

Policy & Operations Committee Minutes
March 25, 2024
3:00 PM – 5:00 PM

Board Members Present: Adam Fox, Emily King, and Rob Ruiz-Moss

Staff Present: Justin Brandon, Kelly Guthner, Jessalyn Hampton, Ilana Rivera, and Nina Schwartz

I. Welcome & Introductions

Adam Fox called the meeting to order at 3:00 p.m., welcoming everyone in attendance. The February Policy & Operations minutes were reviewed and approved.

II. Partner Updates

DOI

Staff from the Division of Insurance (DOI) provided the Committee with a Regulatory & Legislative Update:

- There will be a rulemaking hearing Monday, April 15, on the following proposed rules:
 - Draft proposed amended regulation 4-2-81, Concerning Colorado Option Standardized Health Benefit Plans
 - Draft proposed amended regulation 4-2-85, Concerning the methodology for calculating premium rate reductions for Colorado Option Standardized Health Benefit Plans
 - Draft proposed new regulation 4-2-99, Dental loss ratio reporting requirements
 - Draft proposed amended regulation 4-2-60, Concerning network adequacy filings for short-term limited duration health insurance policies and other non-Affordable Care Act Medical managed care plans, and dental plans, vision plans, pharmacy plans, and other managed care plans

- SB24-093, Continuity of Health-Care Coverage Change, has passed the House, and is awaiting Governor signature
- SB24-080, Transparency in Health-Care Coverage, is pending Senate Appropriations Committee

HCPF

The Department of Health Care Policy & Financing (HCPF) provided the Committee with a Legislative Overview:

- HB24-1229, Presumptive Eligibility for Long-Term Care, passed out of the House and has been scheduled in the Senate Health and Human Services Committee for April 11

- HCPF is awaiting proposed legislation for the Joint Budget Committee (JBC) process on the following bills:
 - Medicaid for certain deferred action for childhood arrivals (DACA) recipients: dependent on dependent on the finalization of a pending federal rule that would allow HCPF to draw a federal match for certain DACA recipients
 - Sunsetting Colorado Indigent Care Program (CICP): this bill would sunset the CICP program and add funds to the Primary Care Fund for 200-250% of Federal Poverty Level (FPL) to maintain access to care for individuals receiving care through CICP
 - Adding Autism Services to Child Health Plan Plus (CHP+): continued access to care for children transitioning from Medicaid to CHP+ during the PHE unwind, as well as expanding access for kids currently on CHP+
 - This bill has been removed and is awaiting sponsorship to continue

III. **Legislative Session**

Legislative Update

Staff presented a Legislative update to the committee. The presentation highlighted the following bills with Board support positions:

- HB24-1035, Modernize Health Benefit Exchange Governance, has repassed House, and is awaiting Governor signature
- SB024-093, Continuity of Health-Care Coverage Change, has passed House, and is awaiting Governor signature

Legislation for Recommendation:

- HB24-1258, Credit Covered Person Expenses Insurer Insolvency
 - This bill will help Coloradans better make the transition to other individual/small group coverage in the event of a mid-year market exit, and will encourage customers to re-enroll
 - This bill directly affects Connect for Health Colorado, and the staff recommendation is for the Committee to take a position of support

The Committee recommended support of HB24-1258, with an abstention from Rob Ruiz-Moss, and will move to the Executive & Finance Committee for further discussion.

IV. **Monthly Operations Update**

Staff presented graphics of February performance call statistics.

V. **EBNE Analysis**

The Committee reviewed the eligible but not enrolled (EBNE) estimates provided by the Colorado Health Institute (CHI).

There are two types of EBNE:

- Uninsured EBNE – eligible for advance premium tax credit (APTC), but uninsured
- Off-exchange EBNE – eligible for APTC, but enrolled off-exchange

The presentation highlighted exiting analysis, EBNE rate from 2022 – 2024, total EBNE summary, and graphics of uninsured EBNE and off-exchange EBNE. The EBNE analysis will be presented at the upcoming Board Meeting for further discussion.

VI. Public Comment

None.

Meeting adjourned at 4:07 p.m.

Respectfully Submitted,

Adam Fox
Committee Chair