



Greater Hartford Legal Aid

**TESTIMONY OF GREG BASS, LITIGATION DIRECTOR  
GREATER HARTFORD LEGAL AID**

**BEFORE THE GOVERNMENT ADMINISTRATION AND ELECTIONS  
COMMITTEE  
MARCH 16, 2009**

Good morning Senator Slossberg, Representative Spallone, Senator McLachlan, Representative Hetherington and members of the Government Administration and Elections Committee, my name is Greg Bass. I am the Litigation Director with Greater Hartford Legal Aid, a non-profit law firm that provides legal assistance to low-income clients in the Greater Hartford area.

I am here to testify in opposition to Governor M. Jodi Rell's proposal to close the Office of the Healthcare Advocate (OHA). The proposed closure of OHA is reflected in sections 56, 62-67 and 75 of S.B. 840, *An Act Concerning the Elimination of the Office of Consumer Counsel, the Office of the Healthcare Advocate, the Office of Ombudsman for Property Rights and Certain Legislative Commissions*, which effect the complete elimination of the Office of the Healthcare Advocate entirely. These provisions should be deleted from S.B. 840. In addition, section 43 of H.B. 6375, *An Act Concerning Review and Termination of Certain Boards and Commissions*, eliminates the advisory committee of OHA, a key component to maintaining the independence of OHA. It should also be deleted.

**The proposed elimination of the Office of the Healthcare Advocate should be rejected for two basic reasons:**

- 1. Cutting the OHA means the loss of a critical resource for providing direct help to healthcare consumers in serious need.**
- 2. Cutting the OHA does not help solve Connecticut's current fiscal crisis.**

**Loss of a Crucial Consumer Resource**

Many of the low-income clients of Greater Hartford Legal Aid, both children and adults, rely on the HUSKY Medicaid program for their healthcare insurance coverage. This population presents some of the most serious medical conditions of citizens of the State of Connecticut, and their preventive and restorative healthcare needs are correspondingly difficult and complex. These individuals are, for the most part, mandatorily enrolled with plans administered by managed care organizations (MCO). The three MCOs currently administering the Medicaid HUSKY program in Connecticut,

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through contracts with the Department of Social Services, have a great deal of authority regarding the fundamental eligibility and coverage decisions for the healthcare of these individuals. In many instances, the MCOs function as the primary authority for these families, deciding complex coverage issues of medical necessity under federal and state Medicaid law. Indeed, for low-income families not versed in this complicated system of legal rights, dealing with the MCOs often effectively means that they seem to be the final authority.

That's where the Office of Healthcare Advocate comes in. At Greater Hartford Legal Aid, we assist many clients with Medicaid issues in their dealings with managed care organizations and with the Department of Social Services. But we can't begin to do it all. The OHA has the expertise and the ability as an independent and non-partisan advocate, to effectively serve this population, helping them to navigate through managed care grievance and appeal procedures, as a means to securing their legal rights in this sometimes bewildering maze of state and federal law.

The OHA ensures that health insurance companies meet their contractual obligations and that they pay for the medically necessary, sometimes life-saving, treatment patients need. We help patients and providers to build and document the case for medical necessity, and it is based on that information that denials are reversed on appeal. This is a core consumer protection of function of government that is not performed by any other state agency.

The OHA 2008 Annual Report shows that last year alone, the OHA helped more than 2,000 patients to resolve problems with their health insurance coverage. This resulted in more than \$5,000,000 in consumer savings last year, representing the value of those claims for medically necessary health care needs that were preserved by the OHA.

### **Not a Practical Response to the Fiscal Crisis**

The OHA is a Special Fund Agency receiving its budget allocation from the Insurance Fund, which is created based on an assessment on insurance companies. Cuts to the OHA do not help to close the General Fund deficit. In fact, cuts to the OHA would simply go back to the insurance industry. In short, the elimination of the OHA won't result in savings to the State treasury.

I urge you to reject sections 56, 62-67 and 75 of SB 840 and section 43 of HB 6375. Thank you for your consideration of my comments.