



**PRESS RELEASE
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July 14, 2011

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ABC for Health Files Brief in Claim against Insurance Commissioner for Consumer Assistance Contract Termination

Madison, WI – Public Interest Law Firm ABC for Health, Inc. (ABC) has filed a supporting brief related to a claim for \$176,250 plus expenses against the Wisconsin Commissioner of Insurance Ted Nickel. The claim arises from the termination of the Consumer Assistance Grant contract between the Commissioner of Insurance (OCI) and ABC. Also mentioned in the claim filed Thursday with the State Claims Board, are Deputy Commissioner of Insurance Dan Schwartzer, Department of Health Services Secretary Dennis Smith, Deputy Secretary Kitty Rhoades, and Governor Walker’s Deputy Chief of Staff Eric Schutt.

The brief claims that newly appointed Commissioner Ted Nickel and his Deputy Dan Schwartzer’s decision to terminate a carefully crafted and unduplicated consumer assistance program that included ABC was unlawful and inequitable. Bobby Peterson, Public Interest Lawyer at ABC, said, “Commissioner Nickel thoughtlessly terminated a promising program to help consumers navigate the maze of health insurance. In January 2011, OCI recklessly pivoted 180 degrees and shunned opportunities to support consumer assistance and instead pandered to the insurance industry and a mean spirited political ideology that is out of step with the people of Wisconsin.”

How times have changed. During the summer of 2010, OCI asked ABC for help to develop a proposal to accept referrals for consumers that needed help navigating health care coverage that was beyond what OCI could legally provide. ABC staff worked closely with OCI staff to create carefully choreographed project objectives and activities to maximize efficiency while reducing redundancies of service. As of the contract’s effective date, ABC hit the ground running and helped many consumers navigate complicated health insurance and coverage issues. However, the new Commissioner of Insurance entering office (under the new executive administration) had a different plan for consumers and took steps to terminate the grant, all the while the OCI staff was continuing to rely on ABC’s service, making referrals and pursuing additional requests for service and training. Nickel officially sent a notice of termination on February 9, 2011.

Peterson continues, “Internal documents show the decision to terminate the contract was a ‘fait accompli.’ After the appointment of Ted Nickel as Commissioner, OCI leadership simply stopped communicating with ABC and instead developed a strategy to kill consumer assistance in Wisconsin.”



Peterson warns other contractors in Wisconsin, saying, “The actions by OCI should give any business pause about entering into a contract with the state of Wisconsin. In our situation, OCI created a strong expectation for project funds with ABC. Ted Nickel and OCI’s actions tarnish the credibility and reputation of the state of Wisconsin and its contracting process.”

To read the claim, learn more about the consumer assistance program, and to see documents and records retrieved, visit: <http://www.safetyweb.org/projectsConsumerAssistance.html>.

ABC for Health, Inc. is a Wisconsin-based, nonprofit, public interest law firm dedicated to linking children and families, particularly those with special health care needs, to health care benefits and services. ABC for Health’s mission is to provide information, advocacy tools, legal services and expert support needed to obtain, maintain, and finance health care coverage and services.

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