

**BeWellNM New Mexico Health Insurance Exchange
Board Meeting Minutes
Friday, September 18, 2015, 8:30AM-12:30 PM
CNM Workforce Training Center
5600 Eagle Rock Ave NE
Albuquerque, New Mexico 87113**

Board Members Present:

- **Dr. J.R Damron**
- **Secretary Brent Earnest**
- **Ms. Terriane Everhart**
- **Superintendent John Franchini**
- **Ms. Teresa Gomez**
- **Dr. J. Deane Waldman**
- **Dr. Larry Leaming**
- **Ms. Patsy Romero**
- **Mr. David Shaw**
- **Ms. Eva Fomalont**
- **Ms. Lisa Farrell Lujan**

1. Welcome, Roll Call, & Confirmation of Quorum- Chairman J.R. Damron

The Meeting was called to order at 8:43 am. Roll call was taken and a quorum was established.

2. Approval of Agenda- Chairman J.R. Damron

Motion: Eva Fomalont

Second: Patsy Romero

The motion passed by voice vote.

3. Approval of Minutes of the August 21, 2015 NMHIX Board Meeting- Chairman J.R. Damron

Motion: Dr. Larry Leaming

Second: Eva Fomalont

The motion passed by voice vote.

4. Chairman's Remarks- Dr. J.R. Damron, Chairman

Chairman Damron welcomed everybody, and thanked all the guests for attending the meeting. Dr. Damron emphasized the importance of this meeting. He noted that an in depth discussion regarding the SHOP is going to have to be happen at the November 20th board meeting. As NMHIX has two real main issues to address today, the 2016 budget and the third Open Enrollment.

Chairman Damron addressed the audience to see if there were any representatives of Congressional offices attending the NMHIX Board meeting. Mariana Padilla, District Director for Representative Michelle Lujan Grisham's Office was present in the audience.

Chairman Damron called upon Dr. Martin Hickey and Mr. Gabriel Parra. Dr. Damron stated Dr. Martin Hickey and Gabriel Parra have exceptional work for the NMHIX organization and New Mexico since 2013. They were then presented with appreciation awards.

Chairman Damron stated that there was a scheduled Executive Session on the agenda, but the NMHIX Board will not need one.

5. Matters from the CEO-Ms. Amy Dowd, CEO

Ms. Dowd provided an update on the NMHIX strategy to assist those who will have their plans discontinued in 2016. There are a number of BCBS plans that will no longer be on the Exchange. NMHIX has done estimates that upwards of half of the current Exchange policy holders are potentially impacted. There is also a group of individuals who have PPO plans will also no longer be available in 2016.

Ms. Dowd stated the Exchange is positioning ourselves to assist these individuals. The Exchange has been assured by the other carriers on the exchange for 2016 that they are ready to assist these individuals.

Ms. Dowd stated individuals will receive a notice from the insurance carrier that their plan will be discontinued. Amy noted that it is the Carriers responsibility to notify its members.

Director Patsy Romero wants to ensure that individuals with a discontinued plan are going to get assistance in continuing to have coverage, and wants to know the role that NMHIX has in this.

Ms. Dowd shared that NMHIX received an updated Census Bureau study that was released this past Wednesday. The study showed that the uninsured rate in New Mexico fell from 18.6% in 2013 to 14.5% in 2014. This represents one of the largest drops in the nation. In addition a recent poll by Latino decisions found large drops in the uninsured rate for Hispanics in New Mexico have also been dropped to 8% in 2014 from 23% in 2013.

Ms. Dowd stated the Exchange received written feedback via e-mail from CMS approving New Mexico to proceed with the 3 outstanding items. Those include:

- The approval for project management services
- The independent verification & validation services
- Approval to use the grant funds to implement the data reporting system

The Exchange also sent a pre-comment letter to Kevin Counihan, CEO of Healthcare.gov, outlining priorities and what the Exchange would like for CMS to consider in a Healthcare.gov lease model.

