



The Health Consumer Alliance

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The Health Consumer Alliance: Expanding Capacity to Provide Consumer Assistance for California September 2012

HCA Services

As California continues to be a leader in the implementation of the Affordable Care Act, the Health Consumer Alliance (HCA) is providing valuable and necessary assistance to health care consumers attempting to gain coverage, access health services, and solve problems they sometimes face in navigating the health care system. The HCA is a collaborative of nine legal services programs providing direct health consumer assistance across the state of California (our Health Consumer Centers or HCCs) that work with two state and national support centers which provide policy and technical analysis to the HCCs. HCA has over 14 years of experience and success providing consumer assistance in California, especially to vulnerable populations. HCA is the sole grantee of California's Department of Managed Health Care (DMHC) for the federal Consumer Assistance Program (CAP) through the federal Center for Consumer Information and Insurance Oversight.

HCA makes Consumer Assistance Program services accessible to residents throughout the state through:

1. Individual Consumer Assistance

HCA provides local start-to-finish, consumer-focused, culturally and linguistically appropriate health consumer assistance that focuses on helping consumers enroll into the health coverage most beneficial to them, accessing medically necessary services, resolving problems and disputes with health coverage – both public and private, and representing consumers with their grievances and appeals. Since its inception, HCA has served over 128,000 consumers across California.

Health Consumer Alliance Partners

Fresno County
Imperial County
Kern County
Los Angeles County
Orange County
Sacramento area
San Diego County
San Francisco &
Alameda Counties
San Mateo County
Lead Agency

Consumer Centers

Fresno Health Consumer Center
Health Consumer Center of Imperial Valley
Kern Health Consumer Center
Health Consumer Center of Los Angeles
Orange County Health Consumer Action Center
Health Rights Hotline
Consumer Ctr. for Health Education & Advocacy

Community Health Advocacy Project
Health Consumer Center of San Mateo County
National Health Law Program

Consumer Center Sponsors

Central California Legal Services
California Rural Legal Assistance
Greater Bakersfield Legal Assistance
Neighborhood Legal Services of Los Angeles County
Legal Aid Society of Orange County
Legal Services of Northern California
Legal Aid Society of San Diego

Bay Area Legal Aid
Legal Aid Society of San Mateo
State Support Western Center On Law and Poverty, Inc.

The Health Consumer Alliance: Providing Consumer Assistance for California

HCA has special expertise in helping vulnerable populations such as those with limited English language proficiency, people requiring culturally competent services such as refugees and elderly immigrants, low-income communities, persons with disabilities and chronic health conditions, consumers with low literacy levels, and homeless individuals.

2. Community Outreach

HCA engages in local outreach and education to consumers, employers, other advocates, health plans, health care providers, county officials, and community based organizations. This is an especially important element with the implementation of the Affordable Care Act over the next two years. To this end, HCA creates and distributes a wide range of educational materials that target diverse audiences. Since the start of the DMHC CAP grant in January 2012, HCA has held over 500 events, including media coverage and local placement of consumer success stories with information about the Affordable Care Act, reaching over 225,000 people.

3. Addressing Systemic Barriers

HCA has a strong commitment to utilizing the experience of individual consumers to address patterns and trends in problems. HCA accomplishes this through a database that is used to collect and report on a variety of data, including individual assistance, outreach, and coordination activities. HCA reports data to DMHC monthly, quarterly and semi-annually. HCA maps its data for reporting to CCIIO for uniform reporting across the country from CAP programs. The database is also a critical tool in identifying and then addressing systemic problems, such as eligibility and access barriers.

The Cost of Statewide Consumer Assistance:

HCA estimates the costs for serving California health consumers in need of local assistance at \$15 million annually, making itself available to serve the 6.8 million Californians who do not have insurance but will find new options available under the Affordable Care Act. This is based on a robust consumer assistance model with a hotline that runs from 9-5 each day, makes available a full range of advocacy services to each caller and their family members depending on their needs, including referrals to attorneys when attorney services are required, and has dedicated staff for outreach, community education, systemic advocacy, and mental health access issues.

