

August 24, 2016

Dannell Malloy, Governor
Members of the Insurance and Real Estate Committee, CGA
Members of the Public Health Committee, CGA
State Capitol
Hartford, Connecticut 06106

ANNUAL EVALUATION 2015
Office of the Healthcare Advocate
Prepared by the Advisory Committee, Office of Healthcare Advocate
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Dear Governor Malloy and Members of the General Assembly:

Pursuant to Section 38a-1049 of the Connecticut General Statutes, the Advisory Committee to the Office of Healthcare Advocate is required to provide an annual evaluation of the effectiveness of the Office of Healthcare Advocate. This correspondence is intended to fulfill that mandate for calendar year 2015.

The Connecticut Office of Healthcare Advocate (OHA) was created in 1999 (originally named the Office of Managed Care Ombudsman) as part of “An Act Concerning Managed Care Accountability.” Since its inception, OHA has helped many thousands of Connecticut residents receive the health care services they need and pay for, saving state consumer’s millions of dollars. Specifically in 2015 OHA staff fielded over 12,000 calls on its toll free line and handled 8,930 cases. OHA’s advocacy recovered \$10,967,539 million for consumers of Connecticut. OHA has consistently proven to be one of the most cost effective agencies in the state.

Connecticut’s Office of Healthcare Advocate is a national leader in promoting and protecting the rights of consumers. OHA continues to be the model for other states that are looking to develop or expand their own healthcare advocate offices. Given the rapid changes in healthcare, we cannot overstate the importance of OHA to Connecticut, and the model it presents nationally.

In 2015 the leadership of the Healthcare Advocate and OHA staff achieved significant successes in assisting consumers to make informed decisions on selecting health care plans, defending consumer’s rights and assuring that consumers attained all the benefits due to them under their health insurance coverage. OHA assisted policy makers in identifying trends and providing data in regards to health care issues, and advocated for necessary legislative remedies to further protect Connecticut’s consumers. At a time of a rapidly changing health care insurance landscape OHA consistently has been in the lead in assisting consumers in navigating changes in health insurance and in providing staff leadership to both executive and legislative branches of government.

OHA has played a key role in 2015 on the State Innovation Model, the State Health Insurance Exchange Board and the Governor's Health Care Cabinet. Literally in each significant public sector health care initiative undertaken in Connecticut OHA has been an active and valued participant.

Consumer Service, Protection and Advocacy: There is no other office in Connecticut state government that has a primary focus on assisting consumers with insurance related questions and problems with coverage. Referrals are received from numerous sources, including legislators, health care providers, community organizations, Insurance Department, hospitals, health plans and of course directly from consumers, many of whom had OHA recommended to them by a satisfied consumer of OHA's services. Inquiries and cases handled range from denial of care to explanation of coverage, to referral to sources of insurance coverage, to legal matters and educational cases. As previously noted, but worth repeating, OHA handled over 12,000 calls and referrals in 2015.

Mental health cases made up the highest number of cases, followed by medical, pharmacy, hospital and dental making up the top five categories. Other areas included but not limited to: surgery, durable medical equipment, orthopedics, laboratory, durable medical equipment, gastroenterology, radiology, physical therapy, oncology, geriatrics, home care, cardiology and OB/GYN. Consumer savings from these cases were over \$10.9 million in 2015.

Assistance to DCF and DDS: OHA continues its collaboration with the Department of Children and Families (DCF) regarding children and DCF Voluntary Services. OHA assists DCF in appealing denials of health care coverage by insurers for families entering DCF Voluntary Service Program. With a significant portion of children in voluntary services under private insurance OHA has assured private insurers are paying for the care they are responsible for and not shifting such costs onto DCF. In 2015 over 737 clients were served and \$4,790,774 saved for consumers under this partnership. OHA also provided education to 41 providers and facilities so as to improve providers understanding in the processes involved in utilization of private health insurance.

OHA has now entered into an agreement with DDS, based on the successful model with DCF, whereby OHA promotes consumer engagement, education and options for coverage of services under private insurance for individuals served by DDS.

OHA and Office of State Comptroller: OHA partnered with OSC to provide support to its Disability Retirement Unit in the review and evaluation of disability applications. This has led to an increase in the volume and completeness of applications processed for review and determination.