Ms. Dowd also informed the NMHIX Board that the Exchange will have CMS coming on site next week. Sept 23, 2015 – Sept 25, 2015. The review is standard as CMS does this for all SBE'S. CMS will be

reviewing policy and procedures, and will be visiting the call center and walk-in center. CMS will also be interviewing with Dr. JR Damron. CMS will provide a report with any required actions for the Exchange.

Ms. Dowd also noted upcoming legislative presentations. The Exchange has been invited to co-present with Office of the Superintendent at LHHS on September 24th. In October the Exchange will have the results and presentation of the LFC Program Review, and in November the Program Review presentation will happen before the LHHS.

6. Matters from Finance Committee- Director Patsy Romero, Chair & Treasurer

Director Romero stated that the Finance Committee met on September 9th. The Finance Committee identified areas for follow up which included the limits on property coverage on the business owner's policy and getting bids for cyber liability coverage.

Ms. Dowd mentioned in September the Exchange will be submitting a No Cost Extension (NCE) request to CMS for using approved 2015 grant funds into 2016. Ms. Dowd also pointed out that there is no guarantee that any extension of any of the funds will be granted.

Ms. Dowd noted that the lease agreement payment timeline remains unknown, but it will likely be effective in 2017 there will be a fee for the usage of healthcare.gov for New Mexico. Since the Exchange doesn't know the lease payment process at this time the Exchange didn't address this in the 2016 budget the Exchange will have to add it to the 2017 budget.

Motion: Patsy Romero moved that the Board approve the fiscal year 2016 budget as presented today in a total amount of \$11,790,605.

Second: Dr. J. Waldman

Discussion:

Director Romero noted that the NMHIX Board has to make a decision on funding the OSI MOU following this discussion. However, it was necessary to include the expense as part of the budget, and is included in what is presented to the Board. With this in mind, if the Exchange chooses to not fund the OSI-MOU then that money is reduced from the budget.

Motion passed unanimously.

In March of 2014 the Exchange entered into a MOU with OSI for plan management services and OSI has been performing the services. In April of 2014 the OSI billed the Exchange within the scope of the MOU, and that payment was made with approved grant funds. In May the board approved amendments to the MOU to support payment through 2019 for plan management services with grant funding. However, after submitting the Re-Budget Request, CMS indicated that plan management activities would not receive federal grand funding support.

Director Romero asked that the Superintendent speak to the request directly. Superintendent Franchini stated that the money OSI requested from the Exchange was for the very functions that allow the Exchange to do their business. Further, he stated that this work is ongoing and, as a matter of best

practice, should continue with funding at OSI. Finally, the Superintendent stated that work should be completed by mid-2017. Due to this, a subsequent contract amendment may be required to shorten the contract length.

Motion: Director Romero moves to motion that the board confirm that \$825,000 of 2015 Budget operating funds (M&O) shall be allocated to pay for services performed in 2015 pursuant to the Memorandum of Understanding (MOU) between the NMHIX and the OSI and directs the CEO to negotiate amendments to the MOU consistent with the discussion today the amendments to be considered by the Board at a future meeting.

Second: Dr. J Waldman

Discussion

Chairman Damron expressed his dissatisfaction with CMS over their lack of funding support for plan management activities. He then stated that during his meeting with CMS on Wednesday this is first on his list to discuss. Dr. Damron also mentioned that he isn't excited about the \$825,000 in the 2015 budget, but he thinks OSI has done an admirable job in making sure we follow the regulations, and working with the Exchange.

Secretary Brent Earnest's only comment was that he feels it is a necessary and an important function for the Exchange to have with OSI. The Secretary stated that he also struggles to understand the jump to \$825,000 in the 3rd year at the planned management function.

10 Yes

1 Nay Secretary Brent Earnest

Motion Passes

Patsy Romero noted just as a reminder the Board approved a reserve assessment for 2016 to be collected, but it does not require any action at this time. The amounts of the reserve and 2016 assessment were presented to the Board.

7. Matters from the Marketing and Outreach Committee- Director Terriane Everhart, Chair

Director Terriane Everhart noted that the committee met on September 2nd and is preparing for the upcoming open enrollment period. The Committee is also re-branding SHOP as beWellnm for Small Business.

