



# Consumer and Small Employer Advisory Committee Meeting Minutes

Tuesday, November 22, 2016, 2:30 – 5:00 p.m.

UCare, 500 Stinson Boulevard NE, Minneapolis, MN

**Members in attendance:** Richard Klick – Chair, Mary Ellen Becker, Nancy Breymeyer, Matthew Flory (via phone), Leigh Grauman (via phone), Bentley Graves (via phone), Kim Johnson (via phone), Peter Musimami, Kate Onyeneho, Denise Robertson (via phone), Kathleen Saari, Matthew Steffens, Alexandra Zoellner (via phone)

**Members not in attendance:** Amy Chatelaine, Ann McIntosh, Hussein Sheikh

**Staff in attendance:** Aaron Sinner – Board and Federal Relations Director, Debby Dill – Board and Federal Relations Coordinator; Marcus Schmit – Director of Legislative Relations and Community Partnerships

## Meeting Topics

### Call to Order and Member Introductions

*Richard Klick, Chair*

Richard Klick, chair, called the meeting to order at 2:35 p.m. Dick said that he would like committee members to express their opinions and that his role as chair is to draw them out and help people voice their opinions.

Dick then asked all members to introduce themselves by stating who they were representing and their length of service on the committee. The new members were welcomed to the committee.

### Approval of Agenda and October Meeting Minutes

*Richard Klick, Chair*

**MOTION:** Mary Ellen Becker moved to approve the draft [October meeting minutes](#). Kate Onyeneho seconded. All were in favor and the minutes were approved.

Kate asked that there be some ground rules so that all committee members be heard, as she felt this was not the case at the previous meeting. Dick asked that the October meeting minutes be amended to reflect this.

Kate noted that committee members are here to contribute, not to fight but to be good listeners and to find solutions for all consumers.

## Staff Update

### *Aaron Sinner, MNsure Liaison*

Aaron Sinner welcomed the new members and informed them that all advisory committee policies are available on the MNsure web site. The charge of the advisory committees is to make recommendations to the MNsure Board of Directors either responding to a request from the board, or raising a topic that committee members believe is important. These recommendations are voted upon by the committee and presented to the board in a formal document at a board meeting.

Aaron noted that advisory committee meetings are subject to the Open Meeting Law. This means anytime a quorum of committee members gathers and discusses MNsure, the gathering is an official meeting of the committee that must be properly noticed to the public. Aaron noted this includes email communication.

Aaron noted that beginning in January, joint advisory committee meetings would be held with both the Consumer and Small Employer Advisory Committee and the Health Industry Advisory Committee. These joint meetings would be held every other month on Thursdays rather than the usual Tuesday. By board policy, advisory committees must meet at least once a quarter.

Aaron also noted that all members of the CSEAC are entitled to a stipend of \$55 on the day of advisory committee meetings, plus travel expenses.

Aaron asked that new members inform him by Monday, November 28 if they were uncomfortable having their email address shared with committee members.

Aaron then reported on the previous board meeting. He noted the board had appointed new members to both advisory committees, as well as re-appointed members whose first terms were up, and had also appointed Dick as chair of the CSEAC. Aaron noted Allison O'Toole, MNsure CEO, had presented the latest enrollment numbers for MNsure, and that Medica had reached its enrollment capacity limit. This meant Medica would not be accepting new enrollments, except in five counties due to an agreement with the Department of Commerce. Additionally, current Media enrollees could still change Medica plans or move their enrollment from off-exchange to on-exchange if they wished.

Committee members asked if any other carriers had hit their enrollment caps and Aaron reported that they had not. Committee members also asked how many counties were down to only one choice. Marcus Schmit answered that many counties throughout southern and western Minnesota now only had Blue Plus plans available.

Denise Robertson shared that she had attended the board meeting and that Allison had said there had been some reports of consumers canceling appointments with brokers and navigators because of the election and a belief that MNsure was going away. Denise stated that she had

not noticed this at the St. Paul office or the office in Rochester for Health Access MN. Aaron noted MNsure had heard this from a few assisters, but hopefully it is not widespread.

Committee members discussed the importance of enrolling early and the increased need for assisters to help consumers with their enrollments and enrollment decisions. Committee members also asked why the caps were in place this year. Marcus reported that they had been established during the rate negotiation process between the Department of Commerce and the carriers.

Dick said that the October joint meeting had been informative in terms of learning about how much money the carriers had lost over the previous few years.

## **Public Comment**

None.

## **Draft Recommendation on Health Insurance Literacy**

*Mary Ellen Becker, CSEAC Member*

Dick reminded committee members that at the previous meeting, they had begun discussion on the [draft recommendation](#) Mary Ellen had put together on health insurance literacy.

Mary Ellen reported that work on this recommendation had started in June or July. She explained the recommendation seeks a culture shift within MNsure so that there is no use of insurance lingo but rather straight talk at an 8<sup>th</sup> or 6<sup>th</sup> grade reading level. Mary Ellen noted Kim Johnson had provided feedback and recommended emphasis on simplifying communication through the use of graphics and visual images.

Committee members thanked Mary Ellen for drafting the recommendation. Committee members discussed the importance of including graphics, pictures, and symbols, and of utilizing different languages in MNsure communications in order to make the communications as universally understandable as possible.

