

***Board Meeting Minutes***  
**Connect for Health Colorado**  
***March 11, 2019***  
***8:30 AM – 11:30 AM***

**Board Members Present:** Elizabeth Arenales, Claire Brockbank, Steve ErkenBrack, Adela Flores-Brennan, Annie Lee, Jay Norris, Sharon O’Hara, Marc Reece and Nathan Wilkes

**Board Members Joining via Phone:** Peg Brown (proxy for Mike Conway) and Lorez Meinhold

**Board Members Absent:** Tom Massey

**Staff Present:** Brian Braun, Saphia Elfituri, Kelly Davies, Claudia Farnham-Wittner, Kelly Guthner, Ian McMahon, 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**

- Board Chair Adela Flores-Brennan, called the meeting to order at 8:30 am and welcomed those in attendance, both in-person and on the phone.

**II. Business Agenda**

- The minutes from the February Board meeting were voted on and approved.
- There were no changes to the agenda.
- Disclosure of conflicts of interest: Steve ErkenBrack and Marc Reece noted they will abstain from the vote on the carrier fees due to being employed by a carrier.

**III. Board Report**

April Board Meeting Location Change

The April board meeting will be held at 5445 DTC Parkway, Greenwood Village, Colorado.

Governor Polis’ cabinet meetings are held each Monday at 9:00 am and two of the board’s ex officio members are a part of the cabinet.

The board unanimously voted to move the board meeting start time to 12:00 pm from 8:30 am the second Monday of each month. The new start time begins at the April meeting.

Board retreat

The date of the board retreat will be September 9, 2019 and should take the majority of the day.

The board members were reminded to complete the board expertise and competencies matrix to help provide information to the Governor's office and legislators of areas of need for the new board appointees.

#### **IV. CEO Report**

##### DC Trip Report

CEO, Kevin Patterson, updated the board on his recent trip to Washington, D.C. Mr. Patterson met with congressional members and staff, stakeholders and members of the federal government. A large take away from the meetings was that people are engaged in conversations around health insurance and Colorado is being watched as far as possible legislation and next steps for Connect for Health Colorado.

##### PBC Update

Alan Schmitz, General Counsel for the organization, gave a brief review of the context and background information of the Public Benefit Corporation (PBC).

A public benefit corporation is a type of for-profit corporation that, as part of its charter purpose, must take into account not only maximizing shareholder profit but also public benefit. Connect for Health Colorado filed articles of incorporation with the Secretary of State in March 2016 to form a public benefit corporation called Connect for Health Colorado Company, PBC. The purpose of Connect for Health Company, PBC is to facilitate the sale of insurance products that are ancillary to the health insurance offered by the organization, such as vision coverage.

The board discussed the various reasons for a PBC and benefits that could come from a PBC. It was noted that a PBC could allow Connect for health Colorado the ability to respond to various opportunities that may be presented, most notably changes that could come out of the current legislative session.

Board members noted that the board must determine the fundamental purpose of the PBC prior to pursuing any next steps. Annie Lee volunteered to be the Board lead on the PBC project.

#### **V. Finance & Operations**

##### 2020 Carrier Fees

Each year the board must determine the carrier fees for the next plan year (PY). Staff has recommended continuing with the current carrier fee of 3.5% for the 2020 PY.

Sharon O'Hara motioned to keep the carrier fee at 3.5%.

Annie Lee seconded the motion.

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, Lorez Meinhold, Jay Norris, Sharon O'Hara and Nathan Wilkes.

**No:** None

**Abstain:** Steve Erkenbrack and Marc Reece

#### Financial Policy

Staff presented a revised version of the Financial Policies to better align with the recently updated committee charter. Changes to the policies include:

- Remove board review and approval for the quarterly financial statements and replace with the Finance and Operations Committee review of the statements and inclusion of the statements in the public corporate record.
- On page six of the policy a change was made in relation to independent contractors, for contracts to comply with the Procurement Policy and related procedures.

Nathan Wilkes motioned to approve the changes to the Financial Policies.

Jay Norris seconded the motion.

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:** Steve ErkenBrack, Adela Flores-Brennan, Annie Lee, Lorez Meinhold, Jay Norris, Sharon O'Hara, Marc Reece and Nathan Wilkes.

**No:** None

**Abstain:** None

## **VI. Policy Committee**

### Policy Agenda Principles

After multiple discussions in the Board Advisory Group, Policy Committee and Board Meeting, a final draft of the Policy Agenda Principles was presented to the board.

Sharon O'Hara motioned to approve the Policy Agenda Principles.

Jay Norris seconded the motion.

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 unanimously.

### Legislative Updates

The organization's lobby team reviewed the state bills currently being tracked. A request was made during the February Policy Committee for Connect for Health Colorado to take a position on the reinsurance bill, HB19-1168. This request was brought to the Executive Committee for an immediate decision due to a hearing on the bill taking place the next day. The Executive Committee voted to take a formal position in support of the bill. The other bills continue to be closely monitored by the lobby team.

Nathan Wilkes motioned to ratify the decision of the Executive Committee to formally support HB19-1168.

Sharon O'Hara seconded the motion.

Ms. Flores-Brennan disclosed that her organization, the Colorado Consumer Health Initiative, has taken a formal position in support of the bill.

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 with eight yeas and one abstention from Ms. Lee.

Steve ErkenBrack motioned that in the course of the legislative session if there is an urgent need to take a position on a bill, and a committee takes action prior to the next board meeting, the board will be notified by the board chair or other board designee within 24 hours of the action. The Board Legislative Approach will be amended to reflect the motion.

Marc Reece seconded the motion.

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

Ms. Flores-Brennan called the motion to a vote. The motion was unanimously approved.

Members of the Organization's lobby team, Mariah Linton, Arlene Miles and RD Sewald updated the board on the legislative session and the work they have been engaged in.

#### **Action Items**

The lobby team will follow up with the house and senate to determine if the vacancies in the Colorado Health Insurance Exchange Oversight Committee have been filled.

#### **Action Items**

Staff to include Adela Flores-Brennan and Steve ErkenBrack in the board appointment discussion meetings with the legislators and governor.

#### **Action Items**

Staff will add a follow up item to the board meetings for action items.

#### **VII. Public Comment**

None

Meeting adjourned at 11:00 am.

Respectfully submitted,



Claire Brockbank  
Secretary

#### **Next Meeting**

April 8, 2019 from 12:00 pm – 3:30 pm

