

## AGENDA

### PENNSYLVANIA HEALTH INSURANCE EXCHANGE AUTHORITY BOARD of DIRECTORS MEETING

**Date:** December 17, 2019

**Time:** 11:30 a.m.

**Location:** Keystone Building, Hearing Room 4, 400 North St, Harrisburg, PA 17120

#### 1.00 Preliminary Matters

##### 1.01 Call to Order

- 11:38 am meeting commenced.

##### 1.02 Roll Call

- Paula Sunshine, IBC - present
- Sheryl Kashuba, UPMC Health Plan - present
- Tia Whitaker, PACHC - present
- Antoinette Kraus, PHAN - present
- Mark Nave, Highmark - present
- Jessica Brooks, Pittsburgh Business Group on Health - present
- Todd Shamash, CBC – absent for roll call (present at 11:41 am)
- Laval Miller-Wilson, PA Health Law Project - present
- Dr. Rachel Levine, DOH – absent for roll call (present 11:41 am)
- Secretary Teresa Miller, DHS – represented by Deputy Secretary Lisa Watson - present
- Commissioner Jessica Altman, PID - present

##### 1.03 Approval of Previous Meeting's Minutes

- ***Recommended Motion:*** To approve as true, correct and accurate the minutes recording the events, actions and details of the December 17, 2019 Public Meetings of the Pennsylvania Health Insurance Exchange Authority Board.
- ***Discussion:*** None
- ***Motion:***
  - Jessica Brooks
- ***Second:***
  - Antoinette Kraus
- ***Yays:***
  - All Board Members (with the exception of Todd Shamash and Dr. Levine who were not yet present)
- ***Nays:***
  - No one

#### 1.04 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.

### 2.00 Action/Discussion Items by the Board

#### 2.01 Standard Administrative Updates

- Hiring
  - Jonathan Koltash hired as Chief Counsel for the Exchange
  - Lydia Barron hired as Chief Information Officer for the Exchange – joining January 6, 2020
  - Discussion: The current staffing of the Exchange is on track with projected organizational goals.
- Advisory council
  - Discussion: The Exchange is beginning to reach out to organizations for recommendations on representatives to serve on the council. The goal is to have the first meeting for the advisory council in late January and gather feedback to bring before the Board.
  - Discussion: How often should the council meet and are there enough consumer advocate applicants to serve?
    - Response: As codified in statute, the council is going to meet twice a year. With regard to consumer advocate applicants, there is a strong pool of applicants that the Exchange is considering which have consumer advocacy experiences.

#### 2.02 2020 Budget Discussion and Considerations

- Medicaid cost allocation
  - Discussion: There are means available to receive federal funding dollars in order to subsidize costs for Medicaid specific tasks completed by the Exchange. How does the Exchange best differentiate between tasks which are classified as “Medicaid,” and those which are “Exchange,” in order to avoid disagreement with CMS?
    - Response: There are means available to the Exchange, such as call disposition counts from the call center and counts of “Medicaid” code lines for applicants assisted. These would all be services eligible for federal matching.
  - Discussion: What is the timeline for reporting the match?
    - Response: For a cost allocation plan with a less favorable match, there is a much later deadline than a cost allocation plan with a

more favorable match, which could include 90 percent of work matched. For the purposes of the Exchange, the goal would be to have a cost allocation plan created by first quarter of 2020.

