



Board Meeting
 Friday, May 16, 2014
 Courtyard Marriott
 Santa Fe, NM
 9:00 a.m. to 4:00 p.m.

Facilitator:	Dr. J.R. Damron			
	Dr. J.R. Damron Jason Sandel Sidonie Squier, NM Human Services Department, Cabinet Secretary John Franchini, Superintendent of Insurance represented by Aaron Ezekiel Gabriel Parra Terriane Everhart Patsy Romero David Shaw Dr. Martin Hickey Teresa Gomez (via telephone) Ben Slocum (via telephone) Dr. Larry Leaming (via telephone)			
Absentees:	Dr. J. Deane Waldman, Superintendent John Franchini			
Quorum	Yes			
Agenda Topics:	Call To Order/Review of Agenda Dr. J.R. Damron			
Discussion:	Conclusions:	Action Items:	Responsibility:	Due:
The meeting was called to order at 9:13 a.m., Roll call was taken a quorum was established.				
Agenda :	Approval of the Agenda			
Discussion:	Conclusions:	Action Items:	Responsibility:	Due:
		A motion was made by Mr. Gabe Parra to approve the agenda. The motion was seconded by Mr. Aaron Ezekiel. The motion carried.		
Agenda Topics:	Approval of the Minutes of the April 25, 2014 meetings of the Board of Directors, Dr. J.R. Damron			
Discussion:	Conclusions:	Action Items:	Responsibility:	Due:
		A motion was made by Ms. Patsy Romero to approve the minutes of April 25, 2014. The motion was seconded by Mr. David Shaw. The motion carried.		

Agenda Topic:	Public Comment			
Discussion	Conclusions:	Action Items:	Responsibility:	Due:
<p>Mr. Dick Mason – Chair, Legislative Committee of Health Action New Mexico.</p> <p>Mr. Mason indicated that the Committee had submitted public comment surrounding sustainability. Representative Tom Taylor worked with advocates to get the language changed at the end of the Legislative Session. He believes as advocates, the Exchange should be funded by the health carriers that offer plans in New Mexico, except those that were excluded in legislation. Regarding Outreach and Education, he commented that many things worked and many things did not work. He requested that until the results from the debriefing events have been compiled, to hold off on the RFP for future outreach.</p> <p>Ms. Paige Duhamel - Staff Attorney, Southwest Women’s Law Center.</p> <p>She encouraged the Board to wait for feedback before releasing the Outreach RFP. She indicated that people found the Health Care Guide Program helpful. A lot of feedback she has received from the public is that events were learned from the Health Care Guides and not brokers.</p> <p>Ms. Rebecca Leibowitz, - Planned Parenthood of the Rocky Mountains</p> <p>She announced that they had run a large outreach campaign in Las Cruces and Albuquerque. She indicated that it is very important to get the feedback so we know what worked and didn’t work. She felt the events were very important. She commented that the Navigators were wonderful and they assisted numerous people in getting signed up for insurance.</p>				
Agenda Topic:	Chairman’s Remarks– Chairman Dr. J.R. Damron			
	Conclusion:	Action Items:	Responsibility:	Due:
<p>Dr. Damron welcomed everyone to the meeting and thanked the Directors for their time and all who attended. He thanked Ms. Liz Leif of Leif and Associates for her presentation in the Educational Segment prior to the meeting on “The Three R’s”, Risk Corridors, Risk</p>				

