

**PENNSYLVANIA HEALTH INSURANCE EXCHANGE AUTHORITY d/b/a PENNIE®
BOARD of DIRECTORS MEETING MINUTES**

Date: February 24, 2023
Time: 9:00 AM
Location: In-Person/Microsoft Teams meeting

Capital Associates Building, 901 North 7th Street, Harrisburg, PA 17102

Preliminary Matters

- **Call to Order**
- **Roll Call**
 - Acting Commissioner Michael Humphreys, Pennsylvania Insurance Department (Chair) - **Present**
 - Sheryl Kashuba, University of Pittsburgh Medical Center Health Plan (Vice Chair) - **Present**
 - Dr. Valerie Arkoosh, Acting Secretary, Department of Human Services
 - Carl Feldman as designee - **Present (joined the meeting at 9:55 AM)**
 - Dr. Debra Bogen, Acting Secretary of Health and Physician General, Department of Health
 - Megan Barbour as designee - **Present (joined the meeting at 10:20 AM)**
 - Frank Fernandez, Capital Blue Cross - **Present**
 - Antoinette Kraus, Pennsylvania Health Access Network - **Present**
 - Laval Miller-Wilson, Pennsylvania Health Law Project - **Present**
 - Alexis Miller, Highmark - **Present**
 - Dr. Tracey Conti, University of Pittsburgh Medical Center - **Present**
 - Koleen Cavanaugh, Independent Blue Cross - **Present**
 - Tia Whitaker, Pennsylvania Association of Community Health Centers - **Present**
- **Minutes**
 - **Motion:** To adopt the minutes of the December 1, 2022, February 3, 2023, and February 13, 2023 Meetings of the PHIEA Board of Directors.
 - Motion: Antoinette Kraus
 - Second: Laval Miller-Wilson
 - Board Decision: Unanimous (10-0)
 - **Note:** Megan Barbour was not yet in attendance; her vote was given by proxy to Acting Commissioner Humphreys. Carl Feldman was not yet in attendance for this vote.
- **The floor was opened for public comments, of which there were none.**
- Laval Miller Wilson proposed a motion to change the order of the agenda.
 - Second: Tia Whitaker
 - Board Decision: Unanimous (10-0)
 - **Note:** Megan Barbour was not yet in attendance; her vote was given by proxy to Acting Commissioner Humphreys. Carl Feldman was not yet in attendance for this vote.
- Acting Commissioner Humphreys and Laval Miller-Wilson read the Resolution of Appreciation for Exemplary Service for Zachary Sherman.
- Laval Miller-Wilson proposed a motion to read into the record the Resolution of Appreciation for Exemplary Service for Zachary Sherman.
 - Second: Antoinette Kraus
 - Board Decision: Unanimous (10-0)
 - **Note:** Megan Barbour was not yet in attendance; her vote was given by proxy to Acting Commissioner Humphreys. Carl Feldman was not yet in attendance for this vote.

- Executive Director Sherman expressed his gratitude for being given the opportunity to lead Pennie for the past 3 years. He thanked the staff and the Board for what they have accomplished.

2024 Plan Certification Policy Recommendation

- Executive Director Sherman provided an overview of the 2024 Plan Certification Requirements.
- Hannah Turner discussed the process for stakeholder feedback, provided a summary of their feedback, and presented the staff recommendations on the following topics:
 - Coverage for COVID-19
 - **Motion:** To adopt the staff recommendation to withdraw coverage requirements for COVID-19 vaccination, testing, diagnosis, and treatment because they are already covered under federal guidelines.
 - Motion: Laval Miller-Wilson
 - Second: Tia Whitaker
 - Board Decision: Unanimous (10-0)
 - **Note:** Megan Barbour was not yet in attendance; her vote was given by proxy to Acting Commissioner Humphreys. Carl Feldman was not yet in attendance for this vote.
 - Commissions Disclosure
 - There was a national issue with the number of companies dropping to zero commission during Special Enrollment Periods (SEP). The U.S. Department of Health and Human Services (DHHS) came out and reclarified guidance on the topic. Pennie only experienced one issue in 2022 that was corrected as soon as the guidance from DHHS was issued.
 - **Motion:** To adopt the staff recommendation to adopt consistent commissions through the plan year and provide advanced notice of commissions prior to open enrollment.
 - Motion: Tia Whitaker
 - Second: Laval Miller-Wilson
 - Board decision: Unanimous (10-0)
 - **Note:** Megan Barbour was not yet in attendance; her vote was given by proxy to Acting Commissioner Humphreys. Carl Feldman was not yet in attendance for this vote.
 - Renewal Plan Mapping
 - This modification would provide a choice to the insurer while building out plan mapping, which is then applied to the enrollments for automatic renewal.
 - The mapping is directed to the most comparable plan to avoid the most disruption for those who do not actively shop after being mapped.
 - The scenario this is guarding against has only come up once in the three years. It is not a standard process, so Pennie would like the standard flexibility to do this at the request of the insurers.
 - This proposal would modify the Federally-Facilitated Marketplace (FFM) policy. However, the FFM policy will be changing as well.
 - **Motion:** To adopt the staff recommendation for 2024 renewal plan mapping process with the modification that allows insurers to propose alternate mapping for exchange approval in scenarios where current mapping rules would result in mapping across two or more metal levels.
 - Motion: Antoinette Kraus
 - Second: Laval Miller-Wilson
 - Board Decision: Unanimous (10-0)

