

August 3, 2015

Honorable Dannel 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 2014**  
**Office of the Healthcare Advocate**  
**Prepared by the Advisory Committee, Office of Healthcare Advocate**  
**Statutory authority: CGS 38a-1049**

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 2014.

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 thousands of Connecticut residents receive the health care services they need and pay for, saving state consumers millions of dollars. Specifically in 2014 OHA staff fielded 12,149 calls and handled 7,117 cases. OHA’s advocacy returned \$6,924,978 in 2014 to the 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 continuing and rapid changes in healthcare, we cannot overstate the importance of OHA to Connecticut, and the model it presents nationally.

In 2014 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 2014 on the state's ongoing implementation of the federal Affordable Care Act, including the Healthcare Advocate's serving on the State Health Insurance Exchange Board and the Governor's Health Care Cabinet, where the staff of OHA provided staffing and support services.

**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 2014.

Mental health and substance use cases made up the highest percentage of cases. Other areas in which there were significant number of cases included dental, medical care, pharmacy, surgery, orthopedic, and physical therapy. Consumer savings from these cases were nearly \$7 million in 2014. The vast majority of consumers who responded to a satisfaction survey rated OHA as being excellent.

**DCF/OHA Project:** OHA continues its successful collaboration with the Department of Children and Families (DCF) regarding children within 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 health plans, OHA has assured private plans are paying for the care they are responsible for and not shifting such costs onto the state through DCF. Since the inception of the DCF/OHA collaboration \$4 million has been saved (\$2.5 million in state savings and \$1.5 million in consumer savings) from the handling of 422 cases. Many of the cases handled are for children in need of acute care and the collaboration has proven a win/win for the state and the families involved.

**DDS/OHA Collaboration:** Based on the success of the DCF collaboration OHA is now working with the Department of Developmental Services (DDS) to receive referrals for consumers who have contacted DDS for Autism Spectrum Disorder Services in order to maximize their utilization of all available private health plan reimbursement options. This is a new initiative for OHA.

**Office of the State Comptroller/OHA Partnership:** OHA partnered with the Office of the State Comptroller to provide support to its Disability Retirement Unit (DRU) for the review and evaluation of disability applications. This process includes a clinical review and OHA recruited a Nurse Consultant to work within DRU to support evaluation of the reviews. The collaboration has increased the volume and completeness of applications processed for review determination by the Medical Examining Board.

**Access Health CT/OHA Navigator & In-Person Assister Program:** OHA and Access Health CT completed the rollout of the Navigator & In-Person Assister Program that enrolled tens of thousands of individuals into healthcare coverage. The program trained individuals and organizations around the state to be navigators and accommodated thirty-two languages. Communication vehicles included newsletters to individuals offering up to date information. It allowed OHA to further its reach to consumers, particularly to diverse communities in Connecticut.

**Behavioral Health Clearinghouse:** P.A. 14-115 tasked OHA with creating a behavioral health clearinghouse so that consumers and providers may have timely information, a source of referrals and for consumers to better access providers. OHA worked with a wide range of partners, including providers, insurers and community agencies, to design the clearinghouse. A comprehensive website has been developed and a call center is being developed. Robust outreach efforts have continued in building an effective clearinghouse service.

**Legislative Work:** One of OHA's purposes since inception is to give a consumer voice to policy makers. OHA testified on 30 bills in the promotion of consumer protections and access to care. This included support for the recommendations of the behavioral health task force and clinically appropriate reviews of requests for mental health and substance use services by commercial insurance plans. OHA also continued to advocate for legislation in regards to transparency in healthcare pricing and improving quality and access to care. OHA successfully advocated on the issue of improved consumer notice concerning liability for facility fees as well as patient status when in the hospital in relation to being placed on observation status in a hospital. During the 2014 legislative session OHA appeared before the following committees: Insurance & Real Estate; Public Health; Appropriations; Finance, Revenue and Bonding; Human Services, General Law; Labor and Public Employees; and Children's.

**Federal Involvement and Consumer Assistance Program:** In 2014 OHA received a Consumer Assistance Program (CAP) grant for \$442,863 to assure that independent healthcare advocacy agencies like OHA are adequately funded to assist consumers. This follows three previous grants, demonstrating federal recognition of OHAs effectiveness.

Under the ACA, consumers are informed of OHA in every denial issued, leading to increased referrals to OHA by consumers. OHA conducted two television spots (English and Spanish) and performed extensive outreach throughout the entire state through media and in-person appearances, with a focus on underserved markets, to assure consumer information and access to OHA is well understood.

**2014 Highlights:** The following highlights many, though not all of the notable achievements and activities of the Office of Healthcare Advocate in 2014.

- OHA received a \$442,863 Consumer Assistance Program grant under the ACA.
- Conducted outreach to all 169 towns and cities in Connecticut.
- Outreached through 100 health fairs and presentations.

- Partnered with Access Health CT to implement the Navigator and Assisters Outreach Program, enrolling thousands into health care coverage.
- Partnered with DCF, DDS and Office of the State Comptroller all for the purposes of enhancing consumer protections and reducing state expenditures.
- Completed an evaluation of the Pay-for-Performance Strategies under the Connecticut Behavioral Health Partnership.
- Utilized all forms of mainstream media and social media to empower consumers through education and outreach.
- The Office continued to serve as a critical link from the experiences of consumers struggling to access health care 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, (Access Health CT) 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 in this report.
- 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 continues to take a lead role on the State Innovation Model Initiative (SIM).

### **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 work with DCF, DDS and DSS to assure that clients of state services that have private insurance are receiving the full benefits from their insurer.
- OHA should remain fully staffed as an independent office.
- OHA should continue to be an active participant and play a significant role in implementation of the Affordable Care Act.

- 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 play a significant role in the SIM.

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

*"OHA listened to me, stayed in touch and didn't back down. Your office obviously takes its mission seriously and gets results".*

*"Your response was exceptional, resolving a long standing issue in a few days. The best experience I've ever had with a state agency!"*

*"Your office was extremely helpful and responsive. I very much appreciate the responsiveness and decisiveness and effectiveness of your staff."*

*"Your services are superlative and indispensable. I have never before encountered such an effective state agency."*

*"This agency is extremely important to help people".*

*"Your help may have saved my life".*

Respectfully submitted,

Dina Berlyn, JD  
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Advisory Committee, Office of Healthcare Advocate