<p>Adjustment and Reinsurance. Ms. Leif's presentation is posted on the website at: http://www.nmhix.com/wp-content/uploads/2013/05/3Rs-Presentation-05-16-2014.pdf</p> <p>Dr. Damron thanked everyone involved in the past year in the success of the organization.</p> <p>He announced that at the last board meeting an amendment to the Plan of Operation was passed to revise the Standing Committees as follows: Finance, Operations (with IT as a subcommittee), Marketing, PR and Outreach and the Native American Committee. He has asked Mr. Gabe Parra to chair the new Operations Standing Committee. He requested from the Board their preference of participation on any of the standing committees within 10 days.</p> <p>Dr. Damron reported that he, along with members of NMHIX, HSD and OSI attended the State Health Reform Assistance Network Meeting (SHRAN) in Seattle, WA. There was representation from 11 states, most were State-Based Exchanges. They shared ideas of what worked and what did not work in the first year. New Mexico has done a really good job compared to other states.</p>	<p>Secretary Sidonie Squier suggested that at least one person serving on the Finance Committee should not be on the Operations Committee and vice versa.</p> <p>The Board discussed the different ideas regarding the approaches by different states and how it relates to New Mexico.</p> <p>Dr. Damron concluded that we need to gather data to make New Mexico successful for the next enrollment period.</p>			
<p>Agenda Topic:</p>	<p>Matters from the CEO, Mike Nunez, Interim CEO</p>			
<p>Discussion:</p>	<p>Conclusion:</p>	<p>Action Items:</p>	<p>Responsibility:</p>	<p>Due:</p>
<ul style="list-style-type: none"> • NMHIX Dashboard <p>Mr. Mike Nunez reviewed the enrollment and call center activity.</p> <ul style="list-style-type: none"> • NVRA – <i>Chairman J.R. Damron, MD</i> 	<p>Mr. Gabe Parra asked what we have learned about why the few employers that signed up chose to do so. Do we know anything about the 124 who chose to use our SHOP? Has there been any questioning to them as to what drove them to use it?</p> <p>Mr. Nunez responded that the questions of why they have joined have not been asked. There were 1700 total that did not join. He indicated that a survey can be conducted of those that have joined and he will report back.</p>			

<p>Dr. Damron reported that at this time, discussions being had with regard to the Exchange's responsibility as to voter registration. Information is still being gathered and he will report at a future board meeting.</p> <ul style="list-style-type: none"> • Transfer individual FFM data/834 information <p>This is referenced below in CMS/CCIIO Washington Meeting Update</p> <ul style="list-style-type: none"> • Discussion on minimal employee contributions – <i>Ms. Liz Leif</i> <p>Ms. Liz Leif made a presentation on Minimal Employee Contributions, which can be viewed at: http://www.nmhix.com/wp-content/uploads/2013/05/Employer-Contributions-Discussion-05-16-2014.pdf</p> <ul style="list-style-type: none"> • HSD/NMHIX MOU <p>Mr. Mike Nunez reported that the MOU was complete and provided a copy in the Board Packets. He indicated that at his meetings prior in Washington, DC that he was able to report the completion of the MOU to CMS/CCIIO.</p> <ul style="list-style-type: none"> • CMS/CCIIO Washington Meeting Update <p>Mr. Mike Nunez reported that they met with senior leadership to discuss project status and reviewed income verification workflows. They met with subject matter experts in order to agree with the flows that HSD and NMHIX proposed. It was determined that additional discussions would take place in the coming weeks at the final design review in June. Also, discussed was the new enrollment date that was moved from October 1 to November 15. He indicated that the additional time will provide for additional training and testing.</p> <p>FFM data conversion was discussed, based on constraints on FFM side they will not be able to provide all application data. This will result in NMHIX having to reenroll all current FFM enrollees. We will be provided data for outreach purposes in a "flat file". There was a discussion about CMS go/no-go date to allow NM to continue on SBE route or stay with FFM.</p> <p>Dr. Damron reported that he had attended this meeting with Mr. Nunez and they pushed hard for the October 1</p>	<p>The Board engaged in discussions with regard to the self-insured, non-compliant plans, employer contribution, adverse selection, Native American coverage and enforcement issues.</p> <p>There was discussion amongst the Board regarding concerns of the readiness of the system to be functional by October 1 as well as income verification issues.</p> <p>Mr. Mike Nunez responded that the dates are not set in stone. He indicated that the vendors are aware that we need to be ready by October 1. He also indicated that we are on track to meet the October 1 deadline.</p> <p>There was discussion amongst the Board with regard to Contingency Planning and the other updates provided from the meeting in Washington, DC.</p>			
---	---	--	--	--

