



# Consumer and Small Employer Advisory Committee Meeting Minutes

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**Tuesday, August 15, 2:30 – 4:30 p.m.**

**UCare, 500 Stinson Boulevard NE, Minneapolis, MN**

**Members in attendance:** Richard Klick – Chair, Mary Ellen Becker, Nancy Breyemeier (via phone), Matthew Flory (via phone), Leigh Grauman (via phone), Bentley Graves, Kate Onyeneho, Denise Robertson, Kathleen Saari (via phone), Matthew Steffens

**Members not in attendance:** Kim Johnson, Ann McIntosh, Peter Musimami, Hussein Sheikh

**Staff in attendance:** Christina Wessel – Senior Director of Partner and Board Relations, Aaron Sinner – Board and Federal Relations Director, Stephanie Grisell – Legal Analyst

## Meeting Topics

### Welcome

*Richard Klick, Chair*

Richard Klick, chair, called the meeting to order at 2:37 p.m. He noted that a quorum was present. Members introduced themselves.

### Public Comment

None.

### Approval of Meeting Minutes

*CSEAC Committee Members*

**MOTION:** Mary Ellen Becker moved to approve the draft [June 27 meeting minutes](#) as amended. Matt Steffens seconded. All were in favor and the minutes were approved.

**MOTION:** Mary Ellen moved to approve the [draft July 10 joint meeting minutes](#) as amended. Matt Steffens seconded. All were in favor and the minutes were approved.

### Updates from MNsure

*Aaron Sinner, Board and Federal Relations Director*

Aaron Sinner, MNsure staff, provided an update to the committee highlighting three points: the July 26, 2017 MNsure board meeting, the Department of Commerce's preliminary rate release, and open enrollment 2018 dates.

Aaron began with providing an update on the July 26 board meeting. Jonathan Watson, the chair of the Health Industry Advisory Committee, and Dick presented the joint advisory committee recommendation on assister functionality.

Aaron reported that the IT request for proposal (RFP) closed for submissions August 4, 2017. Following further process questions from Bentley Graves, Aaron noted MNsure is currently reviewing the responses into early September. Then MNsure staff will take the recommendation to the board's Operations Work Group for review and to decide next steps. Aaron reiterated the IT RFP is for open enrollment 2019.

Aaron continued and noted the board approved the fiscal year 2018 budget. Aaron specified there is an increase in customer service, compared to the March preliminary budget.

Aaron noted the board was not scheduled to meet again until October 18, 2017.

Aaron moved on to the preliminary rates release, which the Department of Commerce announced on July 31, 2017. He note final rates would be released October 2, 2017. The Department of Commerce released the rates in two sets, with assuming approval of Minnesota's 1332 reinsurance waiver request, and one assuming it was not approved. He noted the rates with the reinsurance program indicated ranged from a 15% decrease to a 10% increase, while the rates without the reinsurance program increased between 5% and 30%. Dick asked if MNsure had received any news about the reinsurance waiver. Aaron indicated Minnesota is still awaiting a final decision.

Finally, Aaron provided an update on open enrollment 2018 dates. MNsure announced open enrollment for 2018 plans would be from November 1, 2017 to January 14, 2018. Essentially, MNsure is conducting a special enrollment period from December 16, 2017 to January 14, 2018. Aaron expressed Allison's appreciation of the advisory committees' input on this topic.

Dick asked for clarification on the issues surrounding the cost-sharing reductions (CSRs) funding for the upcoming month. Aaron explained carriers pay these CSRs and then are reimbursed by the federal government. These payments are currently paid month-to-month, and the current administration has not promised it will make these payments on an ongoing basis. Minnesota is unique because of MinnesotaCare, whose enrollees would be receiving private coverage with CSRs in any other state. In Minnesota, the MinnesotaCare program covers individuals making between 133% and 200% of the federal poverty level, while CSR payments only go to individuals making up to 250% of the federal poverty level. However, Minnesota uses the federal funding that would otherwise go to CSRs to fund MinnesotaCare.

Matt Steffens asked if Aaron would like to make any comments on the small group rate increases. He noted rate increases ranged from 7% to 21% and suggested the increases were related to the volume that came back into the group market following the rate increases in the individual market.

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## **MNsire Health Literacy Updates**

*Mary Ellen Becker, CSEAC Member*

Mary Ellen reported that Brian Ambuel, MNsure staff, had reached out to Mary Ellen and Dick to inform them he had recently begun work on the MNsure health literacy project following the departure of Jackie Edison from MNsure. Mary Ellen indicated Brian had a good handle on the health literacy project and he noted MNsure had a significant library of communications to work from. He indicated MNsure had built a tool to evaluate materials for literacy. Mary Ellen indicated she found this encouraging. Aaron noted that Brian was no longer with MNsure, but that whoever would be filling his position would take over responsibilities related to health literacy.