- **Note:** Megan Barbour was not yet in attendance; her vote was given by proxy to Acting Commissioner Humphreys. Carl Feldman was not yet in attendance for this vote.
- **Action Item:** Research the number of people who actively shop and stay in the same plan.
- **Action Item:** Consider including what the change would mean to the customer by providing a side-by-side comparison of the old and new plans.
 - Currently, the notice sent provides information on the new plan but is supplemented with additional outreach to explain the differences.
- **Renewal Plan Mapping – Bronze to Silver Cost Sharing Reductions (CSR)**
 - Under this proposal, the mapping would have to lead to the same product. For example, an EPO would map to an EPO and a PPO to a PPO.
 - It can be determined if plans have the same network by the plan ID. This will be used to make sure a customer’s plan is mapped to a new one in the same network.
 - The tax implications would be the same following the plan mapping since the same Advance Premium Tax Credits (APTC) would be applied.
 - In early October, Pennie completes an eligibility check for anyone currently enrolled in coverage, including a check for financial assistance for the following year. Once a customer is found to be eligible, they would be mapped into the new plan and their file is sent to the insurers. Notices are generated by Pennie and the insurers to provide information on the plan they will be enrolled in for the following year. Renewals are run prior to the start of open enrollment, but customers have the duration of open enrollment to make changes to their plans.
 - The income on individuals being transferred to Pennie during the public health emergency (PHE) unwinding is unknown, making it hard to project how many would be impacted by this proposal.
 - It was determined that it may be beneficial to revisit the \$10 increase next year when Pennie has more information following the PHE unwinding.
 - **Motion:** To approve the 2024 Plan Certification Policy for renewal plan mapping bronze to silver CSR and adopting \$0 net premium increase approach for one year.
 - Motion: Tia Whitaker
 - Second: Antoinette Kraus
 - Board Decision: Unanimous (11-0)
- **Meaningful Difference**
 - If Pennie were to enforce this policy, consumers in the plans that are not continued would be mapped to a similar plan, as discussed in the previous proposals.
 - Other state exchanges pair standard plans with meaningful difference with limitations on non-standard plan options.
 - It was suggested to table this for now and wait to have more data if it significantly impacts certain areas. Executive Director Sherman stressed that the goal of this policy is for it to never be enforced. It is supposed to encourage insurers to adapt and act within their plan offerings. This proposal would give insurers notice that this is coming down the line and provide time for them to take action before the policy would be enforced.
 - Pennie plans to use this year to contact insurers to find out why they might be retaining these plans.

