

March 16, 2009

GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE

Testimony of William A. Hyatt, 42 Kenneth Drive, Glastonbury, CT 06033

Re: Raised bill S.B. 840

Senator Slossberg, Representative Spallone and members of the Government Administration and Elections Committee:

Thank you for the opportunity to provide testimony on S.B. 840. More specifically, I am testifying against the proposal to eliminate the **Office of the Health Care Advocate**. The Office of the Health Care Advocate has worked diligently on behalf of my daughter and our family and has provided us with invaluable assistance that cannot be replaced by another state agency.

My wife and I have a 20 year old daughter who had been suffering with a severe eating disorder. Her condition and the associated chemical imbalances and physical deterioration had taken over her life, making it impossible for her to function in college or hold a job. We attempted multiple treatment approaches, all in the spirit of facilitating her recovery at the least intensive treatment level possible. Unfortunately the illness was not controlled via successive Outpatient, Intensive Outpatient and Partial Hospitalization programs – her condition continued to worsen.

We worked diligently to understand and follow the advice provided by the healthcare professionals who were treating our daughter. Two psychiatrists, a psychologist, a clinical director, and a therapist all agreed that inpatient care at a facility specializing in the treatment of eating disorders was her only remaining viable option, and that we needed to move quickly to get her into such a facility. Unfortunately our insurance company declined to cover this treatment on the grounds that it was not medically necessary. This was shocking in that we had done everything in our power to understand the rules of the system, and medical needs of our daughter, and had preauthorized her treatment at this facility with our insurer. Additionally, the Evidence of Coverage document clearly covered inpatient treatment for eating disorders.

The **Office of the Health Care Advocate** (OHA) worked with us throughout all of our internal appeals and made sure we understood the process and had all the information necessary to file an external appeal. In the final analysis, the decision of the insurance company was reversed by the external review based on medical need. The assistance and guidance provided by the OHA was absolutely essential to our success in getting our daughter the health care coverage she needed and was entitled to.

Based on our experience we believe the Office of the Health Care Advocate is essential for the following reasons.

- 1) Medical records and confidential statements need to be coordinated and presented at every stage of the appeal process. As parents of an adult patient we were not always legally entitled to view some of these documents and were unable to understand and effectively present others.
- 2) The appeal process is long and difficult to understand. Staff from OHA spent considerable time working with us prior to each stage and were with us at the table when we had to present our appeal to the insurance company. I can't imagine having to go through this process without this guidance. The internal appeal process is intimidating and seems unbelievably unfair. My wife and I both have graduate degrees and have combined experience within the insurance industry and law. We are probably more capable than the average Connecticut healthcare consumer at negotiating a difficult process and understanding legal documents. Anyone going it alone or with minimal guidance would quickly get overwhelmed, fail to present their best case, and likely give up after a couple of denials. It is inconceivable to me that an average citizen challenging an insurance company, no matter how deserving, will be able to succeed in getting the coverage they are legally entitled to without OHA.
- 3) Lastly, I do not believe that another state agency will be able to absorb and effectively execute the functions of OHA in a manner that will be in the best interests of the citizens of the State of Connecticut. We've been through the appeals process and know how specialized and time-consuming it is. The time commitment must vary greatly from case-to-case depending on the issues and the knowledge and abilities of different clients. It is unreasonable to assign this task to staff who are already doing other jobs in another agency. Health care advocacy requires specialized experience and focused attention. It would be unfair to the citizens of the state to provide anything less.