

HEALTH EXCHANGE ADVISORY BOARD MINUTES

May 10, 2013

The meeting was called to order by co-chairs Scott Baetz and Lisa Guertin at 9:20 am on May 10, 2013, at the DHHS Brown Building in Concord, New Hampshire.

Board members present: Christine Alibrandi, Scott Baetz, Nancy Clark, Lisa Guertin, Lisa Kaplan Howe, Sandra Ruka, Raymond White, Insurance Commissioner Roger Sevigny and Health and Human Services Commissioner Nick Toumpas.

Absent were: Russell Grazier, Lisa Morris, Beth Roberts, Beryl McCormack and Timothy Soucy.

The April 12, 2013 minutes were approved and the meeting continued with Commissioner Sevigny opening the conversation with a note of thanks to the Board for their time and effort. He appreciates the feedback the Board supplies. Co-chair Scott Baetz thanked the Commissioner for his kind words and the meeting continued with number 2 on the agenda, New Developments/Informational updates.

Insurance Deputy Commissioner Alex Feldvebel spoke about the Producer meeting on Monday, May 6th. He reviewed the slide presentation (handouts were given out, and it's also on our website). He told the Board how we used Survey Monkey to conduct a survey that was sent to all producers who were licensed to write health insurance. One half of the producers showed an interest in writing coverage with the Exchange, and some chose either/or for navigator or producer. And some are willing to help people fill out the applications.

Lisa Kaplan Howe then asked what the next steps would be. Commissioner Sevigny responded that we wanted to get feedback from other stakeholders and producers on consumer assistance planning. He then told the audience and the Board that we were hosting two upcoming meetings at the Brown Building. One on May 17 for consumers and stakeholders and an encore meeting on May 20th for the Producers who want their voices heard. Scott Baetz mentioned that the brokers that he's spoken with were concerned about commission rates. Commissioner Sevigny reminded everyone that the New Hampshire Insurance Department doesn't regulate commission rates. But thinking out loud, if the producers don't receive a viable commission, they will be less interested in participating.

Commissioner Sevigny continued onto item 2.b on the agenda, the consumer assistance grant status and explained to the group that the item was tabled at the last Fiscal Committee meeting and he doesn't know if it will be brought up at the next Fiscal Committee meeting in June. We should have more information at the next meeting; we also presented an amendment to the Department's budget, now pending with the Senate Finance committee, for 5 million dollars for the consumer assistance plan.

In general, Commissioner Sevigny explained, the focus of consumer assistance is on the uninsured, and developing an education and outreach program. We need to get the word out, and it's impossible for us to do it alone. On the other two components of consumer assistance, regulation of the day-to-day navigator activities and the potential temporary market place assisters program, we are looking for feedback on whether and how we should move forward.

Lisa Guertin asked where we stood today on this and Roger replied that it still depends on grant funds. Even with Fiscal Committee approval, we would need to go back to G&C on June 19th with a contract, and then we are into July for a start date. Commissioner Sevigny commented that if the acceptance of the grant funds had gone through we could have hired a program director already, and it would have helped both the departments (DHHS and NHID).

Insurance Department Legal Counsel Jennifer Patterson continued on with Agenda item 2.b.iii— Insights from other states, and told the group how some states have known for a year or more that they would be doing consumer assistance, but we did not and did not plan for it. Jenny reviewed page 22 of the presentation that was handed out explaining that we have to develop NH specific material for assisters, potentially a website, and other outreach and education. We would also regulate the day-to-day conduct of Navigators, who have to apply by June 7th and will be selected by the federal government by August 15th. The feds have allocated \$600,000 for the Navigator Program in New Hampshire. This program will go forward whether or not we do consumer assistance.

Alex Feldvebel then handed out an announcement from the Health Resources and Services Administration (HRSA) of new funding for federally qualified Community Health Centers to help uninsured individuals enroll in new health insurance coverage options made available by the Affordable Care Act.

Commissioner Sevigny introduced the question of whether it makes sense for the state to implement a supplemental in-person assistance program. Lisa Kaplan Howe mentioned that given the numbers of uninsured people, the limited federal dollars for Navigators, and the potentially limited compensation for producers, there will be a need for additional assisters. Jennifer Patterson commented that the initial open enrollment period goes through March 2014, so we have a larger window of opportunity for this program this year. Even if we aren't ready by October, we could be ready to go when the rubber hits the road in January, and still have a positive impact. Lisa Kaplan Howe expressed concern about starting so late, noting that we would be well into open enrollment at that point.