<p>deadline and it was not accepted. The enrollment period will begin November 15. The additional six weeks gives time for more testing to ensure we are up and running effectively for the November 15th open enrollment period. As a State-Based Exchange, it may be possible to extend the open enrollment period beyond February 15, 2015.</p>				
<p>Agenda Topic:</p>	<p>Matters From the Native Americans Committee, Director, Teresa Gomez</p>			
<p>Discussion:</p>	<p>Conclusion:</p>	<p>Action Items:</p>	<p>Responsibility:</p>	<p>Due:</p>
<p>NAPPR, Inc. presented an update on their contract for outreach, education and enrollment. Ms. Roxane Spruce-Bly, Program Director, confirmed that NAPPR, Inc. and its partners assisted 83% of the Native Americans who selected a QHP between October 1 and April 19, 2014. Ms. Roxane Spruce-Bly reported that the Native American Advisory Committee met on May 14. They are currently developing the job description for the Native American Liaison.</p> <p>Ms. Roxane Spruce-Bly and Mr. Scott Atole traveled to Window Rock on May 13 to meet with Ms. Mae Gilene Begay, CHR Director for the Navajo Nation to set up a plan to train Navajo Nation CHRs as Outreach Specialists. Mr. Scott Atole set a tentative meeting with Navajo Nation Director of Health Department, Larry Curley during the week of June 9.</p>	<p>Mr. Nunez informed the Board that NMHIX is in the process of working with NAPPR, Inc. to amend their contract to include continuation of services through the end of December 2014 and to serve the Navajo Nation.</p> <p>Mr. Jason Sandel asked about the status of formal communication with Navajo Nation.</p> <p>Ms. Roxane Spruce-Bly advised that once the meeting takes place with Mr. Curley, Mr. Scott Atole will draft a formal letter to the Navajo Nation.</p> <p>Dr. Damron asked if the contract would be available to approve at next Board meeting.</p> <p>Mr. Nunez confirmed that it would.</p>			
<p>Agenda Topic:</p>	<p>Ad Hoc Committee Reports</p>			
<p>Discussion:</p>	<p>Conclusion:</p>	<p>Action Items:</p>	<p>Responsibility:</p>	<p>Due:</p>
<ul style="list-style-type: none"> National CEO Search – <i>Director, Ben Slocum</i> <p>Dr. Damron reported: The Search Committee met earlier in the week. The Committee received clarification from CMS/CCIIO regarding compensation. The salary limitation was brought back to Mercer Morgan. This reduced the candidate pool by two, however, two more applicants applied. This brings the candidate pool to five candidates to include Mr. Mike Nunez. The Committee would like to convene a Special Board Meeting to interview the candidates in Executive Session.</p>	<p>Mr. Aaron Ezekiel expressed concerns regarding the transparency and the process of the CEO Search. NMHIX is a quasi-government, non-profit organization and he feels that a different process is required. He feels that the process has been very closed and requested clarification on how the candidates were selected and his concerns about national advertisement.</p>			

<p>The Committee felt that the interview process should be open to all Board Members that choose to participate.</p> <p>After discussion, Dr. Damron summarized that the process should not be delayed any further. The Committee hopes to have a decision by the June 27th Board meeting. The Special Board meeting will be on June 13 all day. This is when all of the candidates are available to interview.</p> <p>Mr. Ben Slocum indicated that his term on the Board is concludes on June 30th and recommended to Dr. Damron that a co-chair be appointed to the Search Committee.</p>	<p>He requested that the process be delayed until an evaluation of the process can be completed.</p> <p>Mr. Ben Slocum provided an overview of the process to-date and the recruitment efforts by Mercer Morgan. He noted that at a prior board meeting it was recommended that Mercer Morgan expand their national, regional and local search which they did accomplish bringing in two additional candidates for the Board to consider.</p> <p>Discussions regarding the interview process in Executive Session were discussed.</p> <p>Search Committee Members, Ms. Patsy Romero, Mr. Jason Sandel and Mr. Ben Slocum provided the following events that had occurred to-date:</p> <ul style="list-style-type: none"> • The Board had interviewed Search Firms at prior meetings. • The Firms presented their approaches to the Board on how the Search would be conducted and the methodologies used. At that time, the Board had the opportunity to ask questions and voice concerns regarding the methodologies used for the Search. • The Board agreed and voted to proceed. This occurred in a Public Forum. • The Search Firm has gone in the direction as stated and with the direction of the Search Committee. • The Committee does not feel that the candidates should be interviewed in a public setting. The anonymity should be protected, if 			
--	--	--	--	--

