



Draft Consumer and Small Employer Advisory Committee Meeting Minutes

Tuesday, August 18, 2015, 1 – 4 p.m.
81 East 7th Street, St. Paul, MN, Suite 300

Members in attendance: Jin Lee Palen – Chair, John Freeman – Vice Chair, Mary Ellen Becker, Remi Douah, David Hilden, Gladys Chuy, Bentley Graves (via phone), Edward McDonald (via phone), Claudette Moran, Bob Robbins, Hussein Sheikh; Kathryn Duevel – Board Liaison, Edgardo Rodriguez – MNsure Board Member

Members not in attendance: Jama Mohamod, Angela Williams, Abdimalik Ahmed

Staff in attendance: Aaron Sinner – Board and Federal Relations Policy Specialist, Stephanie Grisell & Marie Harmon – MNsure Staff

Meeting Topics

Call to Order

John Freeman, Vice-Chair

The meeting was called to order at 1:08 p.m. by John Freeman, vice-chair. John noted he would be chairing the meeting, as Jinny Palen would be unable to attend the full meeting.

Staff Update

Aaron Sinner, MNsure

Aaron Sinner reported that the board will be soliciting new members for the committee this fall. Original members will be eligible for a second term by appointment and other members will be expected to submit statements indicating they intend to serve out the remainder of their terms. More details will be available at a future CSEAC meeting.

New Board Member Introduction

Edgardo Rodriguez, MNsure Board Member

John asked Edgardo Rodriguez to provide a brief introduction of himself. Edgardo said he is originally from Puerto Rico and is a CPA by profession. Edgardo had a 30-year career with International Multifoods, including service as vice-president controller and later as president of the Venezuela Food Division. Since 1999, he has been a business consultant for the Metropolitan Economic Development Association and been devoted to helping entrepreneurs of color succeed in business.

Board Update

Kathryn Duevel, MNsure Board Liaison

Kathryn Duevel provided the committee with an update from the previous board meeting. She gave an update on IT releases and explained the recent delay of an IT release was related to timing the release to match the county workload.

Kathryn also provided an update on proposed appeal rules amendments. Due to new state legislation and federal guidance, MNsure will need to update its appeals rules. Staff is revising its proposed rules and will bring them back to the board. Kathryn noted that if time allows, she would like to inquire as to the thoughts of the committee on specific language regarding expedited appeals.

Kathryn reported that Jinny did a nice job presenting on the committee's recommendations at the board meeting. She said board members took these recommendations seriously and they were well received. Kathryn noted that limiting the committee's presentation to one or two recommendations at a single board meeting is likely to have more impact.

Kathryn also reported that during the board meeting, Allison O'Toole announced Consumers' Checkbook will be developing an online decision support tool for MNsure. The tool will be up and running for open enrollment 2016, for both individuals and SHOP.

Committee members inquired about the CEO search. Kathryn reported that there had been a little over 30 applicants, and the CEO Search Work Group is beginning the vetting process and will narrow down the applicants to a set of finalists. The board hopes to announce an appointment decision in October.

Kathryn also noted that she and Allison had visited a broker in Austin and a navigator in Minneapolis as they are trying to learn more from MNsure's partners. The pair spoke with the assisters about how to evaluate what they're doing, how successful they are, and what MNsure can do to support them. MNsure wants to make sure the doors of communication are open.

Committee members discussed the possible consequences of UCare not being renewed by the Department of Human Services as a provider for public programs enrollees, noting the issue was outside MNsure's jurisdiction.

Approval of July Meeting Minutes

John Freeman, Vice-Chair

MOTION: Hussein Sheikh moved to approve the draft July meeting minutes. Bob Robbins seconded. All voted in favor, and the minutes were approved.

Develop Agenda Suggestions for Joint Meeting with Health Industry Advisory Committee

CSEAC Members

John explained that he and Jinny had met with the Health Industry Advisory Committee (HIAC) chair and vice-chair about scheduling a joint advisory committee meeting, and also discussed what the optimal relationship between the board and the advisory committees would be. John reported two main ideas raised by the HIAC for joint advisory committee meeting topics: a presentation on the actuarial value used by the Department of Commerce to approve plans for MNsure, which determines metal levels; and exploring what MNsure can be doing better for outreach in regards to commercial and non-commercial consumers.

Committee members discussed the process HIAC uses to provide recommendations to the board and how that contrasts to CSEAC's process. Mary Ellen Becker stated CSEAC has done a good job of being more proactive and less reactive toward the board. Kathryn said CSEAC does not always have to be proactive, and that the board would like to be able to reach out to them for recommendations on specific issues.

Bob said it would be helpful to have a joint meeting with HIAC twice a year, once before open enrollment and once after. Gladys Chuy mentioned CSEAC needs to work to make the joint meeting as productive as possible by not straying from important topics. Kathryn suggested exploring having a facilitator present to help keep the meeting on topic.

