

Meeting Minutes

Oregon Health Insurance Marketplace Advisory Committee Meeting
Thursday, April 7 from 1 to 4 p.m. – Room 260
Labor and Industries Building
350 Winter St. NE Salem, OR 97301

Committee members present: Shonna Butler, Cindi Condon, Joe Enlet, Dan Field, Joe Finkbonner, Jim Houser, Lora Lawson, Sean McAnulty, Jesse O'Brien, Shanon Saldivar, Maria Vargas, Clare Tranchese (by phone), Patrick Allen (ex-officio), Mark Fairbanks (ex-officio)

Members excused: Ken Provencher

Agenda item and time stamp

Discussion

Welcome and introductions (0:00:00)

- Patrick Allen, DCBS Director, called the meeting to order at 1:03 p.m., and explained that he would act as chair until one was elected during the meeting
- The committee members present introduced themselves, and Mr. Allen gave a brief introduction to what the committee's expected role will be for the Marketplace.

Marketplace overview (0:20:45)

- A general discussion led by Mr. Allen and Berri Leslie, Health Insurance Marketplace Administrator, regarding the transition of Oregon's marketplace from Cover Oregon to the Department of Consumer and Business Services in 2015, the current state of the Marketplace, and the vision for the Marketplace's path with the advisory committee going forward.
- Power Point presentation at 0:21:40 – 1:07:22 in the meeting recording.

Election of chair and vice-chair**

A technical error caused a muting of the sound from 1:07:22 - 1:18:15 in the meeting recording, and the elections occurred during this time.
- Shonna Butler nominated Dan Field for committee chair
- No other members were nominated
- All members present voted unanimously to elect Dan Field as committee chair,
- Sean McAnulty nominated Jesse O'Brien for vice-chairperson.
- No other members were nominated
- All members present voted unanimously to elect Jesse O'Brien as committee vice-chair

Review and consensus for bylaws (1:18:15)

- The committee discussed the draft bylaws distributed prior to the meeting. The committee touched on some specific topics to clarify:
- **Individual liability:** Ted Falk, Marketplace legal counsel with Oregon Department of Justice, stated that there is no precedent for legal liability for citizen volunteer members of an advisory committee or board. While there would be no way for DCBS to guarantee preventing damage to reputation, Mr. Allen stated that it would be his duty to accept responsibility and liability for any issues the committee may have missed or on which it may have been under-informed.
- **Executive session:** in rare instances, under specific statutorily defined conditions, the committee may call an executive session that would not be open to the public in

order to discuss confidential information; e.g., confidential legal or personnel issues, etc.

- **Conflict of interest** – potential conflicts of interest should be declared by the members as appropriate. Marketplace staff will provide further documentation and guidance to educate members on how that is defined.

- Joe Enlet moved to approve the draft bylaws as written.

- The motion was seconded, and all members present voted to approve the bylaws unanimously.

Assessment rule discussion

(1:31:59)

- Mr. Allen gave a brief overview of the insurance premium assessment that funds the marketplace, and Ms. Leslie further explained the rulemaking that the Marketplace is undertaking, regarding the carrier premium assessment credit.

- By statute, if the Marketplace has an excess of more than 6 months of operating funds, it is required to credit those funds back to the carriers. The proposed rule would align the schedule for the determination of that credit with the Marketplace's biennial budget structure. The rulemaking is further explained in the "Carrier Assessment Credit Rule Overview" in the April 7, 2016 meeting materials.***

Basic Health Plan work group planning and discussion

(1:54:09)

- Presentation from Oliver Droppers, Oregon Health Authority (OHA), on the Basic Health Plan (BHP) concept, and previous work that had been done at OHA on the subject. D'Anne Gilmore, Marketplace Performance and Improvement Advisor, joined him to answer detailed questions from the committee. BHP would give Medicaid-like benefits to low income Oregonians who are just over the income threshold for Medicaid.

- The BHP concept has been studied by OHA before, and HB 4017 from the 2016 legislative session tasked DCBS in collaboration with OHA with establishing an advisory committee to report back to the legislature with a blueprint for a BHP in Oregon.

- Members of the committee were asked if they would like to volunteer for the BHP advisory committee, which, for practical purposes, would be treated as a subcommittee of the Marketplace Advisory Committee.

- Shonna Butler, Shanon Saldivar, and Sean McAnulty volunteered for the BHP subcommittee

Public Testimony

(2:44:00)

- Janet Bauer, Policy Analyst with Oregon Center for Public Policy

- John Mullin, Legislative Advocate with Oregon Law Center

- Linda Roman, Policy Director with Oregon Health Equity Alliance

Janet, John, and Linda are all advocates for the BHP concept, and urged broad stakeholder participation and maximum inclusion in the BHP advisory process to make sure all voices are heard.

* These minutes include timestamps from the meeting video, in an hours : minutes : seconds format. The meeting video can be found here:

<https://youtu.be/qajGeRChZNo>

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*** Meeting materials are found on the Oregon Health Insurance Advisory Committee website:
<http://www.oregonhealthcare.gov/him-committee.html>

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