



the legal corner

by Attorney Troy A. Tureau
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Disabled? You Might Qualify For Social Security Disability Payments!

I'm feeling really good right now. I chose to become an attorney because I really wanted to help people. Unfortunately, I learned quite quickly that those opportunities don't come around as often as I would like. Today is a different story, though - I just won Social Security Disability payments for a client who is severely physically and emotionally disabled. Far from being the glamorous occupation that is almost always portrayed on screen, the practice of law does have some perks. One of them, for me, is the satisfaction of knowing that I was able to make a difference in another person's life.



matters of health

by Jack Carrel, MPH
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In searching the media for interesting and useful LGBTQ health notes, the following caught my attention.

Opposites Attract But Don't Transmit

According to Andrew Grulich, chief investigator at the Kirby Institute, interim results for a study looking at HIV transmissions between sero-discordant gay couples (where one partner is HIV positive and one partner is HIV negative) has found zero HIV transmissions. This is true where the positive partner is on treatment and has an undetectable viral load. The results reflect similar outcomes to that seen in overseas research such as the 'Partner study' which also reported zero transmissions between sero-discordant heterosexual couples where the positive partner was on treatment.

The Opposites Attract results come at a halfway point in the study, but the chief investigator Professor Andrew Grulich is hopeful of what the results mean for men who have sex with men (MSM) who are

living with HIV. "These are very exciting results that seem to mirror findings from other important international studies of heterosexual couples, which have provided strong evidence that treatment as prevention works," said Grulich. "Essentially, what we are seeing among the gay couples enrolled in Opposites Attract is that HIV transmission is quite unlikely when someone's viral load is undetectable. In fact, no HIV-negative man in the study has contracted HIV from his positive partner."

Depression Associated with Risky Sex

HIV-negative gay men who have several symptoms of depression are more likely to report sex without a condom, according to a study presented in June to the British Association for Sexual Health and HIV (BASHH) conference. Of those surveyed, 12.5% of HIV-negative gay men attending sexual health clinics had depressive symptoms at the time. (This is considerably higher than in the general population but roughly half the rate seen in a comparable survey of HIV-positive people.) While for most, the symptoms were moderate, 5.5% had more severe symptoms. Depression was more common in men who were younger, had money problems, did not have a college degree and were not in an ongoing relationship. It was also more common among regular smokers, heavy drinkers and men who used multiple recreational drugs. Respondents were asked about various measures of intercourse without a condom in the past three months - with anybody (reported by 63% of all men), with two or more partners (reported by 32%) and with a partner of unknown or HIV-positive status

I am sure that you probably know at least one person who has filed for disability and was turned down. Sadly, that is the norm. The great majority of people who apply for Social Security Disability are denied the first time they apply. As disappointing as that is, the fact that you were denied does not mean that you will not get Social Security Disability payments. Approximately 66% of claimants who appeal their denial and move on to the hearing stage in front of an administrative law judge end up winning their case! Having an attorney represent you in the appeal hearing can improve the chance of winning your case substantially.

Now, you're probably wondering what exactly Social Security Disability is and how do you qualify. Generally, you must qualify for one of two programs: "SSDI," which is based on work credits (you must have worked long enough to have paid a sufficient amount into the system), and "SSI," the low-income program which requires that your income and assets are low enough to qualify.

Next, you have to prove that your medical condition is a disability as required by the Social Security Administration. This aspect is usually the biggest hurdle that a claimant has to overcome. To be considered disabled, a person must have a medical impairment (medical, psychological or psychiatric) which has kept them or is expected to keep them from performing "substantial gainful employment" for at least twelve months.

Currently, to be considered substantial gainful employment, a job must pay over \$1,090 a month.

In a small amount of cases, certain illnesses automatically qualify. In the remaining cases, a claimant's medical records must contain current evidence of the impairment and how it prevents the claimant from working. Additionally, the Social Security Administration will often look to see if the claimant is capable of performing duties of a past job or another job with medium, light or sedentary duties.