The Exchange's Outreach Coordinator, Ms. Veronica Reyes, stated she is teaming up with strategic organizations and non-profits who already have a trusted voice in these hard to reach communities. Veronica travels throughout New Mexico, she has visited Las Cruces, Taos, and northern NM.

Director Romero felt that the outreach in Albuquerque, and rural areas are fine, but also wants an outreach specialist in these small communities. Veronica assured Ms. Romero that those small rural areas will be visited.

The Exchange's Outreach Director, Linda Wedeen, then introduced K2MD who covers media and advertising. Representatives from K2MD noted that we will a campaign that will look similar to last year. K2MD is also spending time focusing on the following areas: ease of understanding, free assistance, penalties, retention, and individuals with discontinued plans. Ms. Romero asked if K2MD will be doing any advertising in Texas to reach small populations in New Mexico. Ms. Erin Killion with K2MD stated that they do look at opportunities across state lines in Texas where they are available and where they are efficient in terms of cost.

Ms. Wedeen then called up Ms. Amanda Molina with the Garrity group. She stated that media relations with focus primarily on 3 measurable objectives: media relations, Hispanic Outreach, and community outreach.

Ms. Wedeen then moved on to outreach, and called up Ms. Whitney Waite with the Waite Company. Whitney stated they are targeting groups such as churches, rotary clubs, k-12 schools, and civic group outreach. Outreach will be similar to last year's, but with a stronger presence in all 33 counties. The Waite Company will also be assisting with the kiosk work.

Ms. Wedeen noted we do have a discussion for re-branding shop, and K2MD has been providing assistance.

Chairman Damron strongly recommends for consistency, use of the beWellnm brand needs to have clear guidance. Ms. Wedeen notified him that K2MD will create a style guide. Finally, Ms. Wedeen stated an outreach RFP will be sent out the following week.

Motion: Director Terriane Everhart moves to motion that the board accept the Marketing Committee Self-Evaluation.

Second: David Shaw

Motion passes

8. Matters from the Native American Committee- Director Teresa Gomez, Chair

The Exchange's Native American Liaison, Scott Atole, stated that NAPPR was selected to receive the 2015 Indian health board local impact award with their efforts in enrolling Native Americans.

Mr. Atole noted the Exchange is still developing the RFP for the Native American Outreach and Education RFP for 2016, and it should be posted in early October. He also stated that there are ongoing visits with the tribal leaders, and there has been outreach from K2MD to meet with the Native American populations. The next meeting for the Native American Advisory committee meeting will be November 5th at the Jicarilla Apache Nation.

Ms. Monica Marthell with NAPPR presented their numbers with enrollment in QHPs within the past 3 weeks. Monica shared that CMS reported 987 American Indians/Alaskan Indians from New Mexico enrolled for some kind of plan, NAPPR was able to assist in 686 enrollments. This was a 74.3 % increase over the 2014 open enrollment numbers.

9. Matters from the Research Committee- Director Deane Waldman

Dr. Damron noted that he is a member of the research committee, but to ensure that no conflict of interested, perceived or otherwise, would occur he recused himself from the Market Analysis RFP. Director J Dean Waldman stated his only concern at the committee meeting was who we chose to do the research.

Motion: Dr. Waldman moves that we move that the board approve the selection of AIR Lovelace as the market analysis vendor and authorize the CEO to negotiate and execute a contract.

Second: Patsy Romero

Discussion

Director Shaw asked if there was there any way the Exchange could add an end date in our contract. Ms. Dowd stated yes. Ms. Wedeen mentioned that the vendor has agreed to do their work within the 120 days of the RFP award if necessary.

The Motion passes unanimously

10. Matters from the Operations Committee- Director David Shaw, Chair

Director David Shaw stated that the Operations Committee met on September 8th. The committee discussed the budget while also analyzing the SHOP program and how the Exchange could add enhancements. The three primary options for developing beWellnm for Small Business are outreach and awareness, system enhancements, and policy changes. It was determined by the committee that more time is needed to evaluate options.

