



Testimony of Access Health CT

Before the Connecticut General Assembly Government Administration and Elections Committee

Heard before the Committee on February 15, 2019

Proposed SB 604: AN ACT REQUIRING EXECUTIVE AND LEGISLATIVE REVIEW OF CERTAIN QUASI-PUBLIC AGENCY CONTRACTS AND AGREEMENTS.

Chairs Flexer and Fox, Vice Chairs Haskell and Winkler, Ranking Members France, Sampson, and members of the Government Administration and Elections Committee, my name is James Michel, CEO of the Connecticut Health Insurance Exchange, doing business as Access Health CT.

I am sorry we were not able to be at the Public Hearing on Friday, February 15, 2019, but we would like to thank you for the opportunity to provide written testimony in **OPPOSITION TO SB 604: AN ACT REQUIRING EXECUTIVE AND LEGISLATIVE REVIEW OF CERTAIN QUASI-PUBLIC AGENCY CONTRACTS AND AGREEMENTS.**

Senate Bill 604 seeks to require quasi-public agencies to submit all employment contracts, consulting contracts, or separation agreements for less than \$50,000 to an employee resigning or retiring from employment from such quasi-public agency for the purpose of avoiding the costs of potential litigation or pursuant to a nondisparagement agreement, to the Attorney General for review and comment prior to entering into or renewing such contracts. Further, if the contract has an annual cost of over \$100,000, a copy of such contract shall be also be submitted to the joint standing Committee of the General Assembly having cognizance of such quasi-public agency. AHCT is opposed to this bill as the Attorney General lacks jurisdiction of the quasi-public agencies, and quasi-public agencies are not required to submit copies of their agreements to the Attorney General prior to entering into such agreements like executive branch agencies pursuant to CGS 4a-59. CGS Section 3-125 sets forth the duties of the Attorney General and provides that the Attorney General shall appear for the state,

including the other Constitutional Officers and the heads of any executive department, and also advise them or provide them with his opinion on any question of law submitted to him. Quasi-public agencies are not considered to be acting as “the state of Connecticut,” and are unable to obtain legal representation or legal opinions or advice from the Attorney General. Requiring quasi-public agencies to submit copies of certain contracts to the Attorney General for review and comment would be futile, as the Attorney General cannot opine on the contracts.