Review and Vote on Revised Attendance Policy

CSEAC Members

John outlined a [proposed attendance policy](#) that more explicitly spelled out the attendance requirements for committee members.

Gladys asked if the clarified policy differentiated at all between "excused" and "unexcused" absences. Mary Ellen explained that the policy spoke to overall attendance, whether advance notice of an absence is provided or not.

MOTION: Ed McDonald moved to approve the [draft attendance policy](#). David Hilden seconded. All voted in favor, and the motion was approved.

Public Comment

None.

Discussion and Development of Topical and Relational Goals for Working with MNsure Board

CSEAC Members

John began the discussion with two topics. First, he acknowledged CSEAC's relationship with the board is subject to change and second, he asked what topics CSEAC would like to be

involved with. He noted both topics essentially ask, how will CSEAC be most valuable to the board?

Bob suggested the committee stop discussion on problem areas until open enrollment 2016 is underway.

Mary Ellen suggested that in order to formulate recommendations for the board, the committee needs to be proactive. For example, the committee should be thinking about consumer technology three, five, even ten years down the road, and help the board think about planning around implementation of that sort of technology.

Gladys said she liked the current relationship, but wants to make sure the committee is giving the board what is most helpful, and so would like to know what the board needs help or assistance with.

Ed suggested the CSEAC could hold public hearings and more actively solicit feedback from the public to better inform its recommendations to the board. He noted that if a public hearing is not possible, a survey could be used. Gladys noted that if the committee does hold public hearings, it would need to make sure to act upon that feedback.

David observed that there is a public comment portion at CSEAC meetings, but it is rarely utilized.

Committee members agreed that if they reached a more concrete proposal for public hearings or a survey, it would need to be presented to the board for approval before acting.

John raised the issue of board-specific communication regarding recommendations. David said he saw value in feedback on the recommendations the committee provides to the board.

Kathryn said some recommendations will be ready for immediate follow-up and the board will direct staff to draft a written response. Others will need to be tabled because even if the board thinks they are important, the board might have other issues before it at the time and think the issue would be better examined at a future date.

Gladys suggested a template for drafting and presenting recommendations would be helpful. Mary Ellen suggested including a “next steps” section. Gladys and Mary Ellen volunteered to build a template for recommendations.

Debrief on MNsure SHOP Discussion and Development of Suggestions for SHOP Program

CSEAC Members

John asked if in light of Karina Milosovich’s presentation on SHOP at the prior committee meeting, members had any recommendations or thoughts to provide.

Bentley Graves stated that SHOP has a good plan in place, but MNsure can work on doing better outreach to small business employers. He also mentioned the functionality of the SHOP

system and that it can be improved as SHOP matures. Bentley also stated that the SHOP team has a good sense of what they need to do moving forward.

Mary Ellen expressed concern that SHOP only has three carriers. She also expressed concern about SHOP's ability to handle the load if their business increases, as most of the work done by the SHOP team is manual work.

John noted that in his experience as a small business owner, SHOP in its current state is all manual work. John found brokers very helpful and signed up for SHOP because of the tax credits.

Members of the committee stated that they would like to compare Minnesota's SHOP program to other state exchanges and the federal SHOP program. Members expressed general concern about system functionality regarding SHOP. Kathryn noted that there was a study released by the Commonwealth Fund regarding the status of SHOP in all exchanges.

Appeals Process Ideas from last Board Meeting

CSEAC Members

Kathryn asked committee members if they could provide any feedback on the expedited appeal provisions proposed at the last board meeting and how the phrasing surrounding the term "financial hardship" could be improved.

Mary Ellen asked for clarification on expedited appeals. John advised that according to statute, an expedited appeal must be done as soon as possible. A regular appeal can take no longer than 90 days from filing of the appeal to decision. Bob asked for an example of an expedited appeal. John stated that under the current law, an expedited appeal is when an appellant has an immediate need for health services because not having those services will jeopardize his or her maximum function.

John acknowledged there are two complications in ruling whether an expedited appeal is allowed. The first is that judges are not doctors or medical professionals and may not be qualified to adequately assess medical emergencies. Secondly, it can be difficult to determine the financial stability of an appellant.

Committee members inquired about the number of expedited appeals MNsure handles compared to regular appeals. Mary Ellen recommended simplifying the language by using bullet points that would provide past precedence for the consumer. Additionally, John stated that reasons for expediting an appeal will almost always include a financial component and a medical component. Kathryn thanked members for their input.

Kathryn informed the committee that she is working on a special enrollment condition for pregnant women so they can seek coverage for prenatal care if uninsured, in addition to the special enrollment period that already exists for the birth of a child. Kathryn mentioned this is a complex area because there are many issues the carriers have with adding further qualifying life events. Kathryn also reported that carriers have expressed concern that this may become a

precedent to build other special enrollment conditions, which would undermine the open enrollment period.

Wrap Up / Adjourn

John moved to adjourn. Seeing no objections, the meeting adjourned at 3:49 p.m.

DRAFT