

From: Matt Selig [selig@hla-inc.org]
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The HLA Docket

The Quarterly E-newsletter of Health Law Advocates: Winter 2011



Message from the Executive Director

February 2011

Dear Friends of HLA:

I'm very pleased to send you HLA's latest E-Newsletter. It's certainly been a winter to remember weather-wise, and it's also been a period of significant activity and growth here at 30 Winter Street.

Back in November, we hosted more than 850 guests at our Annual Benefit Breakfast which featured a compelling testimonial from an HLA client and a laugh-out-loud performance by Calvin Trillin. HLA's Annual Benefit Breakfast is our primary source of financial support and we extend our sincere thanks to all of you who contributed and make our work possible.

In January, HLA enjoyed a special honor as U.S. Secretary of Health and Human Services Kathleen Sebelius visited our office to highlight our work helping consumers enjoy the benefits of national health care reform. You can read more about Secretary Sebelius' visit below.

In February, we concluded five years of court-ordered collaboration with the Massachusetts Office of Medicaid to improve dental services for low-income children. This process followed our landmark legal victory in HCFA v. Romney, a class action lawsuit on behalf of children enrolled in MassHealth who were receiving very poor dental care.

We look forward to sharing more news about HLA's work improving access to health care throughout 2011.

Best regards,

Matt Selig
Executive Director

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Support for HLA

HLA is very grateful for the following recent financial awards supporting HLA's initiatives:

- Blue Cross Blue Shield of Massachusetts Foundation**, *General Operations*
- Health Foundation of Central Massachusetts**, *Mental Health Parity Project*
- The Impact Fund**, *Immigrant Health Litigation*
- Klarman Family Foundation**, *Children's Mental Health Access Project*
- Nord Family Foundation**, *Mental Health Parity Project for Boston's Children*
- Open Society Institute/Community Catalyst**, *Substance Abuse Treatment Access Project*
- Proskauer Rose, LLP**, *Pro Bono Legal Network*
- U.S. Department of Health and Human Services**, *Consumer Assistance Program*

Secretary Sebelius Visits 30 Winter Street

On Friday, January 7, US Secretary of Health and Human Services Kathleen Sebelius paid a visit to HLA's and Health Care For All's (HCFA) Boston offices. Secretary Sebelius spent the afternoon learning first-hand about the important work of consumer health advocacy organizations like HCFA and HLA.



HLA Executive Director Matt Selig and Secretary Kathleen Sebelius

Secretary Sebelius' visit celebrated a provision within the 2010 national health care reform law (The Affordable Care Act) that provided nearly \$30-million for Consumer Assistance Program (CAP) grants for advocacy to empower and educate consumers about their health care coverage options. The Massachusetts Executive Office of Health and Human Services received a CAP grant from the federal government and has contracted with HLA and HCFA to create the Commonwealth's Consumer Assistance Program. The Boston Globe [reported on](#) Secretary Sebelius' visit to 30 Winter Street.

After Secretary Sebelius toured HLA's and HCFA's offices, she participated in a roundtable discussion with HLA's Executive Director Matt Selig and HCFA's Executive Director Amy Whitcomb Slemmer about how the Affordable Care Act and the Consumer Assistance Program are benefitting Massachusetts consumers. Secretary Sebelius heard directly from the mother of a young girl who was able to gain access to health care for her daughter with the help of HLA and HCFA.

Federal Court Ends Five-Year Oversight of Children's Dental Care

On February 3, U.S. District Court Judge Rya W. Zobel ended her court's five-year oversight of the MassHealth dental program for hundreds of thousands of

low-income Massachusetts children that began in 2006 after HLA and Greater Boston Legal Services (GBLS) won a class action lawsuit on behalf of Health Care For All and children enrolled in MassHealth

After Judge Zobel ruled in 2005 that the MassHealth dental program for children violated federal law because of significant access barriers, HLA and GBLS worked with the Commonwealth and a court-appointed independent monitor to improve dental services for MassHealth-eligible children.

