



Board Meeting Minutes

**COHBE Meeting Room, East Tower, Suite 1025
3773 Cherry Creek N Dr., Denver, CO 80209
April 22, 2013
8:30 AM – 11:30 AM**

Board members present: Richard Betts (via phone), Susan Birch, Steve ErkenBrack, Mike Fallon, Eric Grossman, Gretchen Hammer, Kevin Patterson, Robert Ruiz-Moss, Jim Riesberg, Arnold Salazar, Beth Soberg, and Nathan Wilkes.

Staff present: Cammie Blais, Jessica Dunbar, Adela Flores-Brennan, Patty Fontneau, Caren Henderson, Lindy Hinman, Kyla Hoskins, Trish Lynch, Christa McClure, Heather Taber, Laura Villanueva, and Adele Work.

Approximately 20 people attended the meeting in person and additional people joined by phone.

I. Business Agenda

There were no additions or edits made to the April 8, 2013 Board meeting minutes.

Vote: The minutes were unanimously approved. There were 9 voting members present.

There were no changes made to the agenda.

There were no disclosures on any new conflicts of interest.

II. Board Development and Operations

1. Board Chair Report

Gretchen Hammer asked the Board to be cognizant of the busy schedule ahead as they keep in mind COHBE's goal and mission.

III. Exchange Development and Operations

1. Report from CEO/ED

Patty Fontneau spoke very briefly on the broad categories of work in which the Exchange is engaged. She also introduced Trish Lynch as the new Implementation Manager that would be working with Adele Work and John Barela.

2. Legislative Update

Patty Fontneau gave a quick update on the status of the HB13-1245, including a review of the amendments.



3. Customer Appeals

i. Presentation

Christa McClure gave an [update](#) on appeals and asked the Board if COHBE should pursue legislation to provide the additional option for the state's Office of Administrative Courts (OAC) to hear its insurance affordability program eligibility determination appeals. The Exchange could have formal appeals heard through a number of different channels, but if they wanted the State to handle the appeal, legislation would be required either now or in a future legislative session.

Rob Ruiz-Moss asked for clarification if the eligibility determination for insurance affordability programs (IAP) referred to one's eligibility to shop or the potential subsidy one could receive. Patty Fontneau indicated both.

Patty Fontneau highlighted that the first step would always be informal resolution. COHBE would first go through the process of seeing if the person could provide the additional needed data that would result in satisfying both COHBE and the consumer. However, the consumer always has the right to file a formal appeal and/or contact the federal government.

Beth Soberg asked how COHBE thought amending the current legislation at this point would affect timing. Patty Fontneau replied that there were concerns that an amendment at this time might slow the bill, which is a problem as we approach the end of the session.

Steve ErkenBrack asked if COHBE knew how the current bill sponsors felt about adding this on as an amendment. Patty Fontneau replied that they are waiting to hear from the Board.

Mike Fallon asked if COHBE knew how efficient OAC would be in handling the volume of appeals. Patty Fontneau reiterated that there still needs to be analysis regarding efficiency and cost. This just allows the 4th option to be available.

Steve ErkenBrack asked to make a motion to pursue an amendment to the sustainability bill. He added that he was sensitive to the Commissioner's legislative expertise and asked that if COHBE staff hears it can jeopardize the whole bill, then staff should back off.

Commissioner Riesberg expressed shared concern with Mike Fallon. He asked if COHBE has been able to estimate the number of appeals based on anything Medicaid has experienced and what the fiscal impact could be. He suggested that the amendment be worded to state that the Board would be allowed to pursue this at a later date and reevaluate at a future time if utilizing the OAC would be in the consumer's best interest. Patty confirmed that the proposed amendment would leave the authority with the board regarding the most efficient and cost effective appeals approach.

Kevin Patterson added that the cost question is a very important one, yet it is not possible to know now how it will play out. He would like COHBE staff to provide the cost information when able to.

Rob Ruiz-Moss asked that as COHBE moves into presenting the operational pieces to the Board, he would appreciate a visual walk-through of the appeals process so as to be able to build the context for what triggers an appeal and what the process looks like.

