



# The Health Consumer Alliance

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April 3, 2012

Peter Lee, Director  
California Health Benefit Exchange Board  
2535 Capitol Oaks Drive, Suite 120  
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Dear Peter & Board-members,

The Health Consumer Alliance (HCA) would like to thank the Health Benefit Exchange Board for providing us an opportunity to present and participate in the March board meeting held in Fresno and specifically, the opportunity to address the role of consumer assistance in supporting enrollment. We wanted to follow up that presentation with a few reactions to the items discussed at the meeting.

We understand the enormous effort that will be undertaken by the Health Benefit Exchange to ensure a smooth transition so that the health coverage expansions made possible by the Affordable Care Act (ACA) will become a reality. The presentations provided to the Board at the March meeting made clear that as part of this effort, the Board will consider expending significant resources on marketing and outreach, including efforts to develop a “brand” that is recognizable. We appreciated the discussion involved in emphasizing “trust” as a key component to the branding as many consumers begin to navigate this unfamiliar terrain. We also understand that the expanded participation of consumers will assure the actuarial soundness of the system.

HCA believes that consumer assistance is an indispensable component to ensuring that the Health Benefit Exchange and the coverage that it will make possible actually elicit trust and confidence in consumers. Nothing will be more important than figuring out on an individual basis how these changes affect “me and my family.” No amount spent in an advertising budget will be worth the investment if consumers face obstacles that they cannot navigate on their own.

## Health Consumer Alliance Partners

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As emphasized at the presentation, we are very certain that in spite of everyone's best efforts, there will be barriers to getting and utilizing coverage and most of these will present themselves at the very beginning as systems are put into place. As you are well aware, despite the opportunities for simplification, implementation of the ACA will have its complexities as it patches together private coverage, expanded Medi-Cal and Healthy Families, some of which will provide coverage to people previously covered by county programs, newly created subsidies that are completely unfamiliar to consumers, and administration at a state and local level.

While navigators, certified application assistants (CAAs), and brokers all will play a role in advising consumers and pointing them in the right directions, a critical form of recourse will be access to consumer advocates. Unlike navigators and CAAs, consumer advocates can address individual problems. In addition, through a broad base of on-the-ground experience with consumers, consumer advocates also are able to identify and resolve systemic problems. HCA has a long history of working collaboratively with CAAs to provide the individual advocacy and representation necessary to address such barriers.

Here are some examples of recent HCA advocacy efforts that illustrate how problems that emerge from the stories of individual consumers result in fixing the problem for the thousands of folks that stand behind them:

- When the Low-Income Health Program was first implemented, some counties did not adopt the re-determination rules that Medi-Cal uses which prevent terminations as long as consumers submit timely redetermination packets. Instead, some counties treated the end of an eligibility period as an expiration and required people to apply again, causing gaps in coverage and reimbursement. Consumer advocates who identified the problem locally obtained a state clarification which fixed the program statewide for tens of thousands of folks at one time.
- When the waiver program requiring enrollment of seniors and persons with disabilities into Medi-Cal managed care was first implemented, many people found themselves unable to refill prescriptions, sometimes going for days without necessary medications. Consumer advocates worked with state policy-makers to issue guidance indicating that consumers must be able to refill prescriptions even if enrolled until a physician within the managed care plan obtains approval from the prescribing physician that a change is necessary. This ensured that no one was denied necessary medications just because of mandatory enrollment. Again, this is a problem that was identified locally but fixed at a statewide level to help thousands of folks at a time.

- Advocates in San Diego County have worked with local stakeholders to identify an inordinate rate of Medi-Cal discontinuances resulting simply from a lack of sufficient resources to process renewals on a timely basis. As a result of many meetings, San Diego County successfully pursued federal funds for a pilot that will enable it to use “bar coding” and scanning on all public benefits applications and renewals, including Medi-Cal, which will result in an automatic prevention of discontinuances. This will prevent the “churning” of on-again/ off-again benefits, helping consumers access care without any interruptions and ensuring reimbursement to plans and providers also without interruption, again helping thousands of folks at a time.

As you are well aware, HCA is now the statewide consumer assistance program for all health care consumers in California. This role was supported by the state Department of Managed Health Care because of the history and experience that HCA brings. Without reiterating the points provided in HCA’s presentation, we thought it was important to emphasize that we HCA shares a commitment to successful enrollment. Outreach, media, and branding are all important. However, in order to ensure the brand of “trust” and “confidence” stick, vigorous consumer advocacy must be integrated into the launching of these new reforms, not as an option but as an imperative. While advertising might be a first step, it will be consumers’ actual individual experiences that ensure the branding actually fits. Individual access to consumer advocates will ensure that success.

Thank you, again, for considering our input.

Sincerely and on behalf of the *Health Consumer Alliance*,

Michele Melden, Consumer Center for Health Education & Advocacy  
Elizabeth Landsberg, Western Center on Law & Poverty  
Lorraine Jones, National Health Law Program

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