



## Connecticut Part D Wrap Around Coalition

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### COMMITTEE ON HUMAN SERVICES

Public Hearing – Senate Bill No. 1128

February 27, 2007

#### INTRODUCTION

The Center for Medicare Advocacy, Inc. (The Center) is a private, non-profit organization headquartered in Mansfield, Connecticut with offices in Washington, DC and throughout the nation. The Center provides education and legal assistance to advance fair access to Medicare and health care. We represent Medicare beneficiaries throughout the state, respond to approximately 7,000 calls and emails annually, and host two websites. The Center also provides written and electronic materials, education, and expert support for Connecticut's CHOICES health insurance, counseling and assistance program, and provides a vast array of other services for Medicare beneficiaries throughout Connecticut and the United States.

#### COMMENTS REGARDING SENATE BILL NO. 1128 SECTION 5

The Center for Medicare Advocacy (The Center) has extensive experience working directly, and as partner in the CHOICES program, with Connecticut's low-income Medicare Part D enrollees. *We offer the following comments on Senate Bill 1128, Section 5 on behalf of the Center and as one of the lead organizations in our Connecticut Part D Wrap Around Coalition.*

## **THE COMMITTEE SHOULD REJECT THE PROPOSED NEW SECTION 5(B)**

We urge you to reject the new language proposed in Section 5(b) of the Governor's Bill. This language essentially caps funding for the Medicare Part D "Wrap Around" (Medicare Supplemental Needs Fund) at \$5 million by stating: "... expenditures shall not exceed the amount appropriated to the Department of Social Services in section 1 of public act 06-186."

This is an arbitrary cap which does not recognize the actual annual costs thus far and does even not allow for inflation in future years. It will not meet the needs of Connecticut's dually eligible or ConnPACE participants who also have Medicare. Furthermore, it will not allow the state to continue to meet its original intent when it developed the Wrap Around: to hold these individuals harmless, treating them no worse than those enrolled in Title 19 or ConnPACE who do *not* also have Medicare Part D.

The proposed new Section 5(b) will serve as an obstacle to obtaining prescription drugs that low-income, older and disabled Connecticut citizens need. This Section should not be passed into law.

## **WE ASK THE COMMITTEE TO SEEK CLARIFICATION REGARDING THE FOLLOWING CONCERNS:**

- In Section 5(a): The phrases "whose medical needs require" and "medical necessity" are both used as standards for coverage of an individual's prescription drugs. For the sake of consistency, the phrase "medical needs require" should be used throughout the Bill. Is there some reason this has not been done?

- In Section 5(a): Why is it necessary to replace the word "may" with "shall" with regard to the beneficiary demonstrating efforts to enroll in Part D and to utilize the exceptions process?
- In Section 5(a): The last bracketed provision would remove the requirement that DSS inform the enrollee within two hours whether the needed medication will be covered. Why is this time limitation being deleted?
- What is the status of the appeals process that the law requires the Department to implement to pursue Medicare coverage for drugs covered by the State/Title 19? (Section 5(c) of the current law.)

## CONCLUSION

The Center for Medicare Advocacy and the Connecticut Part D Wrap Around Coalition are grateful to the legislature and the Governor for the fine work that has been done to ensure that our older and disabled Connecticut citizens continue to obtain the prescription drugs they need. We urge the legislature to continue this commitment by rejecting the proposed limitations in Senate Bill No 1128 Section 5. Thank you for this opportunity to testify in support of this important bill.

Respectfully submitted,



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## CONNECTICUT PART D WRAP AROUND COALITION

*AARP – Connecticut  
Advocacy Unlimited  
AIDS Life Campaign  
Center for Medicare Advocacy, Inc.  
CT Association of Area Agencies on Aging  
Connecticut AIDS Resource Coalition  
Connecticut Commission on Aging  
Connecticut Elder Action Network  
New Haven Legal Assistance Association*

*Connecticut Health Advocacy Forum  
Connecticut Legal Rights Project  
Connecticut Legal Services  
Greater Hartford Legal Aid  
Legal Assistance Resource Center of CT  
National Alliance on Mental Illness – CT  
National Multiple Sclerosis Society  
Greater CT & Western CT Chapters*