



CITIZENS FOR ECONOMIC OPPORTUNITY
Corporate Responsibility Campaign

November 15, 2011

Ms. Carol Carson
Office of State Ethics
18-20 Trinity St, Suite 205
Hartford, CT 06106

Dear Ms. Carson:

We, the undersigned, are writing to request an inquiry into the make-up of Connecticut's Health Exchange Board of Directors. We believe that several of the appointments are in direct violation to Public Act 11-53, which created the exchange.

The legislature clearly intended to create a board that was designed to protect consumers, not benefit insurance companies. The appointments of Mickey Herbert, Robert Scalletar, and Mary Fox, all former insurance executives, raise serious concerns regarding possible conflicts of interests and questions regarding violations of the statute and state ethics laws.

Public Act 11-53 may be found at the following web address:

http://www.cga.ct.gov/asp/cgabillstatus/cgabillstatus.asp?selBillType=Public+Act&bill_num=11-53&which_year=2011&SUBMIT1.x=0&SUBMIT1.y=0; Section 2 includes the following clauses regarding appointees:

(2) (A) No appointee shall be employed by, a consultant to, a member of the board of directors of, affiliated with or otherwise a representative of (i) an insurer, (ii) an insurance producer or broker, (iii) a health care provider, or (iv) a health care facility or health or medical clinic while serving on the board or on the staff of the exchange. For purposes of this subdivision, "health care provider" means any person that is licensed in this state, or operates or owns a facility or institution in this state, to provide health care or health care professional services in this state, or an officer, employee or agent thereof acting in the course and scope of such officer's, employee's or agent's employment.

(B) No board member shall be a member, a member of the board or an employee of a trade association of (i) insurers, (ii) insurance producers or brokers, (iii) health care providers, or (iv) health care facilities or health or medical clinics while serving on the board or on the staff of the exchange.

(C) No board member shall be a health care provider unless such member receives no compensation for rendering services as a health care provider and does not have an ownership interest in a professional health care practice.

In addition, statute 1-84 states that:

(A) No public official or state employee shall, while serving as such, have any financial interest in, or engage in any business, employment, transaction, or professional activity, which is in substantial conflict with the proper discharge of his duties or employment in the public interest and of his responsibilities as prescribed in the laws of this state, as defined in section 1-85.

(B) No public official or state employee shall accept other employment which will either impair his independence of judgment as to his official duties or employment or require him, or induce him, to disclose confidential information acquired by him in the course of and by reason of his official duties.

We believe it is incumbent upon the Ethics Commission to conduct an inquiry to ensure that these appointees meet these criteria. Thank you for your attention to this matter.

Sincerely,

Phil Wheeler
Citizens for Economic Opportunity

Tom Swan
Connecticut Citizen Action Group

Sal Luciano
Council 4 AFSCME

Stephen A. Karp, MSW
National Association of Social Workers, CT

Kevin Galvin
Small Business for a Healthy Connecticut

Ellen Andrews
Connecticut Health Policy Project

Michael Verrett
United Action Connecticut

Lori Pelletier
Connecticut AFL-CIO



CITIZENS FOR ECONOMIC OPPORTUNITY
Corporate Responsibility Campaign

C.E.O. ♦ 111 South Road ♦ Farmington, CT 06032 ♦ (860) 674-0143



/c-e-

o.net



C.E.O. ♦ 111 South Road ♦ Farmington, CT 06032 ♦ (860) 674-0143



/c-e-

o.net