

Policy Committee Meeting Minutes
Connect for Health Colorado Meeting Room
East Tower, Suite 1025
3773 Cherry Creek N Dr., Denver, CO 80209
January 25, 2016
3:30 PM – 5:30 PM

Board Members Joining via Phone: Sue Birch

Board Members Present: Adela Flores-Brennan, Jay Norris, Marc Reece, Marguerite Salazar

Staff Present: Brian Braun, Marcia Benshoof, Luke Clarke, Christine Gavin, Jason Green, Kate Harris, Kyla Hoskins, John Neumeier, Kevin Patterson, Alan Schmitz, Lisa Sevier, Adele Work

I. Welcome and Introductions

Adela Flores-Brennan chaired the Committee meeting, called the meeting to order at 3:30 pm, and welcomed those in attendance, both in-person and on the phone.

II. Updates

HCPF

Marivel Klueckman, Eligibility Division Director with the Colorado Department of Health Care Policy and Financing (HCPF), reported that HCPF had preliminary discussion with the Centers for Medicare & Medicaid Services (CMS) regarding HCPF's policy for Medicaid Annualized Income. The policy is on track for implementation on July 1, 2016.

DOI

Matt Mortier, with the Division of Insurance (DOI) reported that the DOI has a hearing on February 1, regarding the health benefits regulation 4-2-43 to establish rules governing enrollment periods for individual and group health benefit plans for 2017. The DOI has been researching the NAIC model network adequacy, as well as the federal notice of benefit payment parameters.

Currently the DOI is tracking several bills in the legislature. Including, HB-1015, coming up for hearing on February 3, this bill is in respect to the Contingent Repeal Health Insurance Laws.

Federal

Kyla Hoskins, Manager of Policy and External Affairs for Connect for Health Colorado gave an update on Federal guidance frequently asked questions regarding special enrollment periods for state marketplaces operating on a federal platform and CMS residency requirements. The special enrollment periods do not pertain to Connect for

Health Colorado; as the Marketplace is state based and does not operate on the federal platform. The Exchange is also in line with the CMS residency requirements.

General Assembly

Meg Dubray gave an update on the General Assembly:

- SB16-006 – Health Insurance Exchange Insurance Brokers, sponsored by Martinez Humenik, and Sias, died in committee earlier this week; however, the bill has not been postponed indefinitely.
- SB16-002 - Health Exchange Voter Approval to Impose Tax, sponsored by Lundberg & Sias. The Policy Committee recommends opposing the bill. Kevin Patterson, Chief Executive Officer of Connect for Health Colorado is to testify on Thursday, January 28, 2016. This bill will require action from Board.
- HB16-1015 – Contingent Repeal Health Insurance Laws Aligning with ACA. Sponsored by Klingenschmitt. Connect for Health Colorado is monitoring this bill. This bill does not directly relate to Connect for Health Colorado.
- HB16 -1148 – Health Benefit Exchange Rules and Policies. Sponsored by Sias, Roberts and Kefalas. The Policy Committee recommends opposing the bill. The title is considered to be broad and there is a concern that it could be used as political fire through the election cycle. The Board will discuss how to address the concerns of this bill.

Action item

- *The Policy Committee will take it's recommendations to the board to determine Connect for Health Colorado's position on SB16-002 and HB16-1148.*

III. Discussion Topics

Guiding principles for Board Policy vs Operational Policy

Marcia Benshoof reported that the senior staff members have an internal bi-weekly operational policy committee that reviews internal business and policy decisions to ensure the board policies are being followed.

Mr. Patterson stated that originally, Connect for Health Colorado utilized advisory committees to help with the creation of the organization; however, the information that was used to build on does not necessarily apply to the organization today. It might be prudent to review past decisions and determine what will work best for the Marketplace now.

Broker Policy

Ms. Hoskins began a discussion around policies by presenting an overview of the Broker Policy. There are several operational decisions around the Broker agreement regarding certification and recertification, contracts, targeted partnerships and web-brokers.

While the Marketplace is operating within the expectations listed within the policy as adopted, there have been concerns around the policy still meeting the needs of the organization and possible additional information that could be taken into consideration.

Recent discussions have focused on whether Connect for Health Colorado should partner with brokers and agents who are not located in Colorado and with web-broker entities (regardless of whether they are located in Colorado or not). The approved Board policy does not specify the types of brokers and agents that Connect for Health Colorado can partner with. It was clarified that Connect for Health Colorado has worked with nonresident and web-brokers in the past.

The Policy Committee has been asked to review the broker policy and report back to the Board with a recommendation on whether or not the policy should be amended.

An argument was made that all brokers, regardless of location, should be allowed to work with the Marketplace. There is concern around a business decision that was made to not allow out of state brokers or web-brokers. Ms. Benshoof provided some clarity around the business decision explaining that at the time, the risk mitigation was high and there were concerns.

Action item

- *The Board will review the Broker policy for consistency and fairness in all business practices.*

Public Comment

There was public comment

Meeting adjourned at 6:00 pm.

Respectfully submitted,

Adela Flores-Brennan
Policy Committee Chair