Denise Robertson raised the point that consumers still struggle to understand the notices they receive from MNsure, particularly consumers whose first language is not English. Denise noted the application includes a question about a consumer's preferred language, though notices are provided in the indicated language. Denise also provided an example of a consumer with low vision who could not read the notices. Denise reiterated the importance of consumers understanding the notice and being able to read the notice, whether in their preferred language or font size. Christina Wessel, MNsure staff, recommended Denise reach out to MNsure's [Accessibility and Equal Opportunity Office](#), the Department of Human Services, or the county to provide accommodations for low-vision or translation services.

## **Joint Presentation to MNsure Board of Directors: Assister Functionality Improvements**

*Richard Klick, Chair*

Dick noted he and Jonathan had presented the committees' joint recommendations on assister functionality improvements to the board, and asked Christina if the presentation was well-received and noted the board appeared receptive. Christina noted the discussion and presentation was welcomed. Aaron indicated that at the board's request, MNsure staff was drafting a document outlining the status of MNsure's activities in regards to the nine recommendation areas.

## **BlueCross BlueShield Elimination of SHOP Offerings**

*Richard Klick, Chair*

Dick noted that Blue Cross Blue Shield has eliminated its SHOP offerings, effective January 1, 2018. Dick received communication from Kim Johnson who would like to present to the committee about how to entice more people to bid on SHOP programs. There was no opposition to Kim's presentation, with Denise noting the importance of understanding the future of SHOP and the individuals enrolled through the program. Denise asked if SHOP was working in any states and if the committee should start discussion by reviewing SHOP on a state-by-state basis.

However, Matt Steffens noted MNSure was likely more looking at developing a transitional plan with the IRS so companies could receive small business tax credits through their filings, which would require waiving certain requirements. Matt suggested the committee's energies should be placed on understanding and pushing for that waiver instead of trying to entice more small employers to enroll in a SHOP plan.

Bentley remarked on the waiver the Department of Human Services (DHS) had submitted in early 2016, which sought to allow for small employers to enroll directly with the carriers and then be certified as a small employer and receive the tax credit. Bentley said his understanding was the waiver had never been officially submitted, but DHS had reached out to the federal government to understand if it would be open to such a waiver. Bentley indicated he would welcome Kim's presentation but noted the issue was competition between the carriers. Bentley noted Utah's SHOP program was well-developed, but Utah had put a lot of emphasis on their SHOP program very early on.

Denise asked about the robustness of the small group market in Minnesota and if there was a problem within the market. Bentley indicated Minnesota had a good volume and stable amount of small employers on the small business market, but noted there was an exit from the small group insurance when MNSure opened, due to less expensive plan options available on the individual market. However, the bigger point is that if there were no carriers in SHOP then the committee could not discuss the functionality of SHOP because there was no one there to sell or purchase plans.

Mary Ellen recommended focusing on the waiver and ensuring that Minnesota submits the waiver to the federal government. Bentley noted there was a list of recommendations presented to the board about the future of SHOP and one of those recommendations was to explore the waiver. Aaron noted he was unaware of the status of the waiver and that MNSure cannot take singular action on the waiver, since the state legislature had directed DHS to draft and submit it. Bentley clarified the idea was that MNSure support the action to recommend the waiver. Aaron also indicated that MNSure had informed the Centers for Medicaid and Medicare (CMS) there were no SHOP options in Minnesota for 2018. It was Aaron's understanding that even without the waiver, CMS would notify the IRS of the lack of SHOP offerings, and the IRS could decide to issue the small business tax credits for coverage purchased outside the SHOP exchange. However, CMS indicated the IRS would not make that decision until the filing time, which would mean in the spring of 2019. Bentley noted the federal exchange was already adopting this plan and the guidelines for the tax credit at the federal level were clear.

Mary Ellen asked why Blue Cross Blue Shield had pulled out of the SHOP market. Bentley and Aaron indicated the coverage volume was low enough, and offering coverage through SHOP meant an added degree of coordination. Matt Steffens noted there was a lot of shifting when it came to the small group market as a whole, and there was a boomerang effect of rate increases for small employers to the effect of double digit increases. Matt noted there was a lot of confusion with many brokers about the small group market and the best options for small employers on how to complete enrollment.