Congress established the program to assist people who suffer from an impairment that prevents them from working. If you believe that you qualify for one of the Social Security disability programs, I encourage you to apply. If your initial claim has been denied, it is crucial that an appeal is filed on your behalf within the time required by law. I urge you to contact me or another qualified attorney if you have any questions regarding a Social Security disability claim.

As always, I invite your comments and questions.

(These are the personal views of Troy A. Tureau, and nothing here is intended to be legal advice of any kind.) Troy A. Tureau, J.D., L.L.M., Attorney at Law, Tureau Legal, 4631 S. Carrollton Ave., New Orleans, LA 70119, thelawprofessor@comcast.net 504.308.1608.

(reported by 37%). Men with depressive symptoms were more likely to report all of these behaviors. The associations remained statistically significant after adjustment for demographic and lifestyle factors that could skew the results: age, ethnicity, education, relationship status, geography, drug use, heavy drinking and smoking.

Healthcare Providers, Bias & Sexual Orientation

A recent study published in the American Journal of Public Health found there is widespread implicit bias toward lesbian women and gay men. This is the first study that looked at a variety of healthcare providers and their implicit attitudes towards gay men and lesbians. Janice Sabin, lead researcher on the project and professor at the University of Washington, said the study found that moderate to strong implicit preferences for straight people over lesbian and gay people are widespread among heterosexual providers. Also lesbian and gay health providers expressed implicit and explicit preferences for lesbian and gay people over straight people. Bisexual providers were found to have mixed preferences, mental health providers held the weakest implicit bias for heterosexual people over lesbian and gay people and nurses held the strongest implicit bias for heterosexual people over lesbian and gay people. In short, healthcare providers, similar to others in society, hold a bias for people who shared their own sexual identity. Sabin said, "training for healthcare providers about treating sexual minority patients is an area in great need of attention." "For healthcare organizations that aim to serve these populations, these data suggest an opportunity to examine methods likely to mitigate implicit biases, such as eliminating discretion from decision-making, use of clinical guidelines, awareness of

personal bias as self-caution, organizational policies that promote objective decision-making, and inclusion of counter-stereotypical experiences in educational programs," the authors conclude.

Twitter and Transgender Health

According to a study from UCLA, twitter could provide important information about health needs for the transgender community. In the study published in the Journal of Medical Internet Research, the researchers reported that because transgender and gender-nonconforming people frequently use social media to discuss important health and social needs, resources like Twitter may provide a wealth of useful information for doctors and public health professionals.

"Transgender individuals are at risk for some of the most important public health problems, such as HIV, substance abuse and depression," said Sean Young, the study's co-author. "There has been little research studying transgender communities because they can be very closed communities who fear stigmatization. Young and co-author Evan Krueger collected 1,135 tweets with 13 relevant hashtags, including terms like #trans or #girlslkeus. The tweets discussed issues such as violence, discrimination, suicide and sexual risk. "This approach can be used to better understand people, prevent diseases and predict important trends - including views on policies that affect transgender populations or changes in health," said Krueger, a doctoral student at the UCLA School of Public Health.

Jack Carrel, MPH is Director of Prevention is a doctoral student in public health epidemiology at Walden University and has worked in HIV, STDs and gay and transgender health for over 30 years.

communities ...from 24

acceptable to be of kind heart and relying on "can't we all just get along." Such seems to be too passive for this gathering storm. As we have consistently preached, written, proposed, and hoped we must be an engaged Community within Communities that goes beyond our own boundaries. We may not always like what we hear especially if it is honestly critical of how we have lived our lives. But let us at least listen instead of polarizing ourselves. Jerome makes me uncomfortable and I want to thank him for this discomfort. In my discomfort I am energized to insure that the children of Treme can and must be respected for their humanity beyond good wishes and invested in with vigor or there may be no end to the demon of poverty and disenfranchisement in our little piece of New Orleans or Atlanta or Houston. WE THE PEOPLE must be the starting point not, "There's a man with a gun over there, telling me I got to beware..." Jerome asks this, 'do what Jesus did.'

