



**FOR IMMEDIATE RELEASE**

Contact: Tracy L. Welsh, Esq.  
HIV Law Project  
Tel: (212) 577-3001 x. 603  
Email: [twelsh@hivlawproject.org](mailto:twelsh@hivlawproject.org)

Contact: Marc Cohan, Esq.  
National Center for Law and Economic Justice  
Tel: (212) 633-6967  
E-mail: [cohan@nclej.org](mailto:cohan@nclej.org)

Contact: Andrea Panjwani, Esq.  
African Services Committee  
Tel: (212) 222-3882  
E-mail: [andreap@africanservices.org](mailto:andreap@africanservices.org)

**HIV LAW PROJECT, NATIONAL CENTER FOR LAW AND ECONOMIC  
JUSTICE and AFRICAN SERVICES COMMITTEE FILE  
FEDERAL CLASS-ACTION LAWSUIT  
against New York City's Human Resources Administration and  
New York City's HIV/AIDS Services Administration**

New York, NY (October 6, 2011)-- New York City is taking money from the pockets of marginalized HIV-positive people living on a mere \$761 a month, says HIV Law Project, referring to the lawsuit filed by the HIV policy and rights group earlier this week. Tracy L. Welsh, HIV Law Project's Executive Director, said, "What the City is doing is just plain wrong, and we are going to stop them from doing it."

HIV Law Project, joined by co-counsel National Center for Law and Economic Justice and African Services Committee, filed a class-action lawsuit on Monday in U.S. District Court for the Southern District of New York claiming New York City's Human Resources Administration (HRA) and HIV/AIDS Services Administration (HASA) are illegally withholding and retaining portions of plaintiffs' retroactive federal disability awards in order to reimburse themselves for funds those agencies did not in fact expend on behalf of the plaintiffs and plaintiff class.

“Poor people with AIDS are being deprived of income they are entitled to under Federal and State laws,” said Marc Cohan, Litigation Director of co-counsel National Center for Economic Law and Justice. “The City should not be enlarging its coffers at the expense of poor, disabled people.”

The lawsuit stems from New York City’s application of the Interim Assistance Program (IAP) under the Social Security Act. Under that Act, state agencies may provide assistance to applicants for Federal Supplement Security Income (SSI) with the express statutory authority to reimburse themselves from retroactive SSI awards for state and local funds expended during the application period. The problem is that New York City is using the IAP program to reimburse itself for Federal assistance provided to applicants under a program called HOPWA, or Housing Opportunities for People with AIDS. “The HOPWA program is intended to help people living with AIDS to have safe and affordable housing, not further impoverish them,” said Andrea Panjwani, an attorney at African Services Committee.

For example, one of the plaintiffs in the lawsuit, T. Woodall had his entire \$37,745.00 retroactive SSI award withheld by the City, though the City was entitled to less than half of that money. T. Woodall, as well as hundreds of other impoverished HASA clients, has been fighting the City for years to obtain money wrongfully taken from him.

Success in this lawsuit will mean many more HASA clients will receive the level of federal disability benefits to which they are entitled, allowing them improved financial security, which in turn often translates to improved health outcomes. This lawsuit will also set an important precedent for holding New York City accountable to all of its residents, especially the most vulnerable amongst us.

\*\*\*



HIV Law Project, Inc.  
15 Maiden Lane, 18<sup>th</sup> Fl.  
New York, NY 10038



NCLEJ  
275 7<sup>th</sup> Av., Ste 1506  
New York, NY 10001



African Services  
429 West 127th Street  
New York, NY 10027