The HCA program at the Legal Aid Society of San Diego, called the Consumer Center for Health Education & Advocacy (“CCHEA”), for example, has all of these components. Last year, CCHEA operated with a budget of \$1.4 million, served over 4,000 individual consumers, and provided outreach and community education to over 4,000 individuals. San Diego County contains approximately 10% of California’s population. To serve the entire population in

The Health Consumer Alliance: Providing Consumer Assistance for California

California at the same level would therefore cost ten times what CCHEA spends, that is, \$14 million statewide for individual assistance and outreach. Extra funding would be necessary to add infrastructure, build outreach and trusted relationships in communities not currently served by HCA, and to perform the data analysis and identification of systemic barriers integral to HCA's effectiveness as a consumer assistance model. Therefore, with \$15 million, HCA estimates that it could serve individuals who are currently uninsured and need help enrolling in health care coverage. For comparison, Community Health Advocates in New York received \$5.8 million to serve 2.6 million uninsured. In California with 6.8 million uninsured persons, HCA estimates \$15 million for local consumer assistance services.

Services would be provided to all Californians regardless of income and source of coverage, in all appropriate languages, and with targeted outreach strategies to culturally diverse communities. Local start-to-finish, consumer-focused health consumer assistance will include:

- Advising consumers regarding eligibility for health care coverage and directing them to the proper employer staff, private insurer, government office or agency for enrollment and retention in, and transitions between, health coverage options.
- Advising and assisting consumers with problems related to health care services, including care and service problems, denials, delays, and claims or payment problems.
- Advising and assisting consumers with filing of complaints and appeals, including both internal and external grievance and appeals processes.
- Advising and assisting consumers with resolving problems with obtaining premium tax credits or cost-sharing subsidies in the Exchange.
- Extensive outreach to consumers, employers, community based organizations, health plans, health care providers, and local government, with an emphasis on promoting education surrounding successful implementation and consumer engagement vis-à-vis the Affordable Care Act
- Data collection and reporting to address systemic issues and to monitor the effectiveness of service delivery, including meeting diverse communities, successfully resolving problems, and monitoring the success of the Exchange and other state agencies in meeting their needs.

Support Needed to Achieve Statewide Consumer Assistance

For its first decade, HCA received substantial support from The California Endowment (TCE). In addition, each HCC secured additional funding from a variety of funders. Currently, TCE provides limited funding and matching grants as HCA has worked on its own sustainability. One

The Health Consumer Alliance: Providing Consumer Assistance for California

of HCA's successes is its receipt last year of \$1.9 in funding through DMHC from the federal Consumer Assistance Program (CAP). DMHC has again secured a CAP grant and hopes to award a portion for local consumer assistance. While HCA plans to apply for renewed funding this year, the status of the availability of funds is not certain at this time. It is also uncertain whether there will be additional federal CAP funds beyond September 2013.

In 2012, Governor Brown signed into law AB 922 which expands the duties of the Office of the Patient Advocate (OPA) to provide a one-stop-shop for all health care consumers regardless of type of coverage. The OPA will assume its new duties in 2013 and may provide some consumer assistance by contracting with local community-based consumer assistance programs, but it is not yet determined to what extent OPA will contract with CBOs.

One of the "Exchange Establishment Core Areas" required of state Exchanges is "providing assistance to individuals and small businesses, coverage appeals, and complaints."¹ This includes providing assistance about eligibility for Medicaid, CHIP and Exchange subsidies as well as offering assistance to individuals. Exchanges may provide these services directly or through an interagency agreement with another entity. States must "ensure robust capacity for providing such assistance for all of its residents and must ensure that the Exchange reinforces and strengthens this assistance capacity."²

To meet these consumer assistance requirements, the California Health Benefit Exchange can collaborate with other entities within the State carrying out these activities and develop a plan to facilitate this ongoing collaboration. HCA recommends that the California Exchange seek federal establishment grant funds for consumer assistance as was done in New York and Massachusetts. (See, e.g. NY State Exchange Establishment Level 1 Funding (6/29/12), www.healthcarereform.ny.gov/health_insurance_exchange/docs/projects). The California Exchange could utilize an interagency agreement with DMHC and/or the OPA for coordinating these services provided by community based consumer assistance programs.

HCA provides the Exchange a critical opportunity to invest in a statewide consumer assistance program that is both local and coordinated, operates a robust data collection and reporting mechanism, provides linguistically and culturally diverse individual assistance and community outreach, and addresses systemic issues, including feedback on the effectiveness of the Exchange. This will be an effective mechanism for ensuring not only that the Exchange is successful in ensuring that millions more Californians will become eligible for and enroll in health coverage but also that the coverage translates into a California population that actually has access and is healthier.

¹ U.S. Department of Health and Human Services, Office of Consumer Information and Insurance Oversight, *Cooperative Agreement to Support Establishment of State-Operated Health Insurance Exchanges*, January 20, 2011, available at http://cciio.cms.gov/resources/fundingopportunities/foa_exchange_establishment.pdf at 48-49.

² *Id.*