- Navigator/Marketing program
  - Discussion: The Exchange team conducted research into the efficacy of Navigator programs and found two articles speaking on this topic. Overall, there was not much public literature surrounding the efficacy of navigator programs in comparison to marketing. However, because of the importance of navigator programs in Pennsylvania, especially for the Medicaid eligible population, the Exchange is proposing a \$200,000 increase for the Navigator program over the next contract year (September 2020 thru September 2021). This increase in funds would be drawn from savings in other budgeted areas, such as technical assistance, which required less money than originally anticipated. The Exchange will be issuing the upcoming navigator contract earlier than September 2020, to allow for a transition period for conversions and training on a new system.
  - *Board Member Tia Whitaker recused herself from voting on the increased amount of funds for the navigator contract.*
    - Response: All board members agreed that Board Member Whitaker should recuse herself from voting, but stated that she could remain in the room for discussion.
- 2020 Exchange budget overview
  - Discussion: What changes have been made to the budget since the last board meeting?
    - Response: There is \$15,000 less that has been allocated to personnel and the loan from the Pennsylvania Insurance Department is much less than originally anticipated.
- ***Recommended Motion:*** *To approve the Plan Year 2020 (January 1, 2020 – December 31, 2020) Operating Budget of the Pennsylvania Health Insurance Exchange Authority, as proposed by the Executive Director and modified by discussion and agreement of the Pennsylvania Health Insurance Authority Board of Directors.*
  - *Discussion:* See above
  - *Motion:*
    - *Todd Shamash*
  - *Second:*
    - *Dr. Rachel Levine*
  - *Yays:*
    - *All Board Members*
  - *Nays:*
    - *No one*

### 2.03 Discussion of Branding/Naming the Exchange Authority

- **Discussion:** Certain board members with marketing backgrounds would like to be involved in discussions before presentation to the Board on a selected branding contractor.
  - **Response:** The Exchange team is receptive to this suggestion and Board Members Tia Whitaker, Jessica Brooks and Paula Sunshine were identified as the three most fitting for this role.

### 2.04 The Work Ahead of Us

- Overview of the broader exchange implementation work and timeline
  - **Discussion:** Does CMS have a dedicated team to support for Pennsylvania?
    - **Response:** Yes, there is a state specific assistance team.
  - **Discussion:** What is the approach for how to implement this plan? Can the Board have input?
    - **Response:** The Exchange is trying to implement the best policy decisions in this first year.
  - **Discussion:** How is the Exchange going to decide where certain policy decisions need to be made (i.e. small, medium and larger decisions)? What is the level of constituency interaction?
    - **Response:** There will be substantial carrier engagement facilitated through carrier calls and this will occur especially with larger policy decisions.
- Discussion of Board engagement

### 3.00 Executive Session

- Public will be asked to leave the meeting to allow the Board to convene in executive session for the purpose of discussion of personnel, contracting, potential litigation and negotiation matters.
- **Recommended Motion:** *To approve the Pennsylvania Health Insurance Exchange Authority's procurement of quality assurance and user acceptance testing development, implementation and execution on an emergency basis pursuant to Section 516 of the Commonwealth's Procurement Code, 62 Pa.C.S. Section 516, pursuant to the recommendation and justification made by the Executive Director.*
  - **Discussion:** None
  - **Motion:**
    - Dr. Rachel Levine
  - **Second:**
    - Laval Miller-Wilson
  - **Yays:**
    - All Board Members
  - **Nays:**
    - No one

- ***Recommended Motion:*** To approve KPMG as the selected vendor for quality assurance and user acceptance testing development, implementation and execution services on an emergency basis pursuant to Section 516 of the Commonwealth's Procurement Code, 62 Pa.C.S. Section 516, pursuant to scope of work and terms negotiated and approved by the Executive Director, thereby authorizing KPMG to begin the immediate provision of such services before the final execution of the a contract memorializing the agreed upon scope of work and terms for the provision of such services.
  - Discussion: None
  - Motion:
    - Dr. Rachel Levine
  - Second:
    - Laval Miller-Wilson
  - Yays:
    - All Board Members
  - Nays:
    - No one

#### 4.00 Additional Items to be Brought Before the Board

#### 5.00 Adjournment

- ***Recommended Motion:*** To adjourn this meeting of the Pennsylvania Health Insurance Exchange Authority Board.
- Discussion: None
- Motion:
  - Dr. Rachel Levine
- Second:
  - Jessica Brooks
- Yays:
  - All Board Members
- Nays:
  - No one