- The Board suggested having the discussions with insurers before putting this policy in place or changing the threshold of enrollment.
- Pennie picked the threshold based on a number that could carry throughout the Commonwealth.
- Other states have similar policies in place with California being the most aggressive of those policies. The FFM is also trying to move down a similar path, but Pennie does not believe their proposal is suited for Pennsylvania. Pennie is trying to reach a customer-driven solution.
- Before embarking on an entirely different, and more active involvement, Pennie and the Board should have the data to answer the questions of impact before putting anything on the table officially.
 - This policy would have potential to start the process to add the discussion officially for plans to look at.
 - Since plans start developing their plans over a year in advance, the support is there to start the conversation with insurers, in preparation of the plans at the end of 2023 for 2025 plans.
- Pennie recognizes that are pros and cons to this proposal. The main goal is to encourage insurers to adjust their plans to be more attractive to customers. Pennie is also aware that this proposal may need to be modified once additional data is received.
- **Motion:** To approve, with modifications, the staff recommendation to remove plans with low enrollment and place policyholders in a different plan beginning plan year 2025.
 - Motion: Laval Miller-Wilson
 - Second: Antoinette Kraus
 - Board Decision: (9-2). The motion was opposed by Sheryl Kashuba and Frank Fernandez
 - **Note:** Sheryl Kashuba does support the idea, but feels more data is necessary before advancing the proposal.
- Standard Plans
 - Pennie plans to implement the adoption of the results of the workgroup in PY 2025, even if that means the workgroup determines standard plans are not best for Pennsylvania.
 - The workgroup will be diverse and representative, including key stakeholders and consumer groups. Pennie would look to national partners to get some national technical experts to provide analysis and learnings from other states. The first step is to establish the charge of the workgroup with membership and charter a path to make sure a consensus opinion is reached. This committee would be Pennie and PID staff driven, but do not anticipate Board members to be part of the committee.
 - Pennie would like the Board to delegate the selection of the workgroup to the staff. The workgroup would then be presented to the Board in the next meeting.
 - **Action Item:** By the next meeting draft a detailed charter for the workgroup, propose composition of the workgroup, and generate a timeline.
- **2022 & 2023 Data Overview**
 - Ben Schrass gave an overview of the enrollment numbers for 2023 in comparison to 2022.

- The dwindling number of enrollees could be attributed to the number of consumers who have been able to stay on Medical Assistance (MA) as part of the PHE. Pennie has not looked into the effect of Data Match Inconsistencies (DMI) on enrollment. DMIs only affect benefits, not eligibility. If a benefit is taken away, a person may choose to disenroll. Pennie feels that could be something to look at.
- Pennie is currently researching where consumers may have gone for coverage if they are no longer with Pennie.
- **Action Item:** As Pennie moves forward into the unwinding, the daily dashboard will display the enrollment by county for the account transfers from MA.

- **2022 Strategic Goals Performance Review**
 - Executive Director Sherman provided a brief reminder of the 2022 strategic goals.
 - Jennifer Lloyd provided an overview of Pennie's outcomes achieved through Goal 1.
 - Charles Angelo discussed the outcome of the outreach to procedurally terminated portion of Goal 2.
 - Pennie is planning to have the letters sent out within two weeks after receiving consumer information. The letters will provide a broad overview, but the follow-up emails and outbound calls will provide more information. Pennie hopes the marketing strategy will support the message about assisting consumers with the transition from MA to Pennie.
 - David Thomsen discussed the outcomes of Path to Pennie, Low Income SEP, and the Family Glitch fix as part of Goal 2.
 - Guerline Laurore discussed the creation of the DEI program as part of Goal 2.
 - Duane McKee overviewed the outcomes of Goal 3.
 - Executive Director Sherman presented the recommended dispositions and future actions for Pennie.

- **2023 Strategic Goals, Outcomes, and Initiatives Planning**
 - End of the Continuous Coverage Requirement (CCR)
 - Executive Director Sherman provided an overview of the expectations for the end of the PHE CCR.
 - Pennie's estimate of 32k to 42k account transfers assumes that a certain percentage of those losing MA will enroll in employer coverage.
 - Pennie expects to enroll approximately 25% of the account transfers.
 - Pennie has decided to keep the staffing level of the call center the same coming out of open enrollment to provide better service to the consumers calling over the next few months. Staffing level of the call center will remain coming out of open enrollment – keep that staff to provide better service to those calling over the next few months. If we want to increase the outbound aspect, staffing will need to increase in that area.
 - Pennie has a fixed-price contract with GetInsured that is agnostic to call volume. If enrollment exceeds 390k, renegotiations of cost and service level will be triggered.
 - GetInsured and Pennie are leveraging other channels to relieve the inbound contact center volume.
 - For the most part, GetInsured has dedicated representatives to handle Pennsylvania calls. There are very few representatives handling different states, but those are supervisors with an abundance of knowledge.
 - Charles Angelo provided an overview of the Marketing and Communications efforts for the end of the PHE CCR.

