



Pennsylvania Health Insurance Exchange Authority d/b/a Pennie®
ADVISORY COUNCIL MEETING MINUTES

Date: October 4, 2022

Time: 2:00 p.m.

Location: MS Teams

1.0 Preliminary Matters

1.01 Call to Order

1.02 Roll Call

- Deborah Wilkinson, URL Insurance Group/ Pennsylvania Association of Health Underwriters - **present**
- Gloria Velazquez, Neighborhood Health Centers of the Lehigh Valley - **present**
- Jolene Calla, Esq., The Hospital and Healthsystem Association of Pennsylvania - **present**
- Karen Groh, Lebanon Valley Chamber of Commerce - **present**
- Robin Rothermel, Pennsylvania Medical Society - **absent**
- Louise E. Hayes, Community Legal Services - **present**
- TBD - Senate President Pro Tempore Consumer Representative
- TBD - Speaker of the House Consumer Representative

1.03 Approval of Previous Meeting's Minutes

- **Motion:** To approve as true, correct and accurate the minutes recording the events, actions and details of the June 2, 2022, Public Meetings of the Pennsylvania Health Insurance Exchange Authority Advisory Council
 - Motion – Louise Hayes
 - Second – Karen Groh
 - *Unanimous*

1.04 Opportunity for Public Comment

- The floor was opened for public comments, of which there were none.

2.0 Administrative Matters

2.01 Discuss 2023 meeting schedule

Confirm good months for having meeting – June and October 2023 - **Confirmed**

3.0 Benefytt Technologies FTC Settlement Special Enrollment Period

- Awareness for stakeholders of this settlement and that SEP exists
 - Executive Director Sherman explained the FTC finalized the settlement based on their findings that the company had been fraudulently marketing and selling healthcare products; the company led consumers to believe that the products they offered were ACA



compliant. The impacted customers have been notified, as part of this settlement, of their options including the availability in Healthcare.gov states to enroll in an SEP. We have decided to replicate this after speaking with the Federal government who shared with us that there were about 2,100 PA residents who were impacted by this company/settlement. We created an SEP tied to the notification of the settlement giving them 60 days from the time we reached out to them to enroll through Pennie, should they choose to do so. We don't expect it to be a large volume, but we felt it was important to make sure the option is available to anyone impacted by this case.

4.0 Update on Subsidies and the PHE

- **Subsidies extension: IRA/Impact of ARP/IRA**
 - Subsidies have been extended through 2025; if qualified, you will pay no more than 8.5% of household income towards the benchmark plan that will continue through the next 3 years. Had this not been done, it would have resulted in large net premium increases for more than 90% of Pennie customers who currently receive subsidies.
- **PHE Unwinding**
 - Federal government did not announce PHE ending and will go through October 15th. We expect there to be another extension but feel that it will end in the 1st quarter of 2023. Thirty (30) days from when they have been procedurally terminated from Medicare and we received info from DHS, our outreach will include emails, text messages, etc and we will pull out all the stops to help steer these folks in the right direction.

5.0 Open Enrollment 2023 and Beyond

- **Overarching timeline**
 - DM reviewed the steps that we have gone through since August as well as where we are currently and what's coming up in the near future in accordance with the slide.
- **OEP 2023 Overview of Changes**
 - Broker/Assister Training
 - pared back at request and it was successful
 - Technical/Operational Improvements
 - Chat pilot program has completed and has been rolled out successfully. Asked if the chat program will work with different languages and DM explained there is a Spanish option, and we are currently adding additional languages to be more inclusive.
- **Communications/Outreach**
 - Our creative vendor, The Bravo Group, did a message testing to determine the best language to use when discussing Pennie, eligibility, financial savings and we will be folding those results into our advertising, social posts and email to see what provides more engagement. Our advertising efforts will be a combination of traditional, digital, out of home and lifestyle advertising.
 - New materials have been created for the stakeholder toolkit and will be released at our Open Enrollment Launch Party taking place on Friday during our Pennie Community Workgroup where we will also be discussing the system updates.



- **Forward Look to 2023: Family Glitch**
 - Family Glitch refers to an Obama era regulation of the Affordable Care Act that bases the affordability of employer sponsored insurance, both for the employee as self only coverage and for their family members based on the affordability of the cost of self only coverage of the employee. The IRS has issued a Proposed Rule to fix the Family Glitch but it has not yet been finalized, however, we expect a decision to be made shortly. We are looking forward to implementing this fix and potentially be able to provide access to financial assistance to more Pennie customers.
 - Discussion: What approach should Pennie take with public facing outreach and education for stakeholders regarding family glitch?
 - Brokers who are talking to business owners, need to understand it especially the ones who are not in the individual market, LinkedIn – being a business platform for employers, and then, of course, consumers and employees who are typically taken care of by their employer; need concise message to go out to consumers who fall under this category;
 - Family Glitch has been on the list of needed policy fixes since the very beginning; the drafting is vague but was an Obama era regulation that created the Family Glitch and the Biden administration has taken this proposed rule and reinterpreted it to clarify that affordability should be calculated based on family size and not just employee only.
 - There is a lot of speculation that this will be legally challenged once this becomes final.
 - Need to get with the Brokers and be sure there is a clear understanding as well as Chambers, Sherm, TPAs, carriers are aware and are working with their messaging. Mayhew is nationally a big group that can be looked at as well as The Big Eye – trade groups that work in the Group Markets.
 - We’ve made some inroads with LNI and CareerLinks but there is more to be done there and Manufacturers Association is one we need to reach out to.
- **Forward Look to 2023: Strategic Initiatives**
 - Looking forward to in 2023 – Path to Pennie which we talked about last year. This past tax season was our first year of implementation and it was successful in many ways. Launching a completely new program with the Department of Revenue was a key moment. There are key lessons learned that we will be deploying for the run up to the next tax season starting in a few months. That includes:
 - Engaging with all major tax vendors to work with them to support REV-1882 which is the form that uninsured Pennsylvanians can fill out to get more information about eligibility for health insurance coverage through Pennie or Medicaid and CHIP. Last year, we learned that several, more significant tax vendors did not support the form. We have been working over the last several months to ensure that all Pennsylvanians who file a state income tax return will see this form and we’ve received commitment from nearly all tax vendors in the



Commonwealth to do so.

- Working closely with the Department of Revenue to improve presentation of electronic form in MyPath. Last year the question was structured in confusing manner, and we are working to change this. Next year we will be conditioning our own receipt of a file from the Department of Revenue on the tax filer indicating that they are uninsured.
 - The biggest focus for next tax season is ensuring that all Pennsylvanians have an opportunity to see the form, understand the form and maximize resources with notices we send out and phone calls we make.
 - We are looking forward to this as another opportunity to pick up people who may otherwise fall through the cracks during unwinding. This will give us 3 programs that will help in reaching people for alternative coverage.
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- **NCQA** - BOD approved our proposal for regulations requiring issuers on the Pennie platform meet the accreditation requirements; we put together an internal task force charged with insuring that we're getting the proper stakeholder inputs. We believe that this will give us a real opportunity to continue to achieve our health equity goals while doing so in as manner that is conducive to our insurer partners and allows for stakeholder feedback and input throughout the process.
 - Discussion: last year was a little confusing from a brokerage standpoint, but this will be easier to understand if we know the steps to follow.

6.0 **Adjournment**

Recommended Motion: To adjourn this meeting of the Pennsylvania Health Insurance Exchange Authority Advisory Council

- Motion: Karen Groh
- 2nd: Louise Hayes