

# **KENTUCKY HEALTH BENEFIT EXCHANGE ADVISORY BOARD**

## **Meeting Minutes**

**April 25, 2013**

### **Call to Order and Roll Call**

The eighth meeting of the Kentucky Health Benefit Exchange Advisory Board was held on Thursday, April 25, 2013, at 1:30 p.m. in the Large Conference Room at the Office of the Kentucky Health Benefit Exchange. Commissioner Sharon Clark, Chair, called the meeting to order at 1:30 p.m., and the Secretary called the roll.

Board Members Present: Commissioner Sharon Clark, Chair; David Allgood (by phone), Andrea Bennett (by phone), Dr. Joe Ellis, Ed Erway, Carl Felix, Donna Ghobadi, Connie Hauser (by phone), Dr. Michael Huang, Deborah Moessner, Tihisha Rawlins, Dr. John Thompson, and Marcus Woodward. Gabriela Alcalde, Jeff Bringardner, Ruth Brinkley, Commissioner Stephen Hall, Commissioner Larry Kissner, and Julie Paxton were not present at the meeting.

Staff Present: Carrie Banahan, Lee Barnard, Tammy Bullock, Reina Diaz-Dempsey, Miriam Fordham, Wanda Fowler, Kris Hayslett, Jean Klingle, Bill Nold, Brenda Parker, Vanessa Petrey, Sherilyn Redmon, Melea Rivera, Ronda Sloan (DOI), Brian Staples (DOI), Chandra Venettozzi, D. J. Wasson (DOI), and Maggie Woods (DOI).

### **Approval of Minutes**

A motion was made to accept the minutes of the March 28, 2013, meeting as submitted, seconded, and approved by voice vote.

### **Update on Office of the Kentucky Health Benefit Exchange Activities**

Carrie Banahan, Executive Director, Office of the Kentucky Health Benefit Exchange (KHBE), updated the members on the Exchange activities. The KHBE has contracted with Xerox to develop the contact center which will be open on August 15, 2013. The Navigator RFP will be issued soon and the RFP will be available to all interested parties on the KHBE website. The KHBE is finalizing the qualified health plans (QHP) certification administrative regulation and drafting regulations for the Small Business Health Options Program (SHOP), eligibility and enrollment, and Navigators and assisters.

### **Subcommittee Reports**

#### Behavioral Health Subcommittee

Marcus Woodward, on behalf of Julie Paxton, Chair, reported that the Behavioral Health Subcommittee held a meeting on Tuesday, April 9, 2013. The KHBE received the list of essential community providers (ECP) from the Health Resources and Services Administration. The list provided information about the essential community provider, including name, address, provider type, and other information. Essential community providers are safety-net providers,

which include public health and Federally Qualified Health Centers. Upon review of the listing, it was determined that the listing does not include Community Mental Health Centers (CMHCs) as essential community providers. The subcommittee raised the question as to why CMHCs were not included in the listing of ECPs. KHBE staff will contact Kentucky's state officer at the Center for Consumer Information and Insurance Oversight to determine the parameters used in creating the ECP list and why the CMHCs were not included.

The Behavioral Health Workgroup has met three times and continues to make great progress. The two main issues discussed include the credentialing of providers and network adequacy. Network adequacy is of concern due to the shortage of providers in rural areas and independently practicing behavioral health providers, which are licensed to practice under supervision in the statutes, but are not currently reimbursed by the most insurers. The work group is waiting for responses from all of the insurers and for additional information from the KHBE, including the results of a workforce study, and the Department of Insurance.

The next Behavioral Health Subcommittee meeting will be scheduled after the data from the Deloitte study is available, which will be coordinated by the KHBE.

#### Dental/Vision Subcommittee

Dr. Joe Ellis, Chair, reported that the Dental/Vision Subcommittee has not met since the last Advisory Board meeting. However, there will be a joint conference call of the QHP Subcommittee Task Force and the Dental Task Force on April 29, 2013, to work out the final details on stand-alone dental plans.

#### Education/Outreach Subcommittee

Tihisha Rawlins, Chair, reported that the Education and Outreach Subcommittee held a meeting on April 23, 2013, and added Susan Dunlap to the subcommittee. Representatives from Deloitte updated the subcommittee members on the system training program and provided information on training delivery methods, coordination between system training, and release dates with recommendations for training times for each group. The KHBE has contracted with Xerox to design and implement the contact center. Xerox is on-site and has conducted several Joint Application Design (JAD) sessions to identify requirements and develop an initial workflow. The subcommittee members offered suggestions for the system training program and contact center customer service.

