

**KENTUCKY HEALTH BENEFIT EXCHANGE ADVISORY BOARD
NAVIGATOR/AGENT SUBCOMMITTEE
Meeting Minutes
April 18, 2013**

Call to Order and Roll Call

The seventh meeting of the Navigator/Agent Subcommittee was held on Thursday, April 18, 2013, at 1:30 p.m. in the Small Conference Room at the Office of the Kentucky Health Benefit Exchange. Marcus Woodward, Chair, called the meeting to order at 1:40 p.m., and the Secretary called the roll.

Subcommittee Members Present: Given Marcus Woodward, Chair; David H. Allgood, George L. “Chip” Atkins, III, Katie Carter, Carl Felix, Frances Feltner (by phone), Josie L. Hollon, John Kiebler (by phone), Jim Lawless, Stacy Pruden (by phone), Tihisha Rawlings, and Kennan Wethington. Jan Day, Regan Hunt, Dr. Payne, and Jack Tilliam, were not present at the meeting.

Staff Present: Carrie Banahan, Reina Díaz-Dempsey, Jean Klinge, Carrie Kulmer, William Nold, Brenda Parker, Melea Rivera, Brian Staples (DOI), and Maggie Woods (DOI).

Approval of Minutes

A motion was made to accept the minutes of the March 21, 2013, meeting, seconded, and approved by voice vote.

HHS Proposed regulation on Navigator and Non-navigator Assisters

The U.S. Department for Health and Human Services (HHS) issued a proposed regulation on Navigators and non-assisters. Under the regulation, a State-based exchange must establish a Navigator program, but can rely on In-Person Assisters (IPA or non-Navigators) for the first year of Exchange operations. William Nold, Deputy Director Office of the Kentucky Health Benefit Exchange (KHBE), advised the members that, based on this new flexibility, the Kentucky Navigator program would not be funded for 2014 and that IPAs would be used. If federal funds are used to reimburse IPAs, then states must follow additional federal guidelines and the training program of IPAs must be approved by HHS. Staff review of the proposed regulation indicated minimal changes needed to Kentucky’s training materials. Some subcommittee members expressed concern as to whether the information regarding Kentucky’s solicitation for IPA services would reach candidates who may not be familiar with the Kentucky procurement program. Staff advised the members that individuals can provide their contact information to the KHBE as a uniform notification will be sent to all interested parties. Additionally, Kentucky’s E-procurement Website has notification services.

KHBE Update

Chris Clark, Program Manager, KHBE, briefed the subcommittee members on the KHBE Final Detailed Design Review (FDDR), March 25-March 26, 2013, which was conducted by the Center for Consumer Information and Insurance Oversight (CCIIO). Formal notification of the review results is expected soon.

Xerox was awarded the contact center contract for Kentucky. They are also providing call center services for Nevada. Xerox staff is on site and is participating in design sessions. Xerox will

train employees with the information provided by the KHBE. Tiering of calls will allow complex calls to go to the Exchange or other staff as needed. Call center employees could refer to agents and Navigators if needed. Xerox will make a presentation to the Education and Outreach Subcommittee. The contact center will be open for calls starting August 15, 2013.

Report of Workgroup Meetings

The Navigator/Agent Subcommittee workgroup met April 4, 2013, to discuss penalties and enforcement for assisters and agents; agent appointments on the Exchange; participation agreements and performance standards; compensation of agents; and the white paper. The attendees briefly reviewed the newly proposed HHS regulation on Navigators and non-Navigators. After a discussion of proposed KHBE information technology (IT) system functionality, a workgroup recommendation was made that in order to participate on the Kentucky Health Benefit Exchange, an agent must have at least one appointment with one carrier on the Exchange. Tihisha Rawlins requested to abstain from this vote.

A few members voiced concerns over adopting the workgroup recommendation as proposed due to individual choice and insurer business models. The work group recommendation was amended. As amended, the workgroup recommends that to participate on the Exchange, an agent would need to be appointed by at least two qualified health plan (QHP) issuers offering a plan on the KHBE. A motion was made to approve the workgroup recommendation as amended, seconded, and approved with seven members voting to approve the motion and two members abstaining.

Agent commissions are set by the insurer and based upon a relationship between the agent and the issuer. The Exchange will not change that established process. Agents, Certified Application Counselors (CAC), IPAs, and Navigators would be subject to penalties if they violate the terms of their written agreements for participation on the exchange or state law. The Department of Insurance will continue to enforce the insurance laws and standards as they do today. Items that are addressed in the written agreements to participate on the Exchange will be enforced by the KHBE.

Comments on Proposed Regulations, Training Standards, Performance Standards

Mr. Nold reminded the subcommittee about the draft administrative regulations on agent participation and Navigators that were distributed to the members at a previous subcommittee meeting. A copy of the drafts will be sent to the members by e-mail. Comments were requested.

Other Business

The estimated 300,000 people who would be eligible for Medicaid would use the exchange process for enrollment and would most likely need assistance as this population has not had experience with health insurance in the past. Chairman Woodward asked that discussion of agents' reimbursement for assistance with Medicaid Enrollments be considered at a future meeting. The next meeting of the subcommittee is scheduled for 1:30 p.m., on Thursday, May 16, 2013, at the Office of the Kentucky Health Benefit Exchange.

Adjournment

The meeting was adjourned at 3:11 p.m.