No further Board discussion.

ii. Public Comment

George Lyford from the Colorado Center on Law and Policy (CCLP) expressed strong support for the development of a state-based appeals process. Developing with the OAC would reduce procedural burdens and improve administrative efficiency. He concluded by stating that the responsible move would be to not foreclose on this option and that COHBE should leverage a system that is already designed and currently executes very well.

4. Ancillary Products

i. Presentation

Patty gave a brief [presentation](#) on ancillary products. Federal guidance was received indicating that non-QHP cannot be offered through the exchange – but can be offered using the exchange technology and framework, as long as they are offered through a legally and publicly distinct program. COHBE is very interested in continuing to evaluate and make recommendations to the Board regarding approach and offering of ancillary products. However, a separate program would require time to implement the platform and the technology. The staff recommends not targeting October 2013, given limited resources, tight timeframes and the policy, process and technology build that will be required.

Richard Betts asked where the funding would come from. Patty Fontneau replied that COHBE could not use grant or exchange generated revenue, but that other grants or other revenue sources are options.

Nathan Wilkes commented that with the tight timeline COHBE faces, he agrees that he would not want to see this implemented this year. Beth Soberg agreed with Nathan and added that COHBE should pursue this in the near future so as not to compromise any of the things that must get done before go-live.

Eric Grossman also agreed with Nathan and Beth. He added that he does not think that not having these additional benefits would prevent people from buying on the Exchange.

Commissioner Riesberg asked if any of this discussion had gone to the Advisory Groups. Patty Fontneau replied that COHBE has not had any discussion on these items yet but that input from the Advisory Groups is important.

Gretchen wrapped up the discussion by summarizing the Board sentiment that there is a fundamental task before COHBE and staff should stay focused on that. The Board would like to keep the opportunity available to pursue offering ancillary products in the future.

No further Board discussion.

ii. Public Comment

Rod Henningsen, President/CEO of the Beta Health Association, gave the Board background on his company and highlighted their market presence. Beta Health is in a contractual partnership for stand-alone and fee-for dental with Delta Dental, however is not an insurance product Their Alpha Plan is currently their most popular and affordable product for employers. He is worried that the Alpha Plan will not be available on the Exchange and does not know how to respond to current customers who ask him about this.

Dan Christopher also commented on behalf of the Beta Health Association. He referenced Senate Bill 11-200 and COHBE's mission that the Exchange should increase access, affordability, and choice for individuals. He



expressed concern that QHPs will run the Exchange and asked the Board to consider directing consumers to stand-alone plans that are not QHPs by having this information available on the Exchange website.

5. Operational Update

Lindy Hinman gave an [operational update](#) to the Board.

Lindy Hinman briefly discussed the Assistance Network Activities. She updated the Board on the 70+ number of applications the Assistance Network received via their funding opportunity announcement. COHBE expects to announce awardees by the end of May. As COHBE moves into user acceptance testing, these policies and procedures can be solidified.

Rob Ruiz-Moss asked if COHBE had a target for how long it will take someone to enroll when the Exchange opens on October 1st. Lindy Hinman replied that across the board, COHBE is looking at around 30 minutes per enrollment with 3 separate encounters, for a total of 90 minutes. Patty Fontneau added that this is consistent with other states

6. IT & Implementation Committee Update on IV&V Report #2

Beth gave a brief overview of the IT & Implementation meeting on the [second review](#) from First Data. Adele Work walked through the document. Adele pointed out that COHBE has already addressed the majority of the items noted. She concluded with expressing her appreciation for the support HCPF, CGI, and hCentive. Patty Fontneau added that looking back at the first report, all of the items that have been identified have been remedied. This second report also brings up 5-6 additional items, but again most of the items have been remedied at this point.

7. Service Center Site

i. Presentation

Cammie Blais [presented](#) on the process of selecting a location for the customer service center. COHBE is asking the Board to approve the signing of a 7 month lease by the end of April in order to ensure that the backup generator can be ordered in time. The amount of the lease is just under \$200K.