	<p>not, the candidates may not want to be interviewed.</p> <ul style="list-style-type: none"> • The Committee was restructured to ensure a broader range of representation. <p>Dr. Hickey asked if CMS had provided a regulation on salary cap.</p> <p>Mr. Ben Slocum responded that there is a section in the grant that outlines the limitations for salary. Any increase in salary would have to come from a different source of funding other than federal grant money.</p> <p>Dr. Hickey suggested an annual review of compensation for the CEO to ensure that we are competitive with regard to salary.</p> <p>Mr. Ben Slocum recommended a Compensation Committee on the Board to evaluate the compensation of NMHIX Executives.</p> <p>Mr. Gabe Parra thought it would be helpful for the Board to understand the process and it would be helpful for Mercer Morgan to be available to discuss the process.</p> <p>Mr. Ben Slocum recommended that Mercer Morgan be available on June 13th at the Special Board meeting to respond to questions from the Board and make any adjustments to the process based on the feedback.</p> <p>Mr. Justin Miller explained the Open Meetings Act guidelines with regard to the interviewing the candidates in a public meeting. He indicated that the exception to the Open Meeting Act that allows for interviews to be conducted in a closed session deals with Limited</p>			
--	---	--	--	--

<ul style="list-style-type: none"> Goals and Objectives – <i>Director, Jason Sandel</i> <p>Mr. Jason Sandel reported that he had received feedback from Board members and one suggestion from the public. He is planning on incorporating that feedback and re-distributing for further comments before the next Board meeting. He would like to have this as an agenda item for discussion at the next Board meeting in order to finalize and move forward.</p> <ul style="list-style-type: none"> Executive Committee (Interim CEO Evaluation) – <i>Chairman, J.R. Damron, MD</i> <p>Dr. Damron reported that the Executive Committee had met during the lunch break with Mr. Mike Nunez, the Interim CEO, to complete an evaluation for the time period of May 1, 2013 through May 1, 2014.</p>	<p>Personnel Matters. It deals with specific qualifications regarding hiring decisions for these specific individuals. A process session is not appropriate in a closed session.</p>			
<p>Agenda Topic:</p>	<p>Possible Executive Session to Discuss Limited Personnel Matters, Pursuant to NMSA 10-15-1 (H)(2)</p>			
<p>Discussion:</p>	<p>Conclusion:</p>	<p>Action Items:</p>	<p>Responsibility:</p>	<p>Due:</p>
		<p>No action was taken on this item.</p>		
<p>Agenda Topic:</p>	<p>Matters from the Finance, Operations and Benefits Committee – Director, Patsy Romero</p>			
<p>Discussion:</p>	<p>Conclusion:</p>	<p>Action Items:</p>	<p>Responsibility:</p>	<p>Due:</p>
<p>Ms. Patsy Romero asked Mr. Gabe Parra to provide an overview regarding assessments.</p> <p>Mr. Parra reported that the Finance Committee had productive discussions on Assessments and how to effectively fund the Exchange. He indicated that as a Board, they really need to do some work in order to decide what the Exchange needs to look like in terms of size and what components are critical once the Exchange has to start funding itself. It is important because the Assessments will be passed onto carriers.</p>	<p>Mr. Mike Nunez commented that they discussed a number of possibilities on assessments and user fees. He reported that they had requested ideas from the public regarding assessments or concepts that could be compiled and brought to the Board for discussion. He reported that there have been a few responses. He has asked Ms. Liz Leif to</p>			