- Pennie has been working with PID to determine which groups it would benefit the most to provide education on this effort.
- In the interagency calls, there has been discussion about a shared public dashboard for the stakeholders to view the data around the unwinding.
- Pennie will be able to track how long from when a consumer loses MA to when they are going to gain Pennie coverage.
 - **Action Item:** Pennie will provide the Board with the data around this information when it becomes available.
- **Action Item:** Pennie to look into providing continuous updates to the Board through this process without having to wait for meetings.
 - Jennifer Lloyd reviewed the timeline for the end of the CCR.
- Strategic Discussion
 - Executive Director Sherman reviewed the guidelines for the strategy discussion.
 - Jennifer Lloyd presented the three proposed goals Pennie has for 2023.
 - Goal 1 Outcomes:
 - Jennifer Lloyd presented the four targeted outcomes Pennie wants to achieve for the first goal.
 - The measures of success are being tracked internally and will be presented throughout the year to the Board.
 - Goal 1 initiatives:
 - Jennifer Lloyd gave a brief overview of how the unwinding of the PHE CCR hits three of the four desired outcomes for Goal 1.
 - Guerline Laurore gave a brief overview of the Broker Recruitment and Diversification (BRAD), the plan to diversify the brokers Pennie uses.
 - Pennie is aware that part of this process would involve certifying these new brokers and informing insurers of their certification to ensure commissions are paid and the loop is closed.
 - The same disparity is not seen in assisters. The goal of this project is to rectify the disparity within the broker community, or at least move it in the right direction.
 - Charles Angelo discussed the initiative to increase assister participation and number of channels for those who can receive assistance with enrolling.
 - Charles Angelo discussed the plan for texting capability between Pennie and consumers.
 - Duane McKee discussed the success of the authenticated chat pilot and the next step for integrating the authenticated chat feature into the shopping experience for Pennie customers.
 - David Thomsen discussed the improvements Pennie could implement with the Path to Pennie policy, as well as the successes of the policy.
 - David Thomsen discussed Pennie's efforts to research other options available to make coverage more affordable for Pennsylvanians and what are the funding mechanisms available.
 - Goal 2 and Outcomes
 - Jennifer Lloyd presented the second goal and its desired outcomes for 2023.
 - Goal 2 initiatives:
 - Guerline Laurore reviewed how BRAD ties into the goal of making the principles of DEI general practice at Pennie.
 - David Thomsen reviewed National Committee for Quality Assurance (NCQA) Health Equity Accreditation regulations and how it will improve health equity within Pennie.

- Charles Angelo discussed the additional leg to the YMCA tour to build awareness amongst community organizations and led about the unwinding specifically; the connections being made to organizations that serve low-income Pennsylvanians and diverse communities; and education being provided to those communities.
- Charles Angelo added how Pennie wants to expand Pennie’s allocation of resources to marginalized and disproportionately uninsured and underinsured communities. Pennie also wants to increase diverse assister participation in these communities and affiliated enrollment.
- Duane McKee discussed the desire to improve the outbound calling campaign and the efforts use technology to improve Pennie’s reach.
- David Thomas discussed Pennie’s evaluation of the application questions to make sure the race and ethnicity questions cover the gambit of responses consumers could provide.
 - Pennie has changed the wording of the race and ethnicity questions to be more inclusive, but it did not have the intended effect. Pennie is looking into whether they can require a response to these questions, even if the answer is “Prefer not to respond.”
- Goal 3 and Outcomes
 - Duane McKee presented the third goal and the desired outcomes for 2023.
- Goal 3 initiatives:
 - David Thomsen reviewed how Pennie will use the NCQA Health Equity Accreditation regulations to enhance plan quality, along with research into various plan quality strategies and decision support and education tools.
- Executive Director Sherman presented the 2023 strategic planning proposal.
- **Motion:** To approve the following strategic goals:
 - *Goal #1: Grow marketplace enrollment by improving affordability and accessibility.*
 - *Goal #2: Make the principles of DEI general practice and partner with vulnerable communities to reduce inequities.*
 - *Goal #3: Enhance plan quality and streamline choice to inform customer decisions.*
- Motion: Tia Whitaker
- Second: Antoinette Kraus
- Board Decision: Unanimous (11-0)
- Antoinette Kraus proposed a motion to adjourn the meeting.
 - Second: Megan Barbour
 - Board Decision: Unanimous (11-0)
- **Meeting adjourned at approximately 3:05 PM.**