Dick indicated that Matt and he discussed the revenue stream that would disappear following a repeal of the Affordable Care Act (ACA). Matt noted a big issue surrounding the attempt at a swift repeal of the ACA was that the ACA is essentially a tax bill that had created revenue which, if repealed, left a revenue stream no one knew how to replace.

Nancy Breymer summarized the discussion by indicating that Kim's proposal may not be helpful. She recommended shifting discussion toward reviewing the waiver idea. Mary Ellen indicated that if Kim had long-term ideas related to SHOP, she would be open to hearing them. Denise asked who she could refer individuals to with questions about small group coverage. Matt and Dick indicated brokers such as themselves would be a good resource.

Kate Onyeneho asked how MNSure is targeting small group employers to educate them to be part of the SHOP program. Bentley indicated the state Chamber of Commerce, which has 2,300 members, has presented on the small group market and their options. He noted small employers were struggling with small group coverage, and the Chamber of Commerce was encouraging them to reach out to a broker and review self-insured options. Matt Steffens suggested connecting with Minnesota Association of Health Underwriters leadership to see how willing they are to bring about the discussion of the future of SHOP. Dick welcomed the idea and reminded the committee of MNSure's role within the landscape of SHOP and the balance of what is within MNSure's scope.

Denise circled back to Kate's point and indicated many immigrants open small businesses. Denise asked how these individuals can be brought into the discussion and acknowledged. Kate noted she would like to see more outreach to bring in all areas of Minnesota: cities, rural areas, immigrants, and small employers. She indicated enrollment should be less complex and more easily understood. Bentley noted the MNSure assisters and the grants provided to those assisters help consumers understand the process. Kate suggested it was important to ensure the grants provided were being used for the correct purpose. Matt Steffens noted there were very specific guidelines MNSure provides in regards to using the grants and receiving funding. Kate expressed concerns the grants were being allocated to the same organizations year after year. Matt acknowledged there was a small group that received grants in the beginning, but that has since expanded to many other groups. Matt encouraged Kate to recommend organizations that should apply for grants. Christina explained the process of grant reimbursement and auditing and noted grantees were expected to account for every penny spent.

Bentley commented that the CSEAC had previously passed an outreach grant recommendation and could revisit the topic using the previous recommendation as the base. Dick recommended continuing Kate's point of providing for more inclusive outreach.

## **Enrollment by Metal Level: Discussion on how to Recommend Plan Differentiation to Enrollees**

*Richard Klick, Chair*

Dick noted discussion about health insurance has become more about catastrophic plans instead of about insurance. He called upon the committee to be cognizant of this discussion

when addressing an individual's health needs. He believed the committee needs to give suggestions to the board on how to make sure people understand what they are purchasing.

Bentley asked about the success of the Consumers' Checkbook tool and how many individuals were using it. Aaron noted he hadn't seen statistics from the most recent enrollment period, but that MNSure had added a Spanish language version and that the IT RFP included a request for consumer decision support tools such as Consumers' Checkbook.

Christina noted there had been 242,000 hits on the Consumers' Checkbook tool during open enrollment 2017, though she could not specify how many were unique hits. Matt Steffens indicated the Consumers' Checkbook tool was designed to steer people to the correct plan, but acknowledged there is a larger discussion about consumers understanding how to mitigate the financial need related to health care costs. However, Matt noted there was only so much MNSure could do related to this discussion and it is prudent for the committee to understand MNSure's role within this discussion.

Kate indicated there needed to be more innovation from MNSure about how to bring in individuals who are not being acknowledged. She asked how there can be more outreach to college-aged individuals, young individuals, and those without jobs to bring them into the market.

## **Additional Topics: Reappointment and Succession**

*Aaron Sinner, Board and Federal Relations Director*

Aaron reviewed each member's term and only one individual will be terming out at the end of October 2017, Hussein Sheikh. He also reviewed the timeline of selecting new committee members: the application will be posted September 14, 2017 and applications will close October 12, 2017. Then the board aims to appoint new committee members at its November 15, 2017 meeting. Nancy Breyemeier, Matt Flory, Kim Johnson, Dick Klick, Ann McIntosh, and Kate Onyeneho are at the end of their first terms, but are eligible for second terms.

Furthermore, Dick will be leaving the CSEAC chair position and the vice chair position remains open. Aaron welcomed any recommendations from committee members about who should be the next chair and vice chair.

## **Adjourn**

**MOTION:** Bentley moved to adjourn. Matt Steffens seconded. There were no objections and the meeting adjourned at 4:37 p.m.