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AIDS LAW PROJECT

Through the AIDS LAW Project, LSNV provides public benefits counseling to persons infected with HIV/AIDS and represents clients in public benefits and disability cases. Additionally, the project provides legal representation for the indigent and the medically indigent in the areas of housing, consumer and family law. The AIDS LAW Project provides informational presentations to persons infected with HIV and to their caregivers. Where does the AIDS LAW Project get its funding? The AIDS LAW Project is funded in major part through grants from the Ryan White CARE Act and the Washington AIDS Partnership. The Project also receives funds from the Arlington United Way Community Services Fund.

What does the AIDS LAW Project do? We are funded to assist people who are disabled with HIV and AIDS through all stages of their application for public benefits. We assist with applications and appeals for Supplemental Security Income (SSI/Title XVI) and Social Security Disability (SSDI/Title II) before the Social Security Administration. Also, we help people with the application and appeals processes for benefits like Medicaid, Medicare, Food Stamps, General Relief and TANF (Temporary Assistance to Needy Families).

Additionally, we can help people apply for COBRA premium assistance payments. Currently, the Commonwealth of Virginia is providing direct payments of health insurance premiums for HIV-positive people who have retained their health insurance through their employer's COBRA option. The AIDS LAW Project can help you apply for this assistance.

Who is eligible to be an AIDS LAW Project client? Anyone who is HIV positive can be an AIDS LAW Project client. If you believe that you are eligible for disability-related benefits, call us; we may be able to assist you. We will talk to you and explain the public benefits system.

Who is eligible for disability benefits? The Social Security Administration defines disabled people as those who are unable to work due to a medically disabling condition and who are not currently working. In order to meet Social Security's test, you must meet their definition of "medically disabled" and also not be working. The AIDS LAW Project staff can help explain both of these conditions.

What is the difference between SSI and SSDI? Social Security administers two types of disability benefits, Supplemental Security Income (SSI) and Disability Insurance (SSDI).

SSI is immediate assistance (no waiting period) and is given to people with limited income and resources. SSDI requires a waiting period before benefits are paid, and is based on prior earnings and Social Security taxes paid. Another major difference is that SSI recipients are eligible for Medicaid, but SSDI recipients only receive limited Medicaid assistance through a "spend down" of their resources.

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