



*A program of the Law Foundation of Silicon Valley*

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## **Economic Rights Unit (ERU)**

### **What is the Mission of the Economic Rights Unit?**

The Economic Rights Unit of the Mental Health Advocacy Project (MHAP) provides individuals with assistance with public benefits. By providing direct services to clients, as well as outreaching to homeless shelters in Santa Clara County, the Economic Rights Unit's goal is to provide clients with information, education, assistance and advocacy to help them understand and enforce their legal rights.

### **Who is Eligible to Receive Services?**

The Mental Health Advocacy Project (MHAP) provides legal services to people who live in Santa Clara County and who have or who identify as having mental health or developmental disabilities. Individuals do not have to meet any income requirements to be eligible for MHAP's services. MHAP's legal and advocacy assistance are free to clients.

### **Whose Interests do Economic Rights Advocates Represent?**

Economic rights advocates represent the legal interests expressed by the client, so long as those interests are not illegal and possible within the advocates' resources. Advocates will explain the law, give legal advice, and discuss options with clients to enable clients to make informed choices. Advocates will not impose their own views about what is in the "best interest" of their clients.

### **What Services do Economic Rights Advocates Provide?**

Economic Rights advocates provide free legal advice, referrals, assistance and representation in the areas of public benefits, such as SSI or SSDI, Medi-Cal, Medicare, Denti-Cal and General Assistance. Specifically, economic rights advocates assist clients with the following issues:

- Social Security Administration hearings
  - Appeals of Denials
  - Continuing Disability Reviews
  - Termination of Benefits
- SSI or SSDI Overpayments
- Resource and Income Limits – Working While on Benefits
- Wrongful Withholdings of Benefits
- Denials of Medi-Cal, Denti-Cal or Medicare
- Denials or Terminations of General Assistance

## **How Can I Get Help from the Economic Rights Advocates?**

A client can either visit MHAP's office at 152 North Third Street, 3rd floor, in Downtown San Jose or call MHAP at (800) 248-MHAP. A staff person will conduct an interview and ask for general information related to the client's problem. Then, the case will be assigned to an economic rights advocate who will contact the client within two days to provide advice or assistance.

MHAP also provides legal assistance in the areas of patients' rights and housing rights. Please call (800) 248-MHAP for further information.

*DISCLAIMER: This fact sheet is intended to provide accurate, general information regarding legal rights. It does not constitute legal advice. Because laws and legal procedures are subject to frequent change and differing interpretations, the Mental Health Advocacy Project cannot ensure the information in this fact sheet is current nor be responsible for any use to which it is put. Do not rely on this information without consulting an attorney or the appropriate agency about your rights in your particular case or situation.*