

Health Insurance Marketplace Advisory Committee Meeting Minutes

When: Thursday, May 25, 2023 – 9 a.m. to noon

Where: Virtual via Microsoft Teams

In-person at the Barbara Roberts Human Services Building

500 Summer St NE, Salem OR 97301

Committee members:

Virtual – Gladys Boutwell, Ron Gallinat, Paul Harmon, Lindsey Hopper (vice chair), Ines Kemper, Joanie Moore, Holly Sorensen, Om Sukheenai, Drew Tarab, and Nashoba Temperly

In person – Kraig Anderson (chair), Maribeth Guarino, and Shannon Lee

Members not present: None

Other presenters: Stephanie Kennan, Vivian Levy, Phil Schmidt, and Tim Sweeney

Marketplace staff: Chiqui Flowers, director; Victor Garcia, operations development specialist; Nina Remple, marketplace transition project manager; and Dawn Shaw, office support coordinator

Agenda item and time stamp*	Discussion
Welcome, roll call, meeting guidelines, and approval of previous meeting minutes	Roll call of Health Insurance Marketplace Advisory Committee (HIMAC) members and staff, review of meeting guidelines, and approval of the January 19 meeting minutes. (See the handout packet pages 1-2 for a copy of the agenda, pages 3-7 for the January minutes, and pages 8-9 for the meeting guidelines.) <ul style="list-style-type: none">• Approved January 19, 2023, minutes.
Welcome new committee members 15:21	Welcomed Danielle & Shannon <ul style="list-style-type: none">• Danielle Nichols is a MA (medical assistant) for the Oregon Medical Group and Lane Community College and has been a community assistor for the last six years.• Shannon Lee is and entrepreneur and human development expert is joining us as a member of the public.
Federal health policy updates 17:56	Stephanie Kennan from McGuire Woods Consulting called in from Washington, DC to present information about current legislation and cases that involve the Affordable Care Act (ACA). <ul style="list-style-type: none">• Debit ceiling<ul style="list-style-type: none">○ House is out today for recess but told to stay close in case they need to be called back.○ Talk of a freeze on spending, and an increase of defense which could mean cuts in other areas. Medicaid and food stamp work requirements are also being discussed.○ The White House was told to help Treasury in moving things around so we don't run out of money on June 1.

- Congressional Budget Office (CBO) published health insurance coverage projections for 2023-2033.
 - Made changes to their model to look at race and ethnicity.
 - Projecting a decline in Medicaid enrollment.
 - If subsidies expire after 2025 the CBO projects 4.9 million will become uninsured. By 2033 there will be a 10% uninsured rate.
 - There is a bounce back on medical spending post pandemic.
- Pharmacy Benefit Management (PBM) reform
 - Just about every member of congress is co-sponsoring or creating their own PBM bill.
 - Defining what is transparency and having a better idea on how they determine prices.
 - The Federal Trade Commission (FTC) is investigating PBM business practices. The FTC is broadening the investigation to include a group purchasing organizations.
- Appropriation bills process is a very slow process.
- Continuing resolutions
 - They will need to figure out how to fund agriculture and the FDA (Food and Drug Administration), it may go to the end of the fiscal year in September.
 - The DEA (Drug Enforcement Administration) announced that flexibilities with prescription of certain drugs will end on a certain date.
 - More to come.
- CMS (Centers for Medicare and Medicaid Services) put out a proposed rule to extend Medicaid, CHIP, and Marketplace coverage for DACA (Deferred Action for Childhood Arrivals) recipients.
- Drew asked if the CBO would dive into state specific metrics. Stephanie responded that they did not go into state level specifics, but it may be included in an expanded report.
- Maribeth wanted to know if there is any conversations on expanded subsidies like ARPA (American Rescue Plan Act) expiring. Stephanie thinks that next year there will be discussions about it.

**Basic Health
Program
updates
34:27**

- Timothy Sweeney and Laurel Swerdlow presented updates on the Basic Health Program (BHP) including data from the Oliver Wyman report.
(See pages 10-21 of the handout packet for a copy of the slide deck.)
- Kraig wanted to verify the effective date. Timothy replied that July 1, 2024, is the intention but there isn't anything for certain. We can't restrict enrollment to only those moving from OHP. Most will have a January 1, 2025, effective date.
 - Maribeth requested clarification that those above 200% of the federal poverty level will still be eligible for tax credits. Tim confirmed.
 - Drew inquired if there was going to be three equal stages for people to make their way into the BHP or is it going to be one bolus in 2025 with smaller numbers in 2026 and 2027. Tim stated that the numbers would be reviewed further on in his presentation.
 - Paul asked if there had been discussions with CMS and Treasury. Tim informed that there have been verbal assurances from both CMS and Treasury. Clearer written agreement is in the works.
 - Paul additionally commented that it was disappointing that the state assuming the risk could be borne by consumers. Tim answered that none of the task force recommendations that included state funding to mitigate risk did not go forward unfortunately.
-

- Drew expressed concern and would like to see more transparency regarding overall market morbidity as premiums are likely to go up for those individuals that are above 200% FPL and enrolled in a Marketplace plan.
- Gladys wanted clarification on the impact to employer decision to offer coverage. Tim informed that the assumption would be that employer coverage would stay the same.
- Gladys stated that some of her clients who were above 400% of the FPL are struggling to pay premiums. Those clients have already done some metal tiering shifting to alleviate costs. Tim indicated that subsidies through ARPA and IRS should help affordability.
- Paul agreed with Drew's concern about the impact to consumers. Tim understands the concern and states that there are trade offs and there is no easy solution. Laura added that it has been challenging to find a solution and the development of our own state based Marketplace would help alleviate the costs.
- Maribeth questioned if the creation of our state based Marketplace would be too late to ease costs since it will likely happen in 2026/2027. Tim replied that they are looking at ways to get more federal funding. Laurel indicated that Oliver Wyman's analysis suggests that it won't be too late.