At this point, Scott Baetz wanted to talk about how to focus our communication on those who need it the most. NH citizens in general, not just the uninsured, need to be educated, and we need that grant funding to be able to get the message out. He used his own business as an example and how he needs to look at his budget; he then read letters from Board members Lisa Morris and Russ Grazier, who could not attend the meeting, but wanted to express their support for the consumer assistance partnership.

Christine Alibrandi suggested that the Board draft a letter to the Fiscal Committee expressing support for approving the consumer assistance grant funds. Lisa Guertin asked the Departments if this was appropriate. Both Commissioner Seigny and Commissioner Toumpas replied that their existing resources will not enable them to do all the outreach and education that is needed. Commissioner Toumpas asked the Board to take a high level look at all of this and ask what is the goal. The ACA is the law; we have been offered resources that can help create a healthier state; this is a no brainer and yet all we seem to be doing is bumping our heads against a wall. Until the policymakers say yes, we are spinning our wheels. Christine appreciated the comments and stated that Northeast Delta Dental supported taking the practical approach to the ACA and that we need to get the money into the hands of HHS and NHID.

Nancy Clark agreed that it made sense to formalize a letter to the Fiscal Committee. Scott reminded everyone to phrase all opinions. Lisa Guertin asked to go around and have each Board member state his or her views.

Ray White entered the conversation to explain why he has been skeptical about consumer assistance. First, he is concerned about the state making a commitment and then having the rules change. He spoke about the Federal High Risk Pool and how now there is no more money to fund this program, so NH citizens were cut off from enrolling in March. If we take the consumer assistance money are we committing to continue to fund the program? He reminded us of what is going on with the Medicaid Expansion. If this were a Block Grant, he'd take it. He doesn't hate the poor!!! But he is concerned about the rules changing. Ray continued saying that early on there was no definition to consumer assistance. But he gives credit to the Insurance Department for fleshing it out and explaining it.

Lisa Guertin suggested that the letter could state the board's 'broad,' but not unanimous, support for consumer assistance. Ray felt that was a workable option, and that he wouldn't oppose the Board sending a letter using this language.

Ray White asked about the Joint Oversight Committee request for an MOU. Jenny commented that we are in the process of discussing the MOU with the Committee.

At this point a written statement to the Fiscal Committee was discussed and drafted. Christine framed the vote, expressing support for sending a statement in support of acceptance of the grant funds. A vote was taken and the draft letter was read. It was agreed to send the letter to the members of the Fiscal Committee and Senate Finance Committee. And Ray suggested the Board Co-chairs be authorized to sign the letter on the Board's behalf.

We then moved on to Public comments.

Paula Minnehan of the New Hampshire Hospital Association commented that the Hospitals support consumer assistance, and that hospitals' uniform charity care efforts have helped patients obtain coverage for years. The hospitals want to be part of the effort to get the information out to energize volunteers, assisters.

Attorney Andrew Eills was the next to make a comment, emphasizing that when speaking with legislators concrete examples and specific questions would be helpful —examples of how this money will be used, think about the manner people receive information – e.g., school registration, first line hospitals.

Karen Kelly from NH Citizens Alliance spoke in support of the ACA but explained there are concerns about the lack of competition and lack of employee choice on the SHOP.

Lisa Kaplan Howe noted that by 2015 things will improve, including employee choice and possibly additional carriers. For instance, by 2016 there will be a multi-state plan offering coverage in NH

Jenny explained that she participated in a panel at the Alice Peck Day Hospital about small business in the Connecticut River Valley. Vermont, which has a state-based exchange, has people whose full time job is to go out and speak to businesses about the exchange. Even though New Hampshire has a different model, it would be better to have a clearer picture of how things will work come 2014 so small businesses can plan, along with funds for NH-specific outreach. Vermont has lots of material for employers in VT; they can plan, while NH employers cannot.

Further comments were made by Christine Stoddard of Bi-State Primary Care.

Wrapping up the meeting, Scott discussed the next date and location of future meetings.

Christine Alibrandi offered Delta Dental's conference room for the June 14th meeting and going forward for the future meetings.

The Board was reminded that the next meeting of the Oversight Committee Meeting is Tuesday, May 28th at 11:30 a.m., and that the Fiscal Committee meeting is June 7th. And the NHID Budget has already been presented to the Finance Committee and its working its way through the legislative process.

The meeting adjourned at 11:00 a.m.