

February 24, 2014

Representative Bob Lynn  
Alaska State Capitol, Room 108  
Juneau, AK 99801

Dear Rep. Lynn,

House Bill 127, relating to the Ombudsman statutes, is currently before the House State Affairs committee. ASHNHA members have concerns about the bill that I wanted to bring to your attention.

The current version of the bill expands the Ombudsman's jurisdiction to complaints about private health care providers providing certain psychiatric services to juveniles in state custody. The current language refers to a "...treatment facility, or residential treatment program accepting placement of juveniles committed to the custody of the Department of Health and Social Services." A proposed amendment would change that language to residential psychiatric treatment centers and residential child care facilities. We oppose this section of the current bill and the proposed amendment.

Residential psychiatric treatment centers provide important health care services for juveniles in state custody. Within the existing federal and state regulatory framework, there are numerous ways for juveniles, their families and their advocates to have their concerns heard and addressed. Multiple agencies have oversight over these health care providers, including the Centers for Medicare and Medicaid Services, the Joint Commission, the Disability Law Center, the State of Alaska Department of Health & Social Services Health Facilities and Residential Facilities Licensing and Certification, the State of Alaska Office of Children's Services, the State of Alaska Divisions of Juvenile Justice and Behavioral Health, and facility-specific internal complaint/grievance procedures.

There are more than sufficient protections in place to ensure that juveniles under treatment and their families/guardians have appropriate access to grievance and complaint procedures. At a time when so much of the health care debate focuses on cost, adding yet another administrative burden runs counter to the goal of reducing the rate of health care cost growth.

Finally, we are concerned about the potential implications of extending the jurisdiction of the Ombudsman to health care services provided in the private sector. If the Ombudsman's jurisdiction extends to behavioral health care for juveniles in DHSS custody, it is a small step toward extending that jurisdiction to other facets of health care as well. Expanding the jurisdiction of the Ombudsman to private health care facilities is a significant expansion of authority.

Thank you for your consideration. I am available to answer any questions you might have.

Sincerely,



Karen Perdue  
President/CEO