The Operation committee also discussed the data reporting system. The Exchange's Senior Director of Operations, Yolanda Miles, stated that the Exchange can move forward with the Data Reporting System and IV&V once the project management services are onboard. However, since the next full board meeting will not be held until November 20th. It was recommend that the Operations Committee be granted authority to review and approve the RFP Finalist and authorize the CEO to enter into contract.

Motion: David Shaw moves to move that the Board delegate authority to the Operations Committee to review the evaluation committee recommendation, select a Data Reporting System vendor, and authorize the CEO to enter into a contract with the selected vendor within the confined of the approved budget in an extremely timely manner.

Second: Director Terriane Everhart

Discussion

Patsy Romero wanted to know if our attorney approves of the proposed process. Legal Counsel Justin Miller noted that the Board hasn't done this before in delegating authority to a committee, but as a matter of principle anything is within power of the Board. However, given that the committee is acting as an entity of final action, that action will need to be taken in compliance with the Opening Meetings Act.

Dr. Larry Leaming doesn't have a problem with it he just suggest that the motion include it confines within the approved budget, and that we aren't giving them unlimited authority.

Amendment Proposed: Dr. Larry Learning proposes that the language, “within the confined of the approved budget in an extremely timely manner.”

Second by Eva Formalont

Discussion on the Amendment

Motion for Amendment Passes Unanimously

Amended Motion Passes Unanimously

Amy noted that when we do the contracts the language in there will always make them subject to availability of grant funds, and we are also building our contracts so that we do have a very clear exit effective January 1 if needed.

11. Matters from the Office of the Superintendent of Insurance (OSI)- Superintendent John Franchini

Superintendent Franchini presented the OSI’s planned management overview, which include 34 plans on the individual exchange and 28 plans on the SHOP for 2016. In 2015 there were 125 plans, but only 70 of those plans had any members. The Superintendent stated that fewer plans will be simpler and easier for consumers.

12. Matters from New Mexico Human Service Department (HSD)- Secretary Brent Earnest

Secretary Brent Earnest commented about the All-Payers Claims Database, which HSD has released an RFP to begin work. However, HSD is still charting out what would go into it and the financials.

13. Matters from the New Mexico Medical Insurance Pool (NMMIP)- Superintendent John Franchini

Superintendent Franchini stated that 3 years ago the high risk pool had 10,500 participants, and today they have 3,200. However, the NMMIP Board doesn’t want to shock the Exchange system in light of Blue Cross Blue Shield withdrawing, and has delayed plans to transition for a year. NMMIP will help try and guide their population before they put them in the Exchange, and as part of this, all plans offered next year will be HMOs.

14. Public Comment

Joe Martinez with Health Action New Mexico issued compliments to the Exchange, and also urged the Exchange to remain focused on the goal to get everyone that is eligible for the Exchange enrolled. To accomplish this, he offered some recommendations. Mr. Martinez asked that the Exchange advertise to 9 bilingual radio stations that combined impact 90% of the Hispanic community urban and rural. Second he asked that the Exchange have Spanish and English materials. Joe Martinez believes this time around for open enrollment we need to be localized to assure that individuals can be enrolled.

Lawrence Nylin began by clarifying that his comments are personal, and not on behalf of Molina Healthcare. Mr. Nylin wanted to take the time to thank the office of the OSI, since Molina wouldn’t

have been successful or quickly added to the Exchange without OSI's diligent work. He then thanked the NMHIX Board for approving the MOU for OSI.

15. Other Board Business- Directors & Ms. Amy Dowd, CEO

Ms. Dowd repeated that the Stakeholder Advisory Committee meeting will be October 1st at the Hispano Chamber of Commerce.

Chairman Damron noted, with pirate hat and accent, that Saturday is National Talk like a Pirate Day.

16. Adjournment

Motion: Dr. J.R. Damron moved to adjourn.

Second: Superintendent John Franchini

Motion to adjourn passes unanimously.