



Medical-Legal Partnership Guide for Agricultural Worker- Serving Organizations

Farmworker Justice



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Introduction

Farmworker Justice (FJ) is a national organization that provides training and support to community-based organizations serving migratory and seasonal agricultural workers.

Our nation’s agricultural workers 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. We developed this resource to encourage health and legal services organizations to work together to better meet the needs of the agricultural workers they serve by tackling complex social determinants of health together.¹

This medical-legal partnership (MLP) document is an update to a [guide](#) we originally published in 2013. In addition to the original guide content, we reviewed recent research and developments on MLPs. We also conducted a series of in-person and online events on the topic of MLPs, including informational interviews with migrant health and legal services organizations, online office hours, focus groups and presentations at migrant health conferences, as well as a regional MLP summit held in Salinas, California in 2019. Dozens of migrant health and legal services organizations from across the country participated in these opportunities to explore and share information about their MLPs, including successes and challenges. Many of these activities were done in partnership with the [National Center for Medical Legal Partnership \(NCMLP\)](#), a national organization whose mission is to foster a system that recognizes the enormous potential for legal services to help health care providers.

The resulting resource is a collection of benefits, considerations, recommendations, and resources based on the information we gathered. This document provides an overview of MLPs for organizations serving agricultural workers. It reflects some of the framework and insights of an MLP toolkit being developed by NCMLP.² While agricultural worker-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 and vulnerable populations. NCMLP’s website includes a range of relevant resources that focus on other populations including homeless, LGBTQIA+, and school-aged children, among others.

By presenting information on some of the key challenges and strategies from the field, we hope to provide both health centers³ and legal services organizations with tools they can use to develop an MLP or strengthen an existing partnership. The recommendations provided are geared towards a

¹ To learn more about social determinants of health and successful interventions, we encourage you to visit the SDOH Academy website - <https://sdohacademy.com/>. The SDOH Academy is a HRSA-funded virtual training organized by HRSA-funded National Cooperative Agreements. More information about the HRSA National Cooperative Agreements can be found on the HRSA website - <https://bphc.hrsa.gov/qualityimprovement/strategicpartnerships/ncapca/natlagreement.html>.

² An updated toolkit for MLPs is expected to be released by the NCMLP later this year. Please see their website - www.medical-legalpartnership.org - for additional tools and resources.

³ In this document, unless otherwise noted, 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.

variety of staff from these organizations, including front-line staff, outreach program managers, attorneys and paralegals, senior leadership, and board members.

What is a Medical-Legal Partnership?

The ability to address social determinants of health is essential to community health. To improve health and well-being, health centers, legal services organizations, and other agricultural worker-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 social determinants of health.

Why Engage in a Medical-Legal Partnership?

Many agricultural workers experience issues that are both medical and legal. Often, these issues are closely connected. A medical-legal partnership encourages a multidisciplinary approach to agricultural worker health and safety and creates powerful cross-sector solutions.

Benefits for health centers:

- Increase revenue to the health center through successful workers' compensation and health insurance applications
- Enhance screening tools for patients
- Encourage knowledge-sharing about agricultural worker issues including occupational safety and health and health care access
- Promote the coordination and sharing of resources
- Build coalitions or relationships with other advocates who care about the well-being of agricultural workers
- Increase the number of agricultural workers and family members who utilize health center services

Benefits for legal services organizations:

- Help with "issue spotting" and identifying clients
- Educate advocates about the pressing health issues that affect agricultural workers
- Educate a larger pool of attorneys in the private bar to represent agricultural workers
- Encourage knowledge-sharing about agricultural worker issues including occupational safety and health and health care access
- Promote the coordination and sharing of scarce resources
- Build coalitions or relationships with other community leaders who care about the well-being of agricultural workers

- Allocate and target resources aligned with health center priorities

Benefits for agricultural workers:

- Empower agricultural workers to improve their health, living, and working conditions by connecting them to both health and legal services
- Educate agricultural workers about their legal rights and available sources for health care
- Integrate the medical and legal needs of agricultural workers, thus promoting a whole-person approach to agricultural worker health
- Assist injured or ill agricultural workers to navigate benefits for which they may be eligible such as health care and other public benefits, such as food, unemployment, and housing
- 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

Common Challenges and Innovative Practices – Lessons from the Field

A medical-legal partnership can begin informally. It can start as a conversation between two outreach workers who meet while doing outreach to agricultural workers 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 establishing an MLP.

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. Additionally, some legal services organizations may have funding restrictions regarding the populations they can serve.

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. 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.

SPOTLIGHT: *Legal Aid of Nebraska's Health, Education & Law Project (HELP) is a collaboration with hospitals and clinics in Omaha, Lincoln and Columbus, Nebraska. HELP was established in 2009 and receives its funding from the hospitals and clinics it serves. HELP has an attorney on-site one day a week at each facility to meet with patients who have been identified by health care staff as having an unmet legal need that is getting in the way of their health. The warm handoff from health provider to lawyer bolsters the chances for patients to follow through in addressing their legal issues. These services are completely free of charge to the patient/client.*

Staffing and Partner Relationships

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 agricultural worker community. Employers and landlords may feel threatened by a legal presence at agricultural worker camps. Many health centers have worked to gain the trust of employers and landlords to reach agricultural workers in the fields and at home. A health center may be worried about sharing specific information with legal services or may not want to advertise the partnership.

