



Michael Reilly / DN-R

Kenneth Mahitka was recovering from a lung transplant when he lost his Medicaid benefits, putting the medicine he needed to prevent the organ's rejection out of his reach. That's where a helping hand from Blue Ridge Legal Services came in.

A Little Help Navigating

Pro Bono Legal Aid Eases Pain Of Medical Benefits Process

By **DAN WRIGHT**
Daily News-Record

HARRISONBURG — Kenneth Mahitka was recovering from a lung transplant when his Medicaid benefits were terminated.

Without Medicaid, he would not be able to afford his medicine and treatment and his body would have rejected the new lung.

"Without the drugs, I would have been dead within a week," Mahitka said. "And the drugs alone were running \$1,500 to \$1,800 a month."

Mahitka was caught in the complications of medical coverage, according to Anne See, paralegal for Blue Ridge Legal Services in Harrisonburg.

"People just over the poverty level are the ones that fall through the cracks," See said. "They don't have enough money to help themselves, but they often don't qualify for the program that would help them."

Mahitka was about 120 percent of the poverty level, she added.

See navigated the bureaucratic maze of state and

Medical Coverage Is 'Patchwork Quilt'

Pro Bono

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federal benefits to find a program where Mahitka qualified.

"He was still going to have a large co-pay, about \$300 a month," she said. "But it was less than the cost of his medication. And we got that reduced."

Patchwork Quilt Of Coverage

Medicaid administers a variety of programs for children, pregnant women, disabled individuals and others, according to Don Driver, director of Harrisonburg-Rockingham County Department of Social Services.

"It's a complicated patchwork quilt of medical coverage," Driver said. "And a lot of people seeking services don't know the criteria."

Mahitka's Medicaid prescription benefits were terminated when he became eligible for Social Security Disability benefits.

BRLS, which administers the Pro Bono program with the Harrisonburg Rockingham Bar Association, assisted Mahitka.

About 90 percent of the 180 lawyers in the local bar participate in the program, said John Whitfield, executive director of BRLS.

In 2006, attorneys closed 112 pro bono cases with 996 hours of donated services valued at \$150,000, Whitfield said.

Through BRLS and the pro bono program, Mahitka obtained Medicaid Personal Care Services, which covered his prescription costs.

Then his physical condition improved and he no longer qualified for personal care. BRLS helped him get financial assistance from the University of Virginia Medical Center and Valley Program for Aging Services helped him enroll in Medicare Part D, which provided free medication.

Without help, he would have gotten lost in the complications of medical coverage.

The average client does not know the various plans, said Melanie Harpine, Social Services eligibility supervisor.

"There are multiple plans out there and clients have to find the plan that fits," Harpine said. "The paperwork alone is a lot to comprehend."

Mahitka

Mahitka has had emphysema since 1996. For five years, he was attached to supplemental oxygen 24 hours a day.

In 2001, he received a lung transplant at U.Va. Medical Center. Mahitka was able to drop the oxygen tank; however, doctors had to suppress his immune system to prevent his body from rejecting the new lung.

Today, at 68, he is one of a small group of Americans with a lung transplant.

In 2005, nearly 3,500 Americans were awaiting lung transplants; about 25 percent of them received one, according to the American Lung Association.

Mahitka has a new lung but still has health problems.

"I have flulike symptoms frequently," he said. "I can catch just about anything that comes along, so I wash my hands about 20 times a day."

As for health care, Mahitka has Medicare that pays for hospitals, doctors and prescriptions.

His medication costs about \$1,000 a month, which would take nearly all of his income.

"U.Va. pays about 80 percent of the 20 percent co-pay," Mahitka said. "So I pay about 4 cents on the dollar."

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— MELANIE HARPINE
SOCIAL SERVICES
ELIGIBILITY
SUPERVISOR
