

Colorado Health Benefit Exchange
Board Meeting Minutes

Mile High Room
COPIC
7351 E. Lowry Blvd.
Denver, CO 80230

January 23, 2012
8:30 AM – 10:30 AM

Board members present: Sue Birch, Jim Riesberg, Arnold Salazar, Mike Fallon, Nathan Wilkes, Steve ErkenBrack, Gretchen Hammer, Eric Grossman, Beth Soberg, Robert Ruiz-Moss, By phone: Richard Betts

Staff Present: Patty Fontneau, Jessica Dunbar, Myung Kim, Gary Schneider

Approximately fifty people attended the meeting in person and additional people joined by phone.

I. Business Agenda

Jim Riesberg called for one edit to the Jan 9th board minutes. On the second page in the list of presentations it should be clarified that the Commissioner presented to three chambers representing Loveland, Greeley, and Ft. Collins at the Northern Colorado meeting.

Vote: The minutes with the amendment from Jan 9th were unanimously approved with nine voting members present.

Proposed changes to agenda: Steve requested the discussion about the Essential Health Benefits Bulletin be moved up to 9:45am.

II. Exchange Governance

1. Report from Board Chair

Gretchen Hammer reported that the COHBE annual report was submitted to the Legislative Implementation Review Committee on January 15th. Betty Boyd expects the report will be presented publicly in February. The Colorado Health Institute is convening a “Lunch and learn Legislative Roundtable” focused on Essential Health Benefits on February 2nd. The first stakeholder meeting held on Jan 18th focusing on the Essential Health Benefits Bulletin was successful. Comments from this meeting will be combined with comments from the Board and Division of Insurance into one letter that will be sent to HHS by Jan. 31st.

During this legislative session SB12 – 053 was introduced and if passed would call for the repeal of the COHBE if any part of the ACA is amended. Gretchen posed the question to the Board about how they would like to be kept up to date about legislative progress during the 2012 session. Sue Birch said her staff can update COHBE staff when bills are introduced and modified that impact both COHBE and HCPF. Jim Riesberg said his staff from DOI could offer the same resources to COHBE. There was a question about whether or not the Board should take positions on bills. Staff will seek legal advice about how COHBE could proceed if it wanted to take positions on bills. The Chair and ED/CEO will come up with a proposal to share with the board on this topic; Patty will highlight important bills and modifications to bills that relate to COHBE during her update at each Board meeting; and staff will collect, consolidate and distribute legislative updates to the Board.

III. Exchange Developments

1. Report from ED|CEO

An ongoing agenda item will be added at the beginning of each board meeting for members to disclose any Conflicts of Interest (COI). All board members have signed the COI forms. They have been distributed to the full Board and posted on the website.

Patty Fontneau reported staff contracted with an IT support company to help with email and other technology needs for getting the business up and running. The staff started to look around Denver to identify available office space for a move in April/May. Patty has been working with a contractor to develop a draft procurement policy and this will be presented to the finance committee and then the full board. A draft employment policy and framework for tracking accounting and finances is under development and will be ready for use once Level One Grant money is received in March. The staff are reviewing high level policies and plan to present a subset of them at the next board meeting. At the next Marketing, Education and Outreach Workgroup (MEOW) meeting staff plan to discuss ways to expand partner networks for public outreach and education. COHBE will be announcing an open position for a Health Plan Manager later in the week.

2. Report from Rules and Regulations Review Committee

Steve ErkenBrack reported the committee met on Jan 12th to discuss the Essential Health Benefits Bulletin. The decision was made to have the Division of Insurance (DOI) and COHBE staff prepare a draft comment letter that summarizes questions that were raised from the bulletin and incorporates comments from the board and public. Arnold Salazar suggested clarifying in the draft comment letter where we have genuine questions and where we have a position or want state flexibility. A question was asked about who has the authority to decide which benchmark is chosen and Steve responded that the answer will likely vary from state to state and be dependent on what benchmark is chosen. There was concern that if HHS does not provide clear guidance in a timely manner it will delay states from moving forward to ensure they can meet key milestones. The staff will

contact other state leaders that are in a similar place moving forward with Exchange planning and implementation and ask them to urge HHS to act with expediency in their guidance and clarification related to EHB questions raised in reaction to the bulletin so that everyone can move forward as they are ready. The board also asked for the comment letter to include a request for HHS to clarify the process about how adjustments will be made with regards to state and federal mandates. The board wanted three high level concerns to be expressed in the letter related to EHBs: adequate coverage, affordability to the consumer, and the fiscal impact to the state.

Vote: The board unanimously approved the draft EHB comment letter with the above mentioned modifications. Nine voting members were present.

3. RFP Process

Patty Fontneau gave a presentation about the [Service & Technology and PMO RFP process and timeline](#).

Service and Technology

Staff, contractors, board members, state agency staff, UX2014 staff, and others with technical subject matter expertise will be asked to be part of an evaluation team to review the proposals. Vendors can bid from 1 to all 4 components outlined in the RFP (individual and SHOP, service and technology).

Vote: The board unanimously approved the service and technology acquisition process and schedule, with nine voting members present.

Project Management Office

An evaluation team will also be pulled together with specific areas of expertise to help staff review the proposals. A recommendation was made to make health expertise and experience a core qualification for vendors who plan to bid on the RFP. Another recommendation was given to staff to make clear the scope in pricing between the two RFPs since there is some overlap.

Vote: The board unanimously approved the process and timeline for the PMO RFP with nine voting members present.

4. Finance Committee Report:

Robert Ruiz-Moss reported COHBE has identified a firm that has extensive experience working with groups that have federal contracts and can help with setting up basic accounting and HR policies and processes. The board requested building flexibility into the contract if the Board wants to move in a different direction later on. The next meeting will be scheduled in early February.

The board had a discussion about length and frequency of meetings through 2012. Since there are a number of policy decisions coming up for the Board to discuss at length the

Board will keep the same meeting schedule through June and then members can reevaluate if one meeting per month is sufficient. At the annual meeting in July the board can reevaluate the schedule. Beth Soberg asked Board members to send study session topics for staff to organize. The last 90 minutes of the Board meetings could be devoted to these study session topics.

Adjourn: The meeting was adjourned at 10:30am.