Innovative practices

- 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. 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. Additionally, some health centers have legal services representatives on their Board of Directors.
- 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. Monthly/regular meetings may be difficult to coordinate, but it is important to come together and discuss each other's efforts throughout the season. Although in-person meetings can be helpful, remote meetings or calls may be easier to plan, especially if partners are in different areas of the state.

SPOTLIGHT: *The director of the Migrant Farmworker Law Unit of Idaho Legal Aid Services has been serving on the board of a local community health center (Terry Reilly Health Services) for over two decades. By serving as a board member, the legal director is a conduit to the community, identifying issues of concern among agricultural worker patients.*

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

SPOTLIGHT: *Moses Lake Community Health Center with locations in Moses Lake and Quincy, Washington partners with various legal services providers in the area and directs their patients to these legal services when needed. They introduce patients to the legal services providers and follow up with them to see if they are getting the assistance they need. The health center also provides meeting space for patients to connect with attorneys. In turn, the legal services providers train the center's staff, including promotores de salud, on legal issues that might impact patients' health, including human trafficking and domestic violence.*

Access to Benefits and Workers' Compensation

Health care providers can greatly facilitate the workers' compensation process. Agricultural workers are often reluctant to report their work-related injuries or illnesses due to fear of employer retaliation. It is up to health care providers to identify the cause of injury or illness. However, the workers' compensation system can be complicated and confusing. Additionally, workers may have questions about, or need assistance applying to, other benefits, such as nutrition assistance or Medicaid. Workers may be concerned about the impact that receiving these benefits could have on their immigration status or may be unfamiliar with benefits for which they or their family members are eligible.

Innovative practices:

- It is beneficial to have a legal advocate with specialized knowledge of the workers' compensation and the public benefits system in their states who can address the barriers agricultural workers face applying for these benefits.

SPOTLIGHT: *In a partnership in North Carolina, known as the Farmworker Advocacy Network (FAN), health centers and legal services organizations work together to train outreach workers on a number of issues affecting agricultural workers, including sharing information on health insurance, working together to provide education and resources and connecting workers to assisters. Legal staff work with health center staff to ensure agricultural worker access to health services. In addition, staff from legal services provide training to health center staff on workers' compensation in order to clarify any confusion about the role of the provider in workers' compensation claims.*

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 can give you the documentation and quantifiable results needed 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. All programs should be tracking client/patient data. 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.

***SPOTLIGHT:** A few years ago, California Rural Legal Assistance, Inc. started an MLP with the Monterey County Health Department. The MLP published a report in 2019 detailing the results achieved through the partnership, including, among other information, the different types of legal issues addressed, the number of patients and clients served, and the total amount of financial benefits that clients received as a result of the legal assistance. The report also includes specific stories highlighting the real-life impacts in clients' lives, such as improved housing conditions and access to needed benefits. The data in this report is helpful for evaluating the tangible impacts of the partnership as well as for securing funding and support for the partnership going forward.*

Recommendations for Agricultural Worker-Serving Medical-Legal Partnerships

A strong MLP blends the expertise of multiple professionals to provide quality services. These partnerships provide agricultural workers with access to services they may not have otherwise. Below are recommendations for organizations interested in pursuing an MLP based on the experiences of staff working in MLPs that serve agricultural workers.

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 finding existing community needs assessment resources to gather demographic information about your community.

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 in a structured way 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.

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, especially in an agricultural worker community. 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 agricultural worker 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.

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.

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 agricultural worker 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 below.

Health Center Based Medical-Legal Partnerships: Where They Are, How They Work and How they are Funded, National Center for Medical Legal Partnership (2018); available at:

<https://medical-legalpartnership.org/mlp-resources/health-center-mlps/>

Building Resources to Support Civil Legal Aid Access in HRSA-Funded Health Centers: Case Studies and Strategies, National Center for Medical Legal Partnership (2016); available at:

<https://medical-legalpartnership.org/building-resources/>

Framing Legal Care as Health Care: A guide to help civil legal aid practitioners message their work to health care audiences, National Center for Medical Legal Partnership (2015); available at: <https://medical-legalpartnership.org/mlp-resources/messaging-guide/>

Guide to Workers' Compensation for Clinicians Serving Agricultural Workers, Farmworker Justice & Migrant Clinicians Network (2015); available at:

<https://www.farmworkerjustice.org/resources/health/accessing-healthcare/workers-compensation>

Report on the California Rural Legal Assistance (CRLA)/Monterey Health Department MLP

- Available by contacting CRLA at avoit@crla.org

Farmworker Legal Services Directory

- Available by contacting Farmworker Justice at ifigueroa@farmworkerjustice.org

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