

Board Meeting Minutes
Connect for Health Colorado
October 8, 2018
8:30 AM – 11:30 AM

Board Members Present: Mike Conway, Steve ErkenBrack, Adela Flores-Brennan, Annie Lee, Marc Reece and Nathan Wilkes

Board Members Joining via Phone: Claire Brockbank, Kyle Brown (left the meeting at 10:00 am), Tom Massey and Jay Norris

Board Members Absent: Sharon O'Hara

Staff Present: Brian Braun, Kelly Davies, Claudia Farnham-Wittner, Kelly Guthner, Kate Harris, Kevin Patterson, Ilana Rivera, Alan Schmitz, Lisa Sevier and Ezra Watland

Approximately 3 guests attended the meeting in-person and the conference line was available for people to join by phone.

I. Call to Order

- Due to phone issues, Board Chair Adela Flores-Brennan, called the meeting to order at 9:00 am and welcomed those in attendance, both in-person and on the phone.

II. Executive Session

Ms. Flores-Brennan entertained a motion to move into Executive Session to discuss matters concerning a personnel matter. A vote was called for and passed with unanimous approval.

The Executive Session is permitted pursuant to CRS §24-6-402(4)(e) & (c) and 24-6-402(4)(f).

The board returned from Executive Session at 10:04 am.

III. Business Agenda

- The minutes from the September Board meeting were voted on and approved.
- There were no changes to the agenda.
- Disclosure of conflicts of interest: Steve ErkenBrack and Marc Reece disclosed a conflict of interest for the vote to certify the health plans for plan year 2019, and, will abstain from the vote.

IV. Board Report

None

V. **CEO Report**

OE6 Plan Certification

Health Plan premium rate increases for 2019 are much lower than the previous year with an average statewide change of 5.6% without the Advanced Premium Tax Credit (APTC) and an average 24% decrease for APTC eligible customers.

As a state health exchange, the Affordable Care Act (ACA) requires Connect for Health Colorado to certify Qualified Health Plans (QHPs) that will be sold on the Marketplace.

For plan year 2019, 5 health plans were discontinued and 5 plans were added, keeping the total number of plans on the Marketplace at 124. Of enrollees throughout the counties, 83% will have 3 or more issuers to choose from and 2/3rds of enrollees will have 4 or more issuers to choose from.

An additional 2,400 enrollees who were not eligible for APTC/CSR in 2018 will become eligible in 2019 due to the Federal Poverty Level (FPL) shifts and required contribution percentage.

Two-thirds of all subsidy-eligible enrollees could find a \$0 Bronze plan in 2019.

Gold plans may be cheaper than Silver plans in some areas. Due to Silver loading on the exchange, unsubsidized Silver enrollees may find substantially similar off-Exchange Silver plans which would result in an average 6% increase over 2018 compared to a 17% increase if they stay on the exchange.

Enrollees can save up to 50% on monthly premiums by switching to the lowest cost plan available to them.

Annie Lee moved to certify the On-Exchanged Qualified Health Plans listed in Appendix 1, being offered on the Marketplace for plan year 2019.

Jay Norris seconded the motion.

Ms. Flores-Brennan called for further discussion on the motion. There was no further discussion.

Ms. Flores-Brennan called for public comment. There was no public comment.

Ms. Flores-Brennan called the motion to a vote. The motion was approved as follows:

Yes: Claire Brockbank, Adela Flores-Brennan, Annie Lee, Jay Norris and Nathan Wilkes.

No: None

Abstain: Steve ErkenBrack and Marc Reece

Tax Filing Threshold

The 2018 tax filing threshold for dependents has been included in both Connect for Health Colorado's New Eligibility System (NES) as well as the Colorado Department of Health Care Policy and Financing (HCPF) system for OE6.

OE6 Update

Staff gave an update of NES releases and system availability prior to November 1, 2018.

Hours of operation for OE6 are Monday through Friday, 8:00 am to 6:00 pm with exceptions:

- Saturday, December 6, 8:00 am to 6:00 pm
- December 10 through 14, 8:00 am to 8:00 pm
- Saturday, December 15, 8:00 am to midnight
- December 31, 8:00 am to 2:00 pm
- Saturday, January 12, 2019, 8:00 am to 6:00 pm
- Saturday, January 15, 2019, 8:00 am to 10:00 pm

Service Center and Member Services holiday closures:

- Thursday, November 22, 2018
- Tuesday, December 25, 2018
- Tuesday, January 1, 2019

Staff Retreat

The organization conducted an all staff retreat on Wednesday, September 19th. This was an opportunity to bring the full organization together to talk about how far the organization has come since it began, discuss future strategy and energize everyone for the coming open enrollment.

VI. Finance & Operations Committee Report

Committee Chair, Nathan Wilkes, gave a report on the September Finance & Operations Committee. Topics of discussion were the Service Center and MA Site expansion pilot, and a quarterly audit update.

VII. Policy Committee

Public Charge Draft Comments

The Department of Homeland Security (DHS) released the Public Charge Proposed Rule for public comment. 'Public Charge' is a term used in immigration law to assess whether an immigrant applying for visa, admission, or a green card (lawful permanent residence, or LPR) may be reliant on government benefits. Certain immigrants are not subject to the rule, those deemed by the government to be a 'public charge' may be denied a green card and/or visa renewal.

The current changes to the rule propose an expansion of the list of public benefits considered in public charge determination. While tax credits and cost share reduction are not included in the

rule, Medicaid is. Due to the federal regulations that state a single stream-lined application must be used for all financial assistance, there is a concern that this will have an affect on whether people apply for APTC and/or cost share reduction (CSR).

Connect for Health Colorado has drafted comments to the proposed rule with the following goals:

- Communicate concern on the overall impact of the rule and likelihood of immigrant families to forego health coverage, regardless of whether public charge rule would apply to them.
- Seek clarity on the ‘applied for’ language and its interaction with Medicaid/Marketplace single streamlined application requirements that may mean Marketplace applicants would be subject to the rule through their application to Connect for Health Colorado.
- Provide comment on the recommendation to exclude CHIP enrollees from the final rule (as requested in the proposed rule).
- Communicate preferences on timing and effective date to allow for appropriate outreach, messaging, and any technology changes necessary.

The organization’s comments will be brought to the Board Advisory Group at the end of the month for review. Staff will bring the draft back to the Board in November for final review.

Board Legislative Approach

The Policy Committee requested updates to the policy for the Board’s legislative approach. The updates include adding the organization’s strategic goals, as well as a definition of ‘direct and significant impact’.

Board members requested adding full board noticing for times that may demand immediate action when the Board is unable to convene in a timely manner and the Executive Committee may discuss whether a position and/or public testimony is warranted.

VIII. Public Comment

Public comment was given by:

Bethany Pray, Colorado Center on Law and Policy.

Meeting adjourned at 11:08 am.

Respectfully submitted,

Adela Flores-Brennan
Board Chair

Next Meeting

November 19, 2018 from 8:30 am – 12:00 pm