

**Pennsylvania Health Insurance Exchange Authority d/b/a Pennie
BOARD of DIRECTORS' SPECIAL MEETING MINUTES**

Date: February 3, 2021
Time: 10:00 a.m.
Location: **Microsoft Teams meeting**

1.0 Preliminary Matters

1.01 Call to Order

- Commissioner Jessica Altman welcomed newest board member, Alexis Miller, Market President for Federal Markets with Highmark who will be replacing Mark Nave from Highmark.

1.02 Roll Call

- Jessica Altman, Commissioner, Pennsylvania Insurance Department (Chair) - **Present**
- Sheryl Kashuba, University of Pittsburgh Medical Center Health Plan (Vice-Chair) - **Present**
- Jessica Brooks, Pittsburgh Business Group on Health - **Present**
- Teresa Miller, Secretary, Department of Human Services - Absent
 - Catherine Buhrig, Director of the Bureau of Policy for the Office of Income Maintenance at the Department of Human Service - **Present**
- Frank Fernandez, Capital Blue Cross - **Present**
- Antoinette Kraus, Pennsylvania Health Access Network - **Present**
- Alison Beam, Acting Secretary, Department of Health – Absent
 - Meghna Patel - **Present**
- Laval Miller-Wilson, PA Health Law Project - **Present**
- Alexis Miller, Market President for Federal Markets, Highmark - **Present**
- Paula Sunshine, Independence Blue Cross - **Present**
- Tia Whitaker, Pennsylvania Association of Community Health Centers - **Present**

1.03 Opportunity for Public Comment

- Please note that public participation is permitted at this meeting, as required by the Sunshine Act, 65 P.S. § 280.1. In the absence of official policy relating to public comment at Board meetings (which the Board anticipates will be forthcoming), and to ensure the orderly progress of today's meeting, all comments should be directed to the Chairperson, and should be limited to no more than five (5) minutes in duration. Questions asked of the Chairperson or the Board as part of public comment may or may not be addressed at the meeting. **There were no public comments.**

2.0 Discussion of the creation of a COVID-19 Special Enrollment Period in accordance with 45 C.F.R. § 155.420(d)(9)

2.01 Federal SEP Overview

- Executive Director Sherman presented President Biden’s January 28, 2021 Executive Order, [Executive Order on Strengthening Medicaid and the Affordable Care Act | The White House](#); [2021 Special Enrollment Period in response to the COVID-19 Emergency](#), imploring the Department of Health and Human Services to open a Special Enrollment Period (SEP) on the federal marketplace due to COVID-19.
- The federal SEP will run from February 15, 2021 through May 15, 2021. This policy is being enacted pursuant to 45 C.F.R. § 155.420(d)(9) as an exceptional circumstances SEP. Consumers will have 30 days after they submit their application to choose a plan. The SEP will also be open to current enrollees without restriction.

2.02 Pennie Proposal

- Pennie is proposing to open a SEP that mirrors the federal SEP outlined above.
- **Stakeholder feedback**
 - Director Sherman discussed the feedback received from Pennie stakeholders prior to the meeting. One producer expressed concern about the potential impact on rates; however, this concern was not shared by insurers. One insurer suggested the SEP only apply to new customers.
 - There was broad support for the COVID-19 SEP to apply to off-exchange individual market. One insurer highlighted the importance for customers not eligible for assistance who may benefit from off-exchange silver products.
 - There was strong interest in Pennie creating job aids and template messages to be broadly re-purposed as well as to host an explanatory webinar.
 - Recommendations included Pennie aligning marketing and messaging in coordination with the FFM.
 - There was minor concern expressed relating to potential confusion among current customers.
- **Policy Recommendations**
 - Eligibility Criteria
 - Pennie is proposing this SEP apply to **uninsured and current enrollees**. Current members that desire to change plans will be treated like any other individual enrolling in a SEP. Pennie plans to provide direct messaging to current customers to minimize potential confusion. Pennie is willing to provide communication messaging to the carriers.
 - In response to the potential confusion for current enrollees, Chairperson Altman commented that consumer confusion exists regardless and limiting enrollment to only new customers will not alleviate this challenge.
 - There was a request for clarification regarding current members in arrears changing plans. Director Sherman confirmed that if a

consumer wishes to switch plans, they will need to make their binder payment their deductible will start over at zero, etc.

- **Effective Date**
 - Pennie is proposing the first of the month effective date rule. There could be potential challenges in processing effectuations in a timely manner based on when an individual enrolls during the month. These processing implications are not new for this situation; these are implications faced during traditional SEPs as well.
- **30 Days vs. 60 Days**
 - Pennie is proposing a 60-day SEP window from the QLE but remain consistent with the federal policy in that the last day for plan selection is June 15.
- **Off-Exchange Applicability**
 - Pennie supports insurers extending this to the off-exchange market, but does not have the authority to require it.
 - There was concern regarding the Board voting on a proposal recommending off-exchange plans mirror the adopted SEP where the Board has no jurisdiction.
- **Operational Considerations**
 - To effectively execute the proposed COVID-19 SEP, Pennie will need to make some system configurations prior to the SEP opening on February 15.
 - The cost considerations are minimal for technological and call center resource enhancements. Pennie shares an eligibility and enrollment platform with other state-based exchanges that are actively implementing the COVID-19 SEP so Pennie will share the cost of operationalization.
 - There was a question raised regarding the reduction of call center staffing levels because of open enrollment conclusion. Director Sherman assessed that it is not anticipated this SEP will experience the same volume as open enrollment. Many of the calls received during open enrollment are regarding renewals, which will not be part of this SEP.
- **Marketing & Messaging Proposal**
 - Chief of Staff, Kyrie Perry, shared that Pennie intends to align its marketing plan with the federal partners as much as possible.
 - There was a question raised regarding the navigator program status update as many of the consumers wanting to take advantage of this SEP would require navigator assistance. Pennie has not officially assessed the need for additional events specifically related to this SEP. There are already events planned for SEPs in general.

- There was a comment made regarding the heavy digital focus of the campaign and a desire to utilize traditional forms of communication as well. A suggestion included relying on trusted partnerships within the federally qualified health centers regarding messaging. This comment also included the statement that the proposed \$2.5M advertising budget may not be enough funding for an appropriate level of outreach.
- **Motion:** For Pennie to open a Special Enrollment Period in light of COVID-19 that would run from February 15th to May 15th. Marketing and messaging are to be coordinated with the federal government where possible. This SEP would allow new and current enrollees to enroll or change their plans with messaging directed to current enrollees intended to minimize confusion about this new enrollment window. Coverage obtained through this SEP would be prospective only and would follow the first of the month effective date rules and that we would have, similar to other state-based exchanges, a 60-day shopping window following standard accumulators and binder payments.
 - Motion: Jessica Brooks
 - Second: Tia Whittaker
 - Board Decision: Unanimous (11-0)

3.0 Adjournment

3.01 Meeting was adjourned at 11:44 AM.