

Testimony Opposing
House Bill 6389: An Act Transferring the Responsibilities of the Division of Special Revenue, Consumer Council, *Healthcare Advocate* and Board of Accountancy to the Department of Consumer
&
HB 6380 Concerning eliminating funding for 7 of 9 positions from the *Office of the Child Advocate*

Appropriations Committee
February 23, 2011

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Senator Harp, Representative Walker, Senator Duff and Representative Reynolds, and Members of the Appropriations Committee:

I am testifying today on behalf of Connecticut Voices for Children, a research-based public education and advocacy organization that works statewide to promote the well-being of Connecticut's children, youth, and families.

- I. Connecticut Voices strongly opposes the transfer of the Office of Healthcare Advocate (OHA) to the Department of Consumer Protection.**
 - a) This transfer would fatally undermine the independence – and therefore the effectiveness – of the OHA.**

We have worked closely for many years with the Office of Healthcare Advocate (OHA) on health coverage and access issues that affect children and families. The OHA is an independent government watchdog that helps health care consumers obtain the coverage and services they are entitled to under state and federal law – whether such coverage is provided by state-funded programs or private insurers. It also independently proposes legislation and conducts healthcare policy efforts based solely on the best interests of Connecticut's healthcare consumers. It also conducts independent federal healthcare policy work consistent with its mission to evaluate the impact of federal laws and regulations on Connecticut's healthcare consumer. OHA must maintain its independent governmental power in order to accomplish the above, and to be able to engage directly with health care insurers and other entities to resolve complicated individual and systemic issues.

In addition, we oppose the proposal to eliminate the Advisory Committee that recommends qualified candidates to the Governor for appointment as Healthcare Advocate. House Bill 6389 would instead mandate that the Commissioner of DCP appoint the Healthcare Advocate. Such a change would also compromise the independence of the OHA.

b) No fiscal savings would be gained by the transfer.

Further, while there may be savings or efficiencies to be gained by consolidation of certain government functions, transferring the OHA to DCP garners no savings to the state's General Fund. The OHA is funded out of the Insurance Fund, and does not cost taxpayers. Instead, the OHA has a proven track record of recovering literally millions of dollars for taxpayers in needed health care benefits.

It makes little sense to move OHA from the Insurance Department where it has been housed for administrative purposes only. OHA points out in its testimony the advantages of being co-located with the Insurance Department – not least of which is to facilitate resolution of complicated coverage cases.

Given the ongoing changes in the delivery of health care through federal and state reform initiatives, it is critical to continue to *support* the independence, expertise and cost-efficiency of one of the most effective watchdog agencies in our state.

II. Connecticut Voices strongly opposes the elimination of seven of the nine positions within the Office of the Child Advocate (OCA)

a) The OCA performs an essential function that no other child advocacy related organization in the state performs.

The OCA partners with other child advocacy organizations in Connecticut, particularly the Center for Children's Advocacy, Commission on Children, and Connecticut Voices for Children, to improve children's safety and well-being, but the *OCA's role and authority are unique and not replaceable by others*. The Center for Children's Advocacy provides legal representation to children in the child protection, education, juvenile justice and health realms, and engages in systemic policy advocacy through administrative and legal processes. The Commission on Children serves as a "convening" entity, bringing the branches of government together to share information and promote policies in the best interests of children. Connecticut Voices for Children provides analysis and research based reports and policy advocacy on issues promoting the health, education, safety and family economic security of children and families.

The OCA, in contrast, has the unique statutory and independent authority, including subpoenaing and reviewing records, to investigate and evaluate all state-funded and state operated programs, services, and institutions for children and make recommendations that protect the rights of Connecticut's children. As the Child Advocate states, she and her staff "have responded to more than 10,000 calls from citizens, agency employees and legislators and conducted hundreds of investigations related to children who have received or should have received services from the many state-funded agencies and private providers responsible for their care."

The OCA promotes government transparency and accountability—with a relatively small budget, the OCA provides taxpayers with independent, nonpartisan oversight and accountability of well over \$4 billion dollars of state funds across all branches of government. This includes identifying

wasteful, duplicative or ineffective practices, and proposing reform, including shutting down harmful or poor performing programs.

b) The OCA could not continue to perform its statutorily mandated functions with an eviscerated staff of only 2 persons.

The proposal eliminates all staff positions at OCA except for the Child Advocate and one staff position to support the Child Fatality Review Panel. No other position is preserved to oversee the care and treatment of thousands of children served by more than eight agencies whose combined budget is approximately \$4 billion dollars and hundreds of state-funded private providers.

OCA also is the safe haven for public officials, citizens, providers and state employees to report system failures that affect the health and safety of children. A small staff of highly specialized and expert professionals accomplishes the OCA's broad statutory mandate, which includes investigating individual and systemic complaints concerning the safety and well-being of children under the state's care, and staffing and coordinating the Child Fatality Review panel. A single individual, even one as energetic and devoted as the current Child Advocate, could not possibly perform all the statutorily mandated functions of the OCA legislation. The new executive administration, the agency leadership he has chosen, and the state's at-risk children need the knowledge and experience garnered since 1995 through the unique role played by the Office of the Child Advocate.

Thank you for the opportunity to testify.