The KHBE updated the subcommittee on Exchange activities. The branding and logo for the Exchange will be announced in mid-May 2013. The final user acceptance testing test will be conducted in August 2013, and the KHBE would like to have 10 to 15 participants for the testing. The KHBE has met with other agencies within the Cabinet for Health and Family Services to discuss their role in assisting the KHBE. Additional meetings will be scheduled with the public libraries and other agencies that may be able to assist consumers with the online system. The subcommittee will continue to discuss outreach and education efforts to be undertaken by the Exchange. The next meeting of the subcommittee will be held on May 20, 2013, 1:30 p.m., at the KHBE office.

### Navigator/Agent Subcommittee

Marcus Woodward, Chair, reported that the Navigator/Agent Subcommittee met on April 18, 2013. The subcommittee reviewed the Department for Health and Human Services' (HHS) proposed regulation on Navigator and non-Navigator assisters. Minimal changes to the KHBE assister programs are expected due to the HHS proposed regulation. The subcommittee addressed the workgroup report and recommendations regarding agent appointments on the Exchange. Members were asked to provide comments on the KHBE proposed administrative regulations for agents and assisters, training standards, and performance standards. The Navigator/Agent Subcommittee recommends that in order to participate on the Exchange, an agent would need to be appointed by at least two qualified health plan issuers offering a plan on the Exchange. The next meeting of the Navigator/Agent Subcommittee will be held on May 16, 2013, at 1:30 p.m.

The Navigator/Agent workgroup met on April 4, 2013, to provide information and answer questions from various agent organizations in attendance.

Chairman Clark informed the Advisory Board members that the Department of Insurance will be offering "train-the-trainer" training for agents about the insurance market reforms. The training will be about three hours and will be counted toward the agents' continuing education.

Tihisha Rawlins asked whether this agent training will be counted toward the Navigator certification training. Chairman Clark responded that the Exchange will handle the Navigator certification training.

### Qualified Health Plans Subcommittee

Deborah Moessner, Chair, reported that the Qualified Health Plans Subcommittee met earlier in the day and was updated on Exchange activities. The KHBE is finalizing the QHP administrative regulation and also working on draft regulations for agents, Navigators and assisters, and eligibility and enrollment requirements. The subcommittee discussed the proration of premiums for coverage that does not become effective on the first of the month as in the case of birth, adoption, and death, for example. Due to calculation of the Advance Premium Tax Credit (APTC), the effective date has to be on a monthly basis. In order to maintain administrative ease for the Exchange, a standard method of prorating premiums needs to be established. The KHBE examined the issue and found that the most equitable method for prorating premiums would be on a daily basis. After some discussion, the subcommittee recommended that proration of premiums be done on a daily basis.

The subcommittee also discussed the options for offering adult dental plans on the Exchange. The QHP Subcommittee and the Dental/Vision Subcommittee have put forth differing recommendations regarding offering benefits in excess of the essential health benefits. The QHP Task Force and the Dental/Vision Task Force will have a conference call on Monday, April 29, 2013, to discuss the issue.

The next meeting of the QHP Subcommittee will be held on May 23, 2013.

### Small Employer Health Options Program (SHOP) Subcommittee

Carl Felix, on behalf of Jeff Bringardner, Chair, reported that the SHOP Subcommittee held a meeting on April 11, 2013. The subcommittee members received a draft of the SHOP administrative regulation which will be filed as an emergency regulation. The subcommittee members will provide comments and recommendations on the regulation.

The subcommittee members also discussed reinstatement of employers in the SHOP Exchange for non-payment of premiums. Members agreed that the SHOP should have an exceptions policy that balances the needs of employers and employees. The subcommittee will review the issue and make a recommendation at the next meeting. Members also discussed the options for calculating employer contributions toward employee premiums. The members agreed that the SHOP needs to offer options to employers and provide maximum flexibility. The members will continue to review this issue and make a recommendation at a future meeting. Employer notices, rate changes, renewal periods, and timelines were also discussed.

The next meeting of the SHOP Subcommittee is scheduled for May 9, 2013. The subcommittee will continue its discussion of defining employer minimum contributions and reinstatement of employers for nonpayment of premiums.

A motion to accept the subcommittee reports including the recommendations contained therein was made, seconded, and approved by voice vote.

### **Other Business**

The next meeting of the Advisory Board will be on May 23, 2013, at 1:30 p.m., in the Large Conference Room at the Office of the Kentucky Health Benefit Exchange.

### **Adjournment**

The meeting was adjourned at 2:10 p.m.