<ul style="list-style-type: none"> • Discussion on assessments and other sustainability measures – <i>Ms. Liz Leif</i> <p>Ms. Liz Leif provided an overview of her approaches to sustainability. She listed her comments on the pros and cons on the assessment topics from the NMHIX website and what she knows about the assessment process used for the High Risk Pool and the Alliance.</p>	<p>make some comments on assessments and how it affects sustainability in the future.</p> <p>Ms. Patsy Romero indicated that the discussion is not final at this point. It is still ongoing and the Committee welcomes more comments and ideas.</p> <p>Mr. Aaron Ezekiel commented that from OSI's point of view, it is critical to have 3-6 months of resources in the bank. The NMHIX Board should have a legal opinion on the breadth of its assessment authority.</p> <p>Mr. Ezekiel indicated that he was asked to comment on premium taxes. While OSI collects premium tax from insurers, it does not have the authority to allocate the premium tax.</p> <p>Dr. Damron reported that this topic was discussed at length at the SHRAN Conference. He reported what other states are doing and we can take the best/worst practices from other states and learn from that. He indicated that this needs to be done correctly and that we need to proceed through this process with complete transparency. We need to gather as much information as possible. He agreed that the Board should get a legal opinion, if possible, at the next Board meeting in order to know what NMHIX can do regarding assessments.</p> <p>Discussion amongst the Board of Ms. Leif's approaches transitioned to ideas for assessments moving forward. Also discussed were approaches that other states are using.</p> <p>Mr. Nunez concluded by adding that the discussions were good and productive because they talked about the vision and</p>			
--	--	--	--	--

<p>She concluded that a broad insurer assessment is a good idea to start with until the Exchange gets rolling, it gets the transitional people into QHPs and until the operations of the Exchange stabilize to where the budget is more predictable then it may be a good idea to switch to an admin fee.</p> <ul style="list-style-type: none"> Discussion and possible action on Call Center Proposal <p>Mr. Mike Nunez provided an overview of the solicitation, evaluation and selection process with regard to the timeline, criteria and costs. He reported that there were four vendors that submitted proposals and three were evaluated.</p> <p>Interviews were scheduled with Xerox, GetInsured and Connections. A best and final offer was requested and evaluated. The Evaluation Committee recommended Xerox as the NMHIX call center vendor for a three-year contract with a “not to exceed” contract maximum of \$17.3M.</p>	<p>purpose of the Exchange. There is a need to get an evaluation tool, or set of tools to have this conversation “data driven”.</p> <p>Mr. Aaron Ezekiel asked how the scoring relates to the current contract with Xerox.</p> <p>Mr. Michael Dineen responded that the Evaluation Committee was made up of 50% external members and selection discussions were had before discussing Xerox’s performance.</p> <p>Secretary Sidonie Squier asked if it was Law that we had to have a call center and if there were better ways with this type of money to accomplish this?</p> <p>Mr. Mike Nunez responded that it was his understanding that in the Federal Statute a call center is a requirement for being a State-based Exchange.</p>	<p>A motion was made by Ms. Patsy Romero to approve Xerox as the Call Center Vendor. The motion was seconded by Mr. Aaron Ezekiel. The motion carried.</p>		
	Matters from the Marketing, PR and Outreach Committee, Director, Dr. Martin Hickey			
	Conclusion:	Action Items:	Responsibility:	Due:
<ul style="list-style-type: none"> Marketing materials polling effectiveness <p>Dr. Martin Hickey reported that the Marketing Committee met the week prior to discuss their impressions of BVK and their performance. Following this discussion, BVK was invited to present their points of view. They provided explanations on their approaches throughout the campaign and timing issues with healthcare.gov. The Committee felt that at this time, they should seek information from a research company. Mr. Nunez was tasked with creating an RFP and to have three companies submit proposals. They chose Research and Polling. They had the most insight into the marketing and outreach areas that needed to be addressed. Dr. Hickey provided</p>	<p>Board discussion ensued on which studies should be selected, approved funding method and agreed to participate in providing feedback on which types of questions should be asked. There was also discussion on the HIPPA regulations concerning these types of polling questions.</p>			

