

October 24, 2013

Hugh Barber  
Assistant Attorney General  
Office of the Attorney General  
55 Elm Street, P.O. Box 120  
Hartford, CT 06141-0120

Sent by email

Re: Raymond v. Rowland: Scan Optics and Call Center delays

Dear Attorney Barber,

We are writing to ask DSS to refrain from discontinuing thousands of people who have returned completed redetermination forms but nevertheless gotten notice that their SNAP, Medicaid, QMB and/or cash benefits will end in November. We believe DSS is again facing a backlog as it did in August and September that will cause clients to be wrongfully terminated.

We are hearing from *Raymond* clients all over the state facing this situation. As you may know, clients have great difficulty getting through to the Call Centers to try to keep their benefits. When they do call, there is a message acknowledging that many such termination notices went out. It says "if you have already sent in a completed redetermination form or periodic review form please note that our processing unit is actively processing these forms. In many more instances benefits have not been discontinued and will issue in October [sic]." The message may date from last month and perhaps should have been updated. Even if it is meant to assure receipt of November benefits the message acknowledges by inference that there are also cases that **will** be discontinued, even though forms have been returned. But in order to find out whether she can count on continuing benefits, a person has to wait on the phone for over an hour. Many clients use cell phones with limited minutes: 250 per month.

We also note that receiving a termination notice based on a claim of non-compliance which is baseless is highly stressful for our clients, even if they are not actually cut off. In some cases these notices cause them to forgo medical treatment which they need and is covered

For Medicaid cases, we were assured in a June, 2012 letter from the Commissioner that benefits would continue as long as forms are received, even if not processed by the deadline. But DSS is failing even to "initiate" these cases, by having its workers timely type in basic information concerning the receipt of these forms --a step we understand is necessary to keep such a case from closing--even in cases where the IVR system acknowledges receipt of the forms.

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When we voiced concern about these issues in August, DSS reported the Call Center wait time to be 26 minutes and 42 seconds. That delay was attributed to special start up problems. We are now, two months later, hearing from everyone, including DSS, that the wait time is much longer-- over an hour and over two hours at the busiest times of the day. In the course of writing this letter I was on hold with ConneCT for one hour and 4 minutes and was then cut off. For *Raymond* class members, this is an unacceptable barrier to even requesting an accommodation.

We have heard from twelve different town social service departments that have been trying to assist clients with this problem. Towns report that time spent trying to track down lost DSS cases is diverting the social services staff from other work and in some cases towns have paid for emergency medical needs. We have seen dozens of cases at legal service offices and have also heard of many such cases from the elder law bar and community action agencies. There are too many cases for us to be able to assist each individually.

As just one illustration of such a case, Raymond Steen (I.D. #003829091) is a Medicaid client. His deadline to submit redetermination forms was September 20, 2013. His attorney, Matthew Lefevre, mailed the forms to the DSS Scanning Center on September 12, 2013. His lawyer nevertheless received a Notice of Discontinuance, dated October 16, 2013, on or about October 21, 2013. As of that date, the DSS ConneCT website verified DSS's receipt of the redetermination application. The attached October 21, 2013 letter from Attorney Lefevre documents this case. His October 24, 2013 letter to Commissioner Bremby, also attached, discusses the case of Mr. Steen and three other nearly identical Medicaid cases in which redetermination forms were timely submitted on behalf of his clients but notices of termination were nevertheless sent out weeks later. We have additional documentation of these termination problems, should you desire it to be provided.

These delays affect all DSS consumers but pose a particular problem for *Raymond* clients. There is no system in place at present to ensure that Raymond clients--those for whom alerts may have issued warranting DSS intervention to prevent termination at redetermination-- are in fact getting the necessary accommodations. As we discussed at our meeting on October 9, the monitoring system was linked to the previous worker- assigned caseload system. We do receive reports of alerts that issue and certain coded accommodations. For the period from July through September, the latest quarterly report which we recently received, the alerts have increased by 54% and calls to clients are down by 30%.

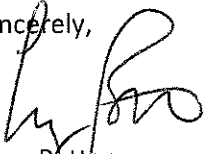
We realize DSS faces difficult challenges in implementing this new system and appreciate that DSS staff are working hard to improve the situation. But despite those efforts, the system is not working. People who have timely returned their forms--or who have not been able to even request needed accommodations in order to do so--should not be cut off as a result of DSS's failure to have a working system. Although DSS appropriately issued a moratorium for August terminations, it assured the public that the matter had been addressed for September so no moratorium for that month would be necessary. But, after the fact, we learned of many inappropriate terminations on September 30 that resulted from similar system problems. Clients face the same threat right now as we approach the end of October.

Please take steps to again ensure that no one who has submitted their redetermination paperwork and complied with their verification requests is discontinued because the current DSS system bars it from being processed. This is especially the case for households that have been identified as needing reasonable accommodations under the *Raymond* settlement. We ask that DSS:

1. Identify all SNAP, Medicaid, QMB and cash assistance cases where redetermination paperwork has been scanned into the system but the case faces discontinuance and preserve eligibility pending processing.
2. Review the listing of potential case closures for November 1 and ensure ongoing eligibility for any case in which a member is identified as needing a reasonable accommodation *whether or not their* redetermination paperwork has been scanned. We ask that this step be taken because this group should be able to request assistance in this process and the Call Center and ConneCT problems have made this virtually impossible during the month of October, as it was in August and September.

Please respond immediately regarding what steps DSS plans to take to ensure that thousands of households do not lose eligibility on November 1 as a result of the ongoing system failures.

Sincerely,



Lucy Potter

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