**MOTION:** Matt Flory moved to approve the content of the Health Literacy & Communication Recommendation brought by Mary Ellen and as discussed, with the understanding that formatting will be cleaned up before presentation to the MNsure board. Nancy Breymeyer seconded. All were in favor and the motion was approved.

Dick thanked Mary Ellen for her work on the recommendation.

## **Draft Recommendation on MNsure SHOP Program**

*Bentley Graves, CSEAC member*

Bentley Graves presented his [draft recommendation regarding SHOP](#). He reported the committee had previously reviewed the recommendation, which focused on improving SHOP and increasing access to its benefits. He also noted he had updated the draft recommendation

to include Kim's suggestion of establishing a state tax credit that takes effect once the federal small employer tax credits end.

Kim stated that if the committee looks at SHOP as a long term program, the structure of the federal tax credit gives it a shorter life. The tax credit is an incentive to get the program started, but with state help the program will be more sustainable and will help small business owners.

Dick shared that he had attended a Minnesota Business Alliance meeting the previous week where the group had discussed having HSAs as a dominant feature of small business plans due to their favorable tax benefits. Dick suggested the CSEAC could look at other SHOP recommendations as well around things like plan design.

Matt Steffens commented that he had gone back and forth on whether to support the waiver request to allow small employers access to the federal small employer health insurance tax credit on plans purchased outside of SHOP, and would now like to support that initiative. Matt also noted that in order to increase awareness of the benefits of SHOP and the benefits of the tax credit, the broker community is needed in a similar way to the individual market broker enrollment centers. Matt said he is surprised by MNsure's reluctance to expand the SHOP enrollment center pilot program for 2017.

Matt Steffens also noted MNsure's focus has been on the individual market, and there needs to be a paradigm shift to the SHOP market in order to effectively reach out to small businesses. Additionally, Matt commented that the lack of carriers available through SHOP is a deterrent to small businesses. Regardless of the tax credits, MNsure will not be successful in recruiting small businesses to enroll if there is not enough plan choice.

Bentley agreed with Matt and said the draft recommendation spoke to many of these concerns.

Kim noted SHOP should be seen not strictly as an insurance-related program but as a retention tool for employers. It helps employers keep employees who might otherwise leave because it provides a clear employee benefit.

Committee members discussed the lack of carriers participating in SHOP and suggested if the number of carriers could be increased, SHOP would be more viable.

Aaron noted that it could be difficult to ask the MNsure board to invest in promoting SHOP, expanding the SHOP broker pilot, and improve SHOP functionality, while simultaneously asking the board to support the waiver request that would make the SHOP tax credit available to small businesses purchasing small group insurance outside of SHOP, too. Bentley said he didn't see this as a contradiction but thought the board could do both.

Committee members suggested amending the recommendation to say MNsure should consider taking the listed actions, rather than directly encouraging MNsure to take all the listed actions.

**MOTION:** Mary Ellen moved to approve the SHOP recommendation brought by Bentley with the change discussed. Peter Musimami seconded. All were in favor and the motion was approved.

Peter asked if the board provided feedback on the recommendations. Aaron explained that it varied by recommendation, but that the board often did offer a response.

## MNsue and the Affordable Care Act in 2017 and Beyond

*Marcus Schmit, Director of Legislative Relations and Community Partnerships*

Marcus spoke to the effect of the November elections on MNsure and its future. He noted that there is currently a lot of uncertainty, and federal action will likely dictate what happens in Minnesota. He said the state's leaders need to know what will happen at the federal level and with the federal exchange and the Affordable Care Act in general before the state can make any big decisions. There are a lot of concerns in the assister community around what will happen to their grants. However, there is not enough information right now to make any judgments about the future.

Marcus reported that the Minnesota House and Senate had named the chairs of their health committees. In the House, the chairs will be Representatives Matt Dean and Joe Schomacker. In the Senate, the chairs will be Senators Michelle Benson and Jim Abeler. Marcus mentioned Senator Benson had been a driving force in the previous legislature behind seeking a request for information (RFI) regarding possible new products and technology options for MNsure. When the legislation directing the RFI did not pass, MNsure took the initiative and sought an RFI anyway. The response to that RFI might be something Senator Benson's committee would be interested in.

Marcus concluded that MNsure would continue to exist in the near term at an absolute minimum.

Nancy said she had seen reports the Governor was seeking a special session to combat the high costs of premiums in the individual market, and asked it would be happening. Marcus said that if the Governor called a special session, premium relief would not be the standalone issue, and so a session was unlikely to be called. He noted the Governor had made it clear that he is seeking a special session for the sole purpose of addressing high individual market premiums.

Nancy asked if the committee could do anything to encourage a special session and emphasize the need for premium relief in the individual market. After discussion, the committee agreed Nancy should draft a letter to the MNsure board asking them to communicate to the governor the need for premium relief and encouraging a special session. Nancy could then post her draft letter in the CSEAC online discussion forum. If reviewed and approved by the committee, it would then be sent to the board, who could then choose to share it with the governor's office.

Aaron said he would send out instructions to committee members as to how to log into the CSEAC online discussion forum.

## Adjourn

**MOTION:** Nancy moved to adjourn. Kim seconded. There were no objections and the meeting adjourned at 4:59 p.m.