During the court's oversight, the percentage of MassHealth members under age 21 receiving a dental exam in the past year increased from 39.8% to 56% even though the number of MassHealth members under 21 also increased by nearly 100,000. Significant increases in the number of dentists treating MassHealth children and MassHealth reimbursement rates for these dentists also contributed substantially to improving access to dental care access for thousands of low-income children.

The Boston Globe ran a [piece](#) in which Judge Zobel touted the major improvements to dental care access for children that occurred because of HLA's lawsuit. Judge Zobel commented to the *Boston Globe*, "In the end, they found a very good solution under very difficult circumstances," Judge Zobel commented. "The court monitor was very imaginative and effective and, in the end, I think the Commonwealth, its taxpayers, and its children got a great benefit."

HLA Executive Director Matt Selig told the *Globe*, "This case is primarily about children getting needed dental services but it also shows how legal advocacy can play an important role in increasing access to health services when the system can't fix itself."

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November Benefit Breakfast Celebrates HLA Milestone

HLA's 2010 Annual Benefit Breakfast marked a special milestone in HLA's history. On November 18, more than 850 HLA supporters gathered at the Sheraton Boston to celebrate the 15th anniversary of the organization's fight for health care justice in Massachusetts. Complete coverage and additional photos of the 2010 Breakfast can be found at HLA's [website](#).



Calvin Trillin

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Save the Date: November 9, 2011

HLA's 16th Annual Benefit Breakfast at the Sheraton Boston

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Lisa Fleming Joins HLA Board of Directors

HLA is pleased to welcome Lisa M. Fleming as a member of our Board of Directors. Lisa is General Counsel and Senior Vice President for Regulatory Affairs with Commonwealth Care Alliance (CCA). She came to CCA from Sunstein Kann Murphy & Timbers LLP where her practice focused on litigation and counsel in patent, trademark, trade secret, and copyright infringement matters. Prior to joining Sunstein, Lisa held the position of Deputy General Counsel at Blue Cross Blue Shield of Massachusetts.

Lisa co-chaired the 2010 HLA Benefit Breakfast in November working with board member Mala Rafik to organize one of the most successful fundraising events in the 15-year history of the organization.

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HLA and Children's Mental Health

One of HLA's leading initiatives is our Children's Mental Health Access Project (CMHAP). Since we launched this initiative, HLA's work in this area has helped scores of families to overcome obstacles to securing diagnoses, treatment, and follow-up care for their children with unmet mental health needs.

A major component of HLA's CMHAP is our Mental Health Guardian Ad Litem (GAL) program which focuses on helping juvenile court-involved children who need mental health care. HLA attorneys are appointed by Juvenile Court Justices in select locations as Mental Health GAL for children in court who are falling through the cracks of the mental health system. The Mental Health GAL's role is to identify the child's unmet mental health needs, advocate on behalf of the child's interests and recommend judicial actions.

Numerous studies have measured a high incidence of mental illness among children in the juvenile justice system. The enormous cost of not diagnosing and treating mental illness in these children is apparent. Children who do not get the care they need are at greater risk of entering and remaining in the juvenile detention system and eventually the adult justice system, resulting in substantial social and economic costs to families, communities, and public agencies.

HLA's Mental Health GAL Project is currently supported by the Klarman Family Foundation and has received past support from the Jesse B. Cox Charitable Lead Trust, the Health Foundation of Central Massachusetts, the Nord Family Foundation and the Massachusetts Bar Foundation.

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New Staff Members

HLA has welcomed four new staff members since the start of the new year. Jenifer Bosco and Alyssa Yenikomshian have joined us as Staff Attorneys; Scott Bryson is HLA's first development director; and Jennifer Swartz, a student at Northeastern University, is our new Paralegal/Intake Coordinator. To learn more about these and other HLA staff members, please visit our [website](#).

Health Law Advocates

Lawyers Fighting for Health Care Justice

30 Winter Street, Boston, MA 02108-4720 P 617.338.5241 F 617.338.5242
www.healthlawadvocates.org

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