



STATE OF WISCONSIN
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CORRESPONDENCE MEMORANDUM

DATE: January 10, 2013

TO: Group Insurance Board

FROM: Allen Angel, Ombudsperson
 Vickie Baker, Ombudsperson
 Liz Doss-Anderson, Ombudsperson

SUBJECT: Ombudsperson Services Role in Employee Trust Funds (ETF) Quality Assurance Activities

This memo is for informational purposes only. No Board action is required.

Ombudsperson Services staff are responsible for ensuring that Wisconsin Retirement System (WRS) members receive the highest quality of service in conjunction with all the programs administered by the Department. Ombudsperson Services also provides quality-related recommendations to those in managerial positions throughout the Department. Through our day-to-day interactions with members, we identify areas of concern and those in need of clarification or focus in order to make large scale improvements. These improvements benefit all parties but most notably, members, health plans and employers.

In an effort to keep the Group Insurance Board informed of our activities and how they impact members, Ombudsperson Services provides both an annual Ombudsperson Services Quality Assurance Activities report in February and a report on Ombudsperson Services Member Outreach and Education in November. These reports will supplement the Annual and Semi-Annual Ombudsperson Services Contact Report provided in May and August of each year.

Throughout the year we work with WRS members to provide education and resolve issues, primarily, but not only, in the health insurance area. In that role, we often identify opportunities to improve the quality of service and benefits administration. Some examples of Ombudsperson involvement in quality assurance and improvement activities include:

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GIB	2.5.13	7C

Reviewed and approved by David Nispel, General Counsel Legal Services	
<i>David A. Nispel</i>	1/14/13
Signature	Date

- Several members contacted Ombudsperson Services after receiving bills for their annual eye exams. Members were unaware that they were required to use a special network of eye care providers. Staff collaborated with the Division of Insurance Services and the health plan to improve member materials outlining how to access eye care benefits by using the plan's provider network.
- Several times each year, Ombudsperson Services assists families in completing the disabled dependent review process or with related lapses in the continuation of their health insurance coverage. These issues often require working with the plan and possibly the employer, to ensure our members receive the correct information regarding eligibility and, if applicable, the ETF Administrative Review process. In some instances, we provide both the plan and employer with additional education on ETF contract requirements in order to avoid similar concerns and issues in the future.
- Over the years, members, plans and advocates have commented that it is sometimes difficult to find information about specific Uniform Benefits contract provisions in the *It's Your Choice* booklet. To help facilitate members obtaining information on both benefits and exclusions under the contract, Ombudsperson Services approached the Division of Insurance Services about including a *Uniform Benefits Quick Reference Guide* in the booklet. The idea was approved. We then collaborated with the Office of Communications and Legislation to develop the Guide. The 2013 *It's Your Choice* booklet includes the new Guide, and members may now more easily locate information about their benefits and any related exclusions.
- Ombudsperson Services worked collaboratively with ETF Human Resources staff to develop a policy that addresses a member's allegation of discrimination or retaliation by ETF, a health plan or third party administrator. For example, a member felt that because he had filed a complaint with ETF regarding his health plan, the plan retaliated and discriminated against him by denying future claim payments. After the policy was finalized, Ombudsperson staff provided training on the new guidelines to ETF employees who work with members where retaliation or discrimination may be a potential issue. The policy also was forwarded to health plans and third party administrators. A copy of the policy is attached.
- While attempting to register for a myETF Benefits account, a member encountered technical difficulties. Ombudspersons worked with IT Help Desk staff to assist the member in completing his online registration and enrollment. During the problem resolution, a larger IT systematic issue was discovered. The larger issue was corrected, which improved member service and also diminished the possibility of similar enrollment-related technical difficulties in the future.

- Throughout the year Ombudsperson Services works collaboratively with plans, third party administrators, and ETF staff to improve communications to members regarding their benefits. We accomplish this by reviewing all upcoming information changes for accuracy, clarity, and consistency.
- To continue to ensure the highest level of security of member information, Ombudsperson Services works with the Office of Policy, Privacy and Compliance to educate ETF staff. Our current educational emphasis is on using the minimum amount of personally identifying data when communicating member information via email and the availability of encrypted emails when appropriate.
- Ombudsperson Services participates in the weekly meetings of the Division of Insurance Services' Change Control Board. The board monitors changes to ETF health insurance IT systems, considers any potential impact on members, develops communications to all involved parties regarding changes, and works to ensure the integrity of system updates.
- As part of the development of ETF's new Benefit Administration System (BAS), Ombudsperson Services participated in several of the Transformation, Integration and Modernization (TIM) Functional Requirements meetings throughout November and December. The meetings we attended included the following: Group Insurance, Health Insurance, Hearing Administration and Appeals, Imaging, Statistical Reporting and Audit/Security. Ombudsperson Services will continue to work with internal staff and contractors to develop technical requirements which will be the basis for the Request for Proposals for the new BAS.

