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Lawsuit: State negligent in oversight of multimillion dollar broker of medical rides for poorest, sickest patients

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Poor performance by the state and its broker of medical rides, Veyo, has threatened the health of Medicaid patients across the state, a new class-action lawsuit asserts.

Legal-aid lawyers went to federal court Thursday to discuss a restraining order against the state and its multimillion dollar broker of medical rides, saying an unending stream of canceled rides and stranded patients have made a vulnerable Medicaid population even sicker and is endangering lives in some cases.

That assertion forms the basis of a class-action lawsuit by Connecticut Legal Services, a statewide organization based in Middletown. The case features the experiences of six Medicaid patients with a range of serious illnesses who have missed appointments because of canceled or late rides. Some of them have been hospitalized as a result, or have been dropped by their healthcare provider. The lawsuit names the Department of Social Services and its commissioner, Roderick Brems, and was filed Wednesday in U.S. District Court.

The six patients represent tens of thousands of other Medicaid patients with similar experiences, said Kristen Noelle Hatcher, a lawyer and chief of the benefits unit at Connecticut Legal Services. She spoke before a hearing Thursday morning with U.S. District Judge Kari A. Dooley, where she and lawyer James Haslam were to ask for a temporary restraining order against the state and its contractor, Veyo.

Terrilyne Trudeau's experience is typical, the lawsuit asserts. The 56-year-old Terryville resident requires regular treatment for lymphedema, the swelling of arms and legs due to damage of the lymph nodes. Trudeau, who is susceptible to infection, had eight appointments lined up for the application and removal of layers of high-pressure bandages.



Trudeau, who uses a wheelchair, "had her transportation cancelled for seven of them," the lawsuit states. "She did not receive written notice about any of the cancellations/denials. The providers will not initiate treatment without assurance that she will have reliable attendance."

Social services has refused to reschedule transportation "because they would like Ms. Trudeau to submit a form demonstrating that she continues to need transportation -- which she has needed for over a decade for the same chronic condition," the lawsuit states.

The case caps a year of complaints against Veyo and picks up on a drumbeat that has been growing louder by the month: that Veyo is allegedly violating federal law by denying service to thousands of Medicaid patients without the required notice, under the noses of the social-services department. Meanwhile, Veyo has been paid more than \$8.4 million in fees and has used \$160 million in state Medicaid funding.

Despite the payments and the funds, Veyo has frequently failed to provide wheelchair vans for patients in wheelchairs, has forced patients to wait three hours or more for pick-ups after appointments, has canceled rides without notice, and has erroneously told patients that Medicaid rides aren't available if their town has a Dial-A-Ride

van services, according to statements at public hearings by Rep. Cathy Abercrombie, D-Meriden, chairwoman of the legislature's human services committee, lawyer Bonnie Roswig of the Center for Children's Advocacy, and others.

Roswig said the social services department has been told "about this untenable situation since January of 2018 by legislators, patients, health care providers and advocates. It is my hope that the court and the new administration will intervene to cure this very serious violation of federal law."

The case filed Wednesday invokes the Americans With Disabilities Act and federal requirements for notice of denials of service.

"It's such a vulnerable population we are talking about," said Hatcher. "If they are not able to make their appointments, it's critical, and from a providers' point of view, they can't treat the patients if they can't rely on the patients getting there."

Members of Gov. Ned Lamont's transition team listed fixing the non-emergency medical transportation system as a priority in a draft human-services agenda.

A spokeswoman for Attorney General William Tong's office said lawyers "are reviewing the matter and will respond appropriately."