

Linda Joy Sullivan

for Vermont Auditor of Accounts 2020

July 6, 2020 (Dorset, Vermont)

Campaign Statement (for Immediate Release)

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Linda Joy Sullivan, Candidate for Vermont Auditor of Accounts, Questions the State Auditor's Recent Issuance of his Report on *One Care* for Apparent Political Gain and the Removal from his Office's Website of Evidence of a Contract with a Political Activist to Help Him Write It

Linda Joy Sullivan, Democrat of Dorset, today questioned why Vermont's incumbent auditor has apparently timed and directed the work of his office to coincide with voters beginning to vote in the Democratic primary. A four term incumbent, the State Auditor is facing a robust challenge in the primary.

On June 30, the State Auditor issued a 71-page, eight-color, graphics-filled report that described the operation of *One Care*, the "accountable care organization" set up as part of a test program with CMS, the federal agency that runs Medicare and Medicaid. As early as February 7, 2019, the Auditor had asked legislators to permit him access to *One Care* records so that he could audit it. (See H.181).

"The optics of the State Auditor using his office to issue what is plainly a politically-timed report are just wrong," said Sullivan.

Sullivan noted that the report itself describes the work product to be a "*descriptive audit*," underscoring that the report does little more than describe known risk factors in the plan adopted during the last administration. Added Sullivan, "This report principally questions Governor Shumlin's decision in 2016 to sign us up for what is a cutting edge healthcare payment reform experiment with our federal partners. As a planned, forward-looking innovation and investment in the health of Vermonters, there were known risks in adopting the new 'ACO' program. But there is also financial accountability and complex risk sharing measures on the face of the plan. The questions the current Auditor posed last week about the model are the very same ones that existed back in 2016, which questions certainly could have been posed and answered by him in 2017, 2018 and 2019."

In the report, the incumbent Auditor questions whether this year's public spend (approximately \$3.8 million after deduction of provider contributions) on administrative costs will be justified by current year cost savings. Sullivan questioned the focus on

proving a hard “return on investment” on this administrative expense. “Where the 2020 taxpayer funded operational costs in this investment in healthcare outcomes are going to be less than 0.06% of the total medical spend, the stated concern about whether Medicaid and Medicare savings will cover these costs seems short-sighted. The multi-billion Next Gen ACO program is all about saving money. If we aren’t achieving material cost savings justifying admin expenses, our federal partners at CMS – the entity contributing well over 70% of the money going into this ACO – will not continue this program at the end of its 5 year term. “

Sullivan said that the timing of the report, issued while voters were beginning to vote in the primary, was deeply disappointing. “When you look at the timing of his campaign’s statewide email blast to voters on June 30 – the very day his Office released the report – you can see the evidence of personal political gain from the release of the report,” she said. Sullivan added, “What’s amazing to me is that the very constitutional officer who is supposed to be looking for waste, fraud and abuse in our Vermont government seems pretty clearly to be mobilizing the resources of his office to issue official reports politically advantageous to him.”

Underscoring Representative Sullivan’s suggestion was the use of tax payer dollars to contract with Shay Totten, former *Communications Director* and self-proclaimed founding Board member of *Rights and Democracy*, a political action organization, to help him write the report.

State of Vermont Contract 39877 (abstract attached) between the State Auditor’s Office and Shay Totten, identified the services to be provided as:

”Review the State Auditor’s draft audit report, and any related workpapers if necessary, on the State’s ACO, along with the GMCB’s oversight.”

The contract language continues:

“Provide an edited version of the draft audit report. The intent is to make it accessible and user-friendly to a lay audience while conveying the essential facts. To the extent possible, accessibility is understood to require the use of simple and direct language and the limited use of professional jargon.”

Sullivan reported that, once accessible on the Auditor’s website “contracts” page, the web page was removed around the time a voter confronted the State Auditor about the contract. (**See:** https://auditor.vermont.gov/sites/auditor/files/documents/Shay_Totten_Contract_%2339877.pdf)

“What I don’t understand is why the State Auditor needed a political activist to edit his office’s work? And to use tax payer dollars and a public contract to do so. From my review of his office’s work product, his staff is perfectly capable of writing reports that can be

understood by the public.” She added, “The apparent removal of the contract from public view doesn’t look so good, does it?”

“Honestly,” added Sullivan, “When you consider that our Auditor has been missing in action on our massive unfunded pension liability and on our failing State College System, this so-called ‘descriptive audit’ of *One Care* is a *nothingburger*. Vermont deserves better.”

Sullivan has for the last four years served in the Vermont General Assembly, representing her Bennington and Rutland County constituents in the Towns of Dorset, Danby, Peru, Landgrove and Mount Tabor. She will be challenging the incumbent Dem-Prog candidate in the primary election scheduled for August 11.

Beyond serving in the Vermont House of Representatives, Sullivan is a Certified Public Accountant and the founder of a Vermont-based public audit and consulting firm. Her audit firm has been registered nationally by the PCAOB (a regulatory body established under the federal Sarbanes Oxley law to protect the well-being of our public companies) as qualified to perform public audits. In addition to being a CPA, Sullivan holds an MBA as well a Masters of Law focused in Finance and International Taxation. Sullivan has also been court appointed to act as a receiver and turnaround specialist. See www.lindajoy4auditorvt.com.

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This communication was approved by Linda Joy Sullivan and paid for by Linda Joy Sullivan for VT Auditor, PO Box 347, Manchester, VT 05254.

Images for hoffer hires shay totten



Report

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STATE OF VERMONT STANDARD CONTRACT FOR ...

called "State"), and **Shay Totten**, with a principal place of business in Burlington, Vermont, (hereinafter ... mail to Auditor **Hoffer** on March 28, 2020. 39877 ... carry automotive liability insurance covering all motor vehicles, including **hired** and!

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ATTACHMENT A – STATEMENT OF WORK

Document review

Review the State Auditor's draft audit report, and any related workpapers if necessary, on the State's ACO, along with the GMCB's oversight.

Deliverable

Provide an edited version of the draft audit report. The intent is to make it accessible and user-friendly to a lay audience while conveying the essential facts. To the extent possible, accessibility is understood to require the use of simple and direct language and the limited use of professional jargon.



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