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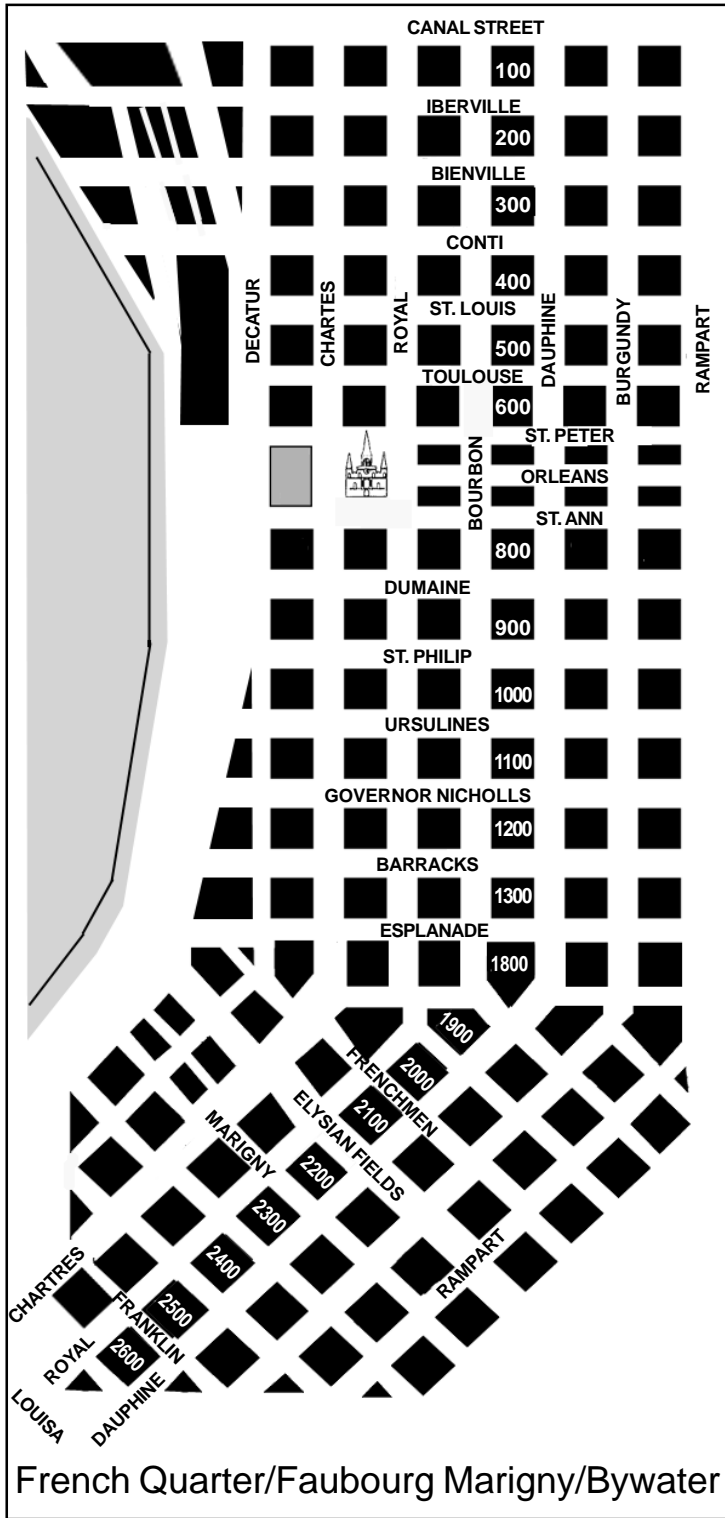


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bars

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CAFÉ LAFITTE IN EXILE, 901 Bourbon Street 522.8397, Lafittes.COM

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Feb. 5-9, 2016, 67th Official Gay Mardi Gras, New Orleans, LA, sponsored by **Ambush, GayMardiGras.com**

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Damron Travel Guide, 800.462.6654, www.damron.com

Gulf South/United States

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