<p>an overview with regard to their methodologies for surveys that would be conducted. The contract is approximately \$80,000. The Committee recommended that staff enter into an agreement with Research and Polling to conduct this research which would be valuable to future campaigns.</p> <p>Mr. Mike Nunez discussed the progress made in contracting with an evaluation and polling entity to provide objective analysis on the impact locally of BVK's work.</p> <ul style="list-style-type: none"> • Discussion on Marketing, PR and Outreach <p>Ms. Monica Griego reported on the upcoming NMHIX Community Debrief events happening statewide. She reported that five regional meetings would occur from May - June 30th and would convene brokers, guides, universities, faith based organizations, community-based organizations and congressional staffers and local government offices. Board members were invited to participate in the opening and welcoming remarks of each meeting. The five regional convening's were to occur in: Roswell, Silver City, Espanola, Las Cruces and Farmington. The Albuquerque NMHIX Community Debrief would occur June 13 at the Indian Pueblo Cultural Center with the NMHIX Agent Appreciation Luncheon happening that same day.</p> <p>In addition to outreach measures being shared, the NMHIX will also provide an update on enrollment results for the prior Initial Open Enrollment Period and also demonstrate new outreach electronic postcard systems and enhancements built in to the NMHIX Agent Dashboard. Ms. Griego will share the results of the community debrief and agent luncheon events at the following Board meeting.</p>				
Agenda Topic:	Matters from the Information Technology Committee – Director Ben Slocum			
	Conclusion:	Action Items:	Responsibility:	Due:
<p>IT Dashboard The Dashboard was reviewed. Overall indicators showed a “green” status.</p>				
Agenda Topic:	Matters from the Superintendent of Insurance – Superintendent John Franchini			
Discussion:	Conclusion:	Action Items:	Responsibility:	Due:
<ul style="list-style-type: none"> • 4% insurance premium tax clarification • 				

Mr. Aaron Ezekiel clarified that the 4% premium tax on the insurers goes to the General Fund.				
Agenda Topic:	Matters from HSD – Secretary Sidonie Squier			
Discussion:	Conclusion:	Action Items:	Responsibility:	Due:
Secretary Sidonie Squier reported 121,460 new enrollees	Ms. Terriane Everhart asked what the goal is for new enrollees. Secretary Sidonie Squier replied that goal for the end of 2015 is 205,000. The original goal was 170,000.			
Agenda Topic	Matters from NMMIP – Vice Chairman, Jason Sandel			
Discussion:	Conclusion:	Action Items:	Responsibility:	Due:
There was no update from the NMMIP				
Agenda Topic:	Other Board Business - Directors			
Discussion:	Conclusion:	Action Items:	Responsibility:	Due:
Mr. Jason Sandel – Requested a PCA update as an agenda item at the next Board meeting. Dr. JR Damron – Thanked Mr. Mike Nunez and staff for their hard work and dedication. Mr. Aaron Ezekiel – Asked for confirmation on the Special Board Meeting for June 13, 2014. Mr. Mike Nunez – Thanked the Board for the past year of support.				
Agenda Topic:	Public Comment			
Discussion:	Conclusion:	Action Items:	Responsibility:	Due:
Dick Mason- Chair, Legislative Committee of Health Action New Mexico commented regarding administration simplicity. He asked why was the burden on the Exchange to collect certain fees when it will be put on the premiums. He further commented that he has attended computer labs and when brokers talk to customers they can only recommend or write plans for those plans on the Exchange that they have agreements with. He felt that this is an issue that needs to be addressed.				

Agenda Topic:	June NMHIX Board Meeting			
Discussion	Conclusion:	Action Items:	Responsibility:	Due
The next NMHIX Board Meeting will be held at the CNM Workforce Training Center on Friday, June 27, 2014 There will be a Special Board Meeting on Friday, June 13 th .				
	Adjournment:			
	Conclusion:	Action Items:	Responsibility:	Due:
The meeting adjourned at 3:21 p.m.		A motion was made by Secretary Sidonie Squier to adjourn the meeting. The motion was seconded by Mr. Gabe Parra. The motion carried.		