Staff will be available at the Board meeting for additional details or explanation regarding this report.

Attachment: ETF's Discrimination/Retaliation Policy



POLICY REGARDING MEMBER ALLEGATIONS OF DISCRIMINATION/RETALIATION

Introduction

The Department of Employee Trust Funds (ETF) strives to provide excellent customer service for all members of the Wisconsin Retirement System (WRS). All complaints brought to the Department's attention are taken seriously and are investigated. Allegations of discrimination or retaliation made by WRS members receive the same degree of attention.

ETF has work place policies regarding allegations of discrimination and retaliation involving Department employees. The Department has formally established this policy, which is designed to provide a similar level of expectation and guidance when ETF employees and contract administrators interact with WRS members. This policy is part of ETF's ongoing effort to improve how it provides customer service regarding complaints and appeals filed by WRS members.

Purpose Statement

Although the courts and other appropriate state administrative agencies are responsible for making a legal determination concerning whether retaliation or discrimination has occurred, ETF will investigate such allegations and gather pertinent facts based on a commitment that a high level of customer service is expected and must be provided to all WRS members. Allegations of discrimination or retaliation are typically made when a person feels he/she is being treated adversely or differently. For example, this treatment may be on the basis of age, color, disability, marital status, national origin, race, religion, sex, sexual orientation or other characteristics that are protected by civil or employment laws such as but not limited to the Civil Rights Act of 1964 and the Wisconsin Fair Employment Law, ss. 111.31-111.395, Wis. Stats.

Procedure

No ETF employee or contract administrator shall engage in any retaliatory or discriminatory activities directed at or pertaining to any WRS member. All allegations of retaliation or discrimination involving WRS members, ETF employees or contract administrators will be investigated. Similarly, if an ETF employee learns that a WRS member believes he or she has been a victim of retaliation or discrimination, the ETF employee shall report that information to his or her supervisor. When an ETF supervisor or manager receives information that a WRS member believes he or she has been a victim of retaliation or discrimination, this information shall be forwarded to the ETF Affirmative Action Officer.

However, if the staff person or supervisor have questions about how to proceed based on the specific allegation, or require assistance to assess the member's intentions in pursuing an allegation of discrimination or retaliation, Ombudsperson staff may serve as an intermediary prior to this issue being passed on to the ETF Review Committee. Ombudsperson staff may help assess the circumstances surrounding the allegation, and help determine whether or not this allegation will be brought to the attention of the ETF Review Committee.

ETF shall establish a Review Committee that will convene on an as-needed basis for the express purpose of considering complaints of retaliation and discrimination filed by WRS members. The Review Committee shall consist of ETF's Affirmative Action Officer and General Counsel as well as program experts from the Department.

A chairperson and vice-chairperson shall be appointed. The General Counsel shall recuse himself or herself from the committee's investigation of a member's allegation, if the General Counsel had any prior involvement with the member's allegation. The committee shall be charged with facilitating the investigatory process, determining how the investigation is to be conducted, and deciding who will conduct the investigation.

Upon receipt of an allegation of discrimination or retaliation, the ETF Review Committee shall request additional information that addresses the following:

- What happened
- Where and when did the activity occur
- Who was involved
- Were there any witnesses
- Are there any documents related to this matter
- Did the member discuss the activity with the ETF employee or contract administrator
- What, if any, response did the member receive from the ETF employee or contract administrator

In collecting the above information, the ETF Review Committee may utilize a complaint form that the member may use to describe his or her allegations of discrimination or retaliation. Only the ETF Review Committee has the authority to send the complaint form to the WRS member.

The names or other identifying information about individuals will be disclosed only when necessary for investigating the complaint. Information will be disclosed to the ETF Review Committee employees who are part of the investigation process and to those individuals who are named in the complaint.

ETF's investigation of a WRS member's allegation shall be conducted in accordance with the confidentiality requirements set forth in Wis. Stat. s. 40.07 (records) and Wis. Admin. Code ETF s. 10.70 (individual personal information) and other applicable laws and regulations. The result of the investigation will be shared with the WRS member, ETF's Office of the Secretary, and the contract administrator. The ETF Review Committee will confidentially maintain investigatory records for a period of seven years. Based on the results of the investigation, ETF will take prompt and appropriate steps to address allegations of discrimination and retaliation and act in accordance with directions from the Office of the Secretary.

This policy shall be included in ETF's new employee training materials and discussed at new employee orientation sessions.