Behavioral Health Clearinghouse: Behavioral health information and access to care is fragmented and difficult for consumers to navigate. Under Public Act 14-115 the Behavioral Health Clearinghouse was created and housed within OHA. The Clearinghouse will include a web based comprehensive, accurate, statewide resource for

consumers and providers to go to for answers to behavioral health needs. OHA continued in 2015 to work toward the design and implementation of the Clearinghouse, which is a daunting task. Significant progress has been made however funding is the main obstacle to initiating the service as no state funds were allocated, leaving OHA to continue to explore outside funding.

Legislative Work: OHA testified on 45 bills on numerous issues and assisted legislative offices in understanding the impact of legislation related to health care. Primary issues addressed were related to increasing consumer access to and transparency of healthcare services. Other issues that OHA focused on include: healthcare systems, health insurer plans and networks, technological integration, and coverage for behavioral health. OHA was also a key participant in significant legislation that came out of the Bipartisan Round Table on Hospitals and Health Care, resulting in positive changes in the health care arena. During the 2015 legislative session OHA appeared before the following committees: Insurance & Real Estate; Public Health; Appropriations; Judiciary; General Law; Labor and Public Employees; and Finance, Revenue and Bonding.

Federal Involvement and Consumer Assistance Program: In 2014 OHA received its fourth Consumer Assistance Program grant award of \$442,863 to assist in OHA's Consumer Assistance Program. The grant assists in the work of filing complaints and appeals, providing consumers with information on their rights and responsibilities, collect/track/quantify problems faced by consumers, assist consumers in health insurance enrollment, and resolve problems related to consumers obtaining premium tax credits. This grant also will enable OHA to develop an online complaint mechanism for consumers that will be operational by September 2016.

The following highlights many, though not all of the notable achievements and activities of the Office of Healthcare Advocate.

2015 Achievements and Activities:

- The Office served as a critical link directly from the experiences of consumers struggling to access health care directly to policymakers.
- The Office continues to be a trusted resource for lawmakers who regularly refer cases to OHA.
- The Office collaborated with dozens of community, consumer, professional and non-profit groups across the state to support consumer protection efforts and maximize resources.
- The Office is represented on multiple statutory health care advisory councils and task forces providing critical research and support to legislative policymakers and other state agencies.
- OHA represents consumer interests on the Health Care Exchange Board that brings the perspective and interests of consumers to the Board's deliberations.
- The Healthcare Advocate is an appointee on the Governor's Health Care Cabinet and OHA staff provides staffing and support services for the Cabinet.
- OHA testified at numerous legislative public hearings as indicated above.

- OHA continued to be a resource for federal health care issues and consulted with members of the Connecticut Congressional delegation on various federal bills and regulatory issues.
- OHA engaged the Department of Insurance on behalf of consumers in regards to mental health parity and other mental health issues.
- OHA expanded its consumer assistance program under a federal grant.
- OHA continued targeted media campaigns utilizing radio and cable television to reach out to consumers.
- OHA continued to effectively utilize its website and social media to reach consumers about the services of the Office and provided easy to understand information for consumer's to read and download.
- OHA conducted 1,408 outreaches, including health fairs, presentations to groups, visits to local officials, appearances at senior centers, and direct contacts with providers for the Clearinghouse.

Recommendations:

- OHA should continue legislative advocacy efforts to enhance insurance consumer protection.
- OHA should continue to educate consumers as to their rights and responsibilities under health insurance plans and to assist consumers in selecting an appropriate health plan and understanding the benefits and disadvantages associated with various health insurance products.
- OHA should continue to partner with DCF and DDS to assure that clients of state services that have private insurance are receiving the full benefits from their insurer and OSC on disability claims.
- OHA should remain fully staffed as an independent office.
- OHA should continue to be an active participant that plays a significant role in representing the consumer voice in state initiatives regarding structural reforms of health care delivery in Connecticut.
- OHA should continue to advocate for full compliance by insurers with the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008.
- OHA should continue to build the Behavioral Health Clearinghouse and pursue funding sources that will allow the website to be launched.

In conclusion, the effectiveness of the Office of Healthcare Advocate is best expressed by consumers who have directly benefited in 2015 by the fine work of this office. Here is what consumers have said:

“It is so important to have someone on your side.”

“Saved me from financial ruin.”

“Great resource for anyone having insurance problems. Excellent staff and service.”

“Completely resolved in my favor. I cannot say enough. Thank you for being on my side and helping me get a fair resolution.”

“I am deeply indebted to OHA and I couldn’t have navigated the appeal system effectively without them.”

“Thank you for advocating for my husband’s medications. You did a fantastic job and I am forever grateful that my husband did not need to suffer more in his final days. Thank you for your humanity.”

Respectfully submitted,

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Advisory Committee, Office of Healthcare Advocate