

Policy Committee Minutes
February 25, 2019
3:30 PM – 5:30 PM

Board Members Present: Claire Brockbank, Mike Conway, Steve ErkenBrack, Adela Flores-Brennan, Jay Norris and Sharon O’Hara

Staff Present: Dustin Arnette, Brian Braun, Saphia Elfituri, Kelly Guthner, Ian McMahon, Kevin Patterson, Ilana Rivera and Ezra Watland

I. Welcome and Introduction

Sharon O’Hara chaired the Policy Committee Meeting and called the meeting to order at 3:30 p.m., welcoming everyone in attendance. The January committee meeting minutes were voted on and approved.

II. Updates

Colorado Department of Health Care Policy and Financing (HCPF)

There are no updates from HCPF.

Division of Insurance (DOI)

The DOI will hold a hearing on Monday regarding the meaningful difference regulation.

III. Legislative/Regulatory Update

Legislative Update

The committee reviewed the state bill tracker, which outlines state House and Senate Bills that are being monitored by the Marketplace. Staff has added two out-of-network bills, Senate Bill 19-134 and House Bill 19-1174, to the tracking spreadsheet.

House Bill 19-1168, the state innovation waiver reinsurance program, authorizes the commissioner of insurance to apply to the secretary of the United States Department of Health and Human Services for a state innovation waiver, for federal funding, or both. This is to allow the state to implement and operate a reinsurance program to assist health insurers in paying high-cost insurance claims.

The Policy Committee recommended this bill to go to the Executive Committee for further consideration.

Claire Brockbank motioned for House Bill 19-1168 to be moved to the Executive Committee for immediate consideration for the board’s position to be stated at the bill’s first hearing on Wednesday.

Steve ErkenBrack seconded the motion.

Ms. O’Hara called the motion to a vote. The motion was approved as follows:

Yes: Claire Brockbank, Steve ErkenBrack, Adela Flores-Brennan, Jay Norris, and Sharon O’Hara.

No: None

Abstain: None

House Bill 19-1136 gives the state auditor the authority to conduct an audit of the Marketplace. This is a practice that is currently in place and will cause no changes to operations.

House Bill 19-1176 is the Healthcare Cost Savings Act of 2019. The bill will create a health care task force.

Action item

Staff to contact HB 19-1136 sponsors and ask for HCPF, DOI, and the Marketplace to be included in the bill’s task force.

Sharon O’Hara motioned for House Bill 19-1176 to be supported by the Policy Committee, with the addition of HCPF, DOI, and the Marketplace as members of the task force, and be moved to the Executive Committee for immediate consideration.

Steve ErkenBrack seconded the motion.

Ms. O’Hara called the motion to a vote. The motion was approved as follow:

Yes: Claire Brockbank, Steve ErkenBrack, Jay Norris, and Sharon O’Hara.

No: None

Abstain: Adela Flores-Brennan

Regulatory Update

The Committee reviewed the Notice of Benefit and Payment Parameters. The Marketplace has come out against the changes to silver loading and automatic re-enrollment for 2021. Connect for Health Colorado joined with other state-based marketplaces stating opposition to these changes.

IV. Policy Agenda

Staff provided an amended [version](#) of the policy agenda principles, to reflect the changes in the language as requested at the last Board meeting.

Action Item

Staff to make an additional language change on the second to last bullet point, changing “Create state-based stability to counterbalance uncertain federal policies” to “Create state-based stability to counterbalance federal policies that are subject to change.”

The committee recommended the policy agenda principles to the March board meeting for review.

V. Public Comment

None

Meeting adjourned at 4:45 p.m.

Respectfully submitted,
Sharon O’Hara
Policy Committee Chair