(7233), Option 2

The Legal Hotline for
Texans

Monday - Friday | 8:30

AM - 5:00 PM

800.622.2520, Option 3

South Central Pension
Rights Project

Monday - Friday | 9:00

AM - 5:00 PM

800.443.2528

Veterans Foreclosure
Prevention Project

Monday - Friday | 8:00

AM - 5:00 PM

800.622.2520, Option 2

Texas Veterans Legal
Assistance Project

Monday - Friday | 8:00

AM - 5:00 PM

800.622.2520, Option 2