Mike Fallon asked if there would be an option to renew after 7 years. Cammie replied yes. Richard Betts asked if there was an option to purchase. Cammie Blais replied yes.

Nathan Wilkes asked if the site had multiple facilities for the technology. Cammie Blais confirmed.

Gretchen Hammer asked for a motion for staff to continue negotiations.

Nathan asked if it was a shared facility or COHBE's own facility. Cammie Blais replied that COHBE would occupy all 25,000 square feet.

Arnold Salazar moved to allow COHBE staff to finalize the customer service center lease. Nathan Wilkes seconded the motion.

No further Board discussion.

ii. Public comment

No public comment.

iii. Vote on approval of center location lease

Vote: The motion was unanimously approved. There were 8 voting members present.

8. Grant Review & Finance Committee Recommendation on segments of the Level 2 Grant Application

Gretchen Hammer informed the Board that the letter informing the federal government that COHBE intends to submit a Level 2 Grant application was successfully filed on April 15th. She briefly recapped the joint Grant Review and Finance Committees meeting from the previous Friday.

i. Presentation

Cammie Blais went over the [Project Abstract](#) and there were no Board questions. Cammie moved on to present an [overview](#) of the Assistance Network numbers.

Arnold Salazar commented that he was struck by the fact that the Assistance Network program decreased year to year, 2013 to 2014. Cammie replied that the numbers are slightly misleading due to covering two different open enrollment periods over an 18 month period. Gretchen Hammer reminded the Board that they voted to allow the Assistance Network to be funded by COHBE revenue as well. Patty Fontneau added that there are also possible grants from other foundations to help with the program cost.

Cammie Blais recapped the research from Pilgrim in the marketing [overview](#). Cammie reviewed the budget rationale and showed how the proposed budget fell in line with other similar statewide campaigns.

Mike Fallon asked if there would be any advertising in the state from the federal government. Gretchen Hammer replied that there would not federal advertising support because Colorado has a state Exchange. Rob Ruiz-Moss added that part of the balancing discussion in the Committee meeting addressed that COHBE expects that other entities will also advertise and spread the word about the law.

Commissioner Riesberg commented that there is an indication that carriers that have individual plans now will discontinue those plans on December 31st and send notices to consumers. He believed that COHBE should have a strong marketing effort to address this transition and should take advantage of utilizing the notices being sent to get the word out.

Cammie Blais moved on to the technology [presentation](#). She outlined the items that COHBE is contractually committed to complete through 2014. Cammie then explained that additional funds can be requested for implementation costs through 7/16. She reviewed the proposed items, including items that would increase automation or decrease operational workload and cost. Cammie walked through the categorical groupings and the tech items in each.

Gretchen Hammer reminded the Board that any line item that would require the deployment of resources in excess of \$150K would come back to the Board for discussion. By approving the Level 2 Grant the Board would not be giving staff the authority to spend the funds as outlined in the grant. COHBE staff would continue to keep



the Board informed of contract negotiations and approach them for approval for any of the large spends of federal dollars.

Gretchen Hammer asked the Board if there were any key questions. Rob Ruiz-Moss commented that having been in the Committee discussion, he believe that COHBE is on target for grant submission.

The Board asked staff to continue based on comments made and agreed to meet before the May 7th meeting with the Legislative Implementation Review Committee (LIRC). Based on the outcome of the next meeting and the discussion with the LIRC, the Board would decide if a second meeting would need to be scheduled for final approval.

Gretchen Hammer reminded the Board that their next regular Board meeting would be on May 13th.

No further Board discussion.

ii. Public comment

Debra Judy, Policy Director for the Colorado Consumer Health Initiative (CCHI), reminded the Board about the consumer survey presentation on the Assistance Network from a previous Board meeting. Many of the community based organizations that currently aid individuals with obtaining health care assistance reported spending around 20-30 minutes with individuals with simple needs; 1 ½ to 3 hours was common for most. She expressed concern that phone support is not enough and that communities will need the face to face interaction that the Assistance Network would provide.

IV. Adjourn

The Board meeting adjourned at 11:30AM.