**Public
comment &
break
1:35:27**

None given.

**2023
legislative
session
updates
1:45:25**

- Phil Schmidt presented the bills of interest for the Marketplace during the 2023 legislative session.
- The 2023 legislative session has been delayed to a senate walk out on May 3, 2023. A lot of bills are being held up due to the lack of quorum. No signs of an agreement to come back. Voters approved a constitutional amendment barring legislators from running again if they have ten or more unexcused absences.
 - OHA is working on their budget. It is possible that on the last day the senate republicans may be willing to come back and approve bipartisan budget bills. There is talk of a special session to wrap things up.
 - SB 972 is the state based Marketplace bill. So far there has not been a ton of partisan opposition and has a good chance of passing. Chiqui and the team have done a great job of educating about the move to a state based Marketplace.
 - Scenarios are being discussed if some of the budget is not approved. Redeterminations, Medicaid, and the BHP programs need funding.
 - Highlighted a bill to extend CCO contracts by two years which would help the procurement process.
 - Kraig wanted to know when session would normally end. Phil informed that June 25 is sine die.
 - Maribeth quired if there has been any word on legal action being taken about the walk outs. Phil said there are rumors but no word yet.

**Unwinding
continuous
eligibility in
Oregon
1:59:57**

- Vivian Levy discussed the plans for the upcoming Medicaid redeterminations. (See pages 25-27 of the handout packet for a copy of the slides.)
- Link to the dashboards: <https://www.oregon.gov/dhs/Benefits/Pages/dashboards.aspx>
 - Kraig asked for clarification on the Medical Redeterminations Dashboard if that included people deemed no longer eligible. Kraig suggested adding the complete number onto future iterations of the dashboard.
 - Slide 57 the acronym ABAWD is Able-Bodied Adult Without Dependents

- Nina questioned when the start of the postpartum 12 month coverage ends and the continuous eligibility for OHP. Vivian clarified that protected eligibility which applies to pregnant people and in the postpartum period. Protected eligibility can run concurrent with continuous eligibility for a total of two years.
- Om asked about postpartum coverage for those on CWM (citizenship waived medical). Vivian clarified that there is a twelve month postpartum coverage for people on CWM plus and not on Healthier Oregon.
- Om had an additional question about OHP coverage for people who are being redetermined and are over 65. Vivian and those at OHA have been working with partners at APD (adults and people with disabilities) to get them to the appropriate program.

Marketplace transition project updates
2:27:33

- Nina Remple, the marketplace transition project manager provided updates on how the transition is going.
(See pages 27-31 of the handout packet for a copy of the slides.)
- Kraig questioned the notifications for people out-of-state or over 65. Nina confirmed they are eliminating people who have attested to be out-of-state. People over 65 are still getting notifications in case they do not qualify for premium free Part A.
 - Kraig additionally wondered about notification to those who have group coverage eligibility. Nina stated we don't get that information from OHP so we are unable to scrub the data for those individuals.
 - Gladys wondered with all the information going out, how can she and her fellow agents help. Nina suggested going to farmers markets and connecting with community partners.
 - Holly provided an example of as a community partner her group collaborated with agents and local clinics to send out a countywide mailer.
 - Nina included that when the mailers go out, we are including an insert of all the partner assisters and agents.

Public comment, wrap up & closing
2:42:53

Om asked for clarification about the unwinding and BHP, that people who are below 200% will be moving to BHP. Chiqui confirmed. Om was concerned about it being confusing. Chiqui assured that we do anticipate confusion and there will be robust communication plans that are being developed. More to come in our July meeting. Om did add that she speaks to local rotary clubs to help with outreach.

Kraig suggested facilitating follow up discussions and will reach out to the committee to best go about the discussions. Will make sure to add to the July meeting.

Andrew Stolfi added that the 2024 health rates have been filed with DCBS (Department of Consumer and Business Services). There will be public hearings and encourages anyone who is interested to go to the DCBS website and submit testimony or opinions. Links for additional information:

- <https://dfr.oregon.gov/healthrates/Documents/2024-rate-and-county-coverage.pdf>
- https://dfr.oregon.gov/healthrates/Pages/find-filing.aspx?year_select=2024 (public comment links available on each filing)

Next meeting will be Thursday, July 20, 2023, 9 a.m. to noon. Unless notified otherwise the meeting will be a hybrid of virtual and in-person.

*These minutes include timestamps from the meeting audio in an hour: minutes: seconds format. Meeting materials and audio are found on the Oregon Health Insurance Marketplace Advisory Committee [website](#) under 2023 Meetings, May 25.