

**Marketplace Advisory Committee Meeting Minutes**  
**Thursday, Jan. 28, 2021 - 9 a.m. to noon**  
**Virtual meeting via Microsoft Teams**

**Committee members:** Kraig Anderson, Shonna Butler, Dan Field (chairperson), Jim Houser, Sean McAnulty, Ken Provencher, Shanon Saldivar (vice-chairperson), Sandy Sampson, Andrew Stolfi (ex-officio), Jeremy Vandehey (ex-officio), and Jenn Welander

**Members not present:** All present

**Other presenters:** Vicky Heppner, Stephanie Kennan, and Linda Roman

**Marketplace staff:** Chiqui Flowers, administrator; Anthony Behrens, senior policy advisor; Victor Garcia, operations development specialist; Cable Hogue, implementation analyst and federal liaison; Nina Remple, COFA premium assistance program manager; and Dawn Shaw, division support coordinator

<b>Agenda item and time stamp*</b>	<b>Discussion</b>
<b>Welcome and introductions, committee housekeeping</b> 0:0:00*	Minutes from Oct. 7, 2020, meeting approved. <i>See Pages 1-5 of handout package for a copy of the minutes.</i>
<b>Federal health policy movement</b> 0:01:37	Stephanie Kennan from McGuire Woods Consulting called in from Washington, D.C., to present information about current legislation and cases that involve the Affordable Care Act (ACA). <ul style="list-style-type: none"><li>• New energy going on in Washington, D.C., since January.</li><li>• Today, President Biden will be signing some executive orders.<ul style="list-style-type: none"><li>○ Creating a three-month special enrollment period (SEP) for those who lost insurance coverage due to COVID. Most likely will happen starting Feb. 15 and going to May 15.</li><li>○ Asking HHS to:<ul style="list-style-type: none"><li>▪ Rescind health regulations barring federally funded providers from providing or referring patients for abortions.</li><li>▪ Reexamine Medicaid work requirements.</li><li>▪ Review new policies that undermine the ACA, particularly the ones concerning preexisting conditions.</li></ul></li><li>○ Working to make the ACA better, a long list of changes the Trump administration made.</li><li>○ Looking to incentivize states who have not enacted expanded Medicaid. May require going to Congress.</li></ul></li><li>• There is talk about lowering the Medicaid age to 55 or 60.</li><li>• “Medicare For All” is not supported by Biden.</li><li>• Subsidizing COBRA coverage.</li><li>• Raising caps on subsidizing premiums under the ACA.</li><li>• Possibly using a Medicare Advantage-like program.</li></ul>

- Texas vs. California – if the Supreme Court zeroes out the penalty, Congress can put it back in. It would take years to make the ACA go away if it is rescinded.
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**Open Enrollment  
2021**

0:16:20

Cable Hogue presented an update of open enrollment data received from CMS.  
*See Page 32 of the handout package for slide.*

- Based on numbers that CMS allows us to share. More information should be released in March.
  - The plan selections could be lowered due to the executive orders on not removing people from Medicaid during the pandemic even if their income has increased. There are higher Medicaid numbers and lower QHP numbers.
  - Active plan selection is not necessarily a plan change. Consumers could have looked at other plans and decided to remain with their current plan.
  - Some are selecting Bronze plans due to the cost-sharing reductions to have lower premiums and using as catastrophic coverage.
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**Governor Brown's  
health care  
priorities**

00:33:05

Linda Roman, health care policy advisor from the Office of Governor Kate Brown presented about the governor's health care priorities.

*See Pages 6-15 of the handout package for slides.*

- HB 2164 is a placeholder bill, a concept to expand coverage for more people and to build on the work of Cover All Kids. Will focus on a pilot program to expand OHP to undocumented adults, legal permanent residents under five years of residency, and young adults aging out of Cover All Kids.
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**2021 Legislative  
Season**

01:08:39

Anthony Behrens reviewed the 2021 legislative bills we are working on or watching.  
*See Pages 6-31 and supplemental handouts packages for slides.*

- SB 65
    - Provides assessment for off-exchange dental plans.
    - Minor change to the SHOP program to bring it back down to 50 employees from 100 to align with the small group market.
    - MAC will move to being under the Oregon Health Policy Board (OHPB) and to stagger terms of members.
    - Change to a single report for the agency and MAC instead of two separate ones.
  - HB 2041
    - House version of SB 65 with some changes and is acting as a placeholder.
    - Possible COFA 2.0, to help cover people who fall through the cracks and do not qualify for OHP.
    - COFA dental and a possible wrap-around program.
  - SB 706
    - Has now been introduced.
    - Sweeps COFA funds into OHA.
    - Deletes previous COFA statutes.
  - HB 2042 – DFR bill for surprise billing, may end up being a placeholder bill.
  - HB 2045 – DFR bill to make sure Oregon is compliant with NAIC regulations. Will help with the auditing process with other states.
  - HB 2046 – DFRs ACA reconnect bill to make sure we are compliant with updated federal regulations.
  - HB 2081
    - Changes from benchmark to a target program.
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- Requires OHPB to approve actions taken by OHA & DCBS towards providers not in compliance.
- SB 5510 – DCBS’s budget bill.
- Both SJR 12 & HJR 14 sends a proposition amendment to the voters. Will ensure all Oregonians have access to cost-effective care.

**Public Comment**      No public comments  
01:34:06

**Impacts to COFA citizens and transition to OHP**      Nina Remple presented on the 2020 Omnibus COVID Relief Bill and the impacts to COFA citizens and the transition to OHP.  
01:35:08      *See Page 33 of the handout package for the slide.*

- Making sure that nobody is falling through the cracks and losing coverage.
- Pandemic pushed to virtual enrollments and initially the numbers went down a bit, but was able to recover and consider this a successful year.
- Implemented an application renewal by mail. Applications up by 13 percent with a 16 percent increase in approvals from the previous open enrollment.

**Sustainable health care target program & OR state option report**      Jeremy Vandehey, Director of Health Policy and Analytics, Oregon Health Authority presented about sustainable health care cost grown target program and the Oregon State option.  
01:42:10      *See Pages 34-43 of the handout package for slides.*

**OHIM to OHA Project**      Victor Garcia and OHA Project Manager Vicky Heppner presented the planning phase of the potential move of the Marketplace to OHA  
02:16:14      *See page 44 of the handout package for slide.*

- Created a one-pager.
- Looking at the IT portion currently, includes website and phones.
- SHIBA won’t be moving with the Marketplace, likely they will move to DHS/APD or go to DFR.
- May need some IAAs for any work post July 1, 2021.
- Making sure there are not interruptions in service.
- Any transition to an SBM will occur later on and not addressed by SB 65, being with OHA will most likely make it easier to get it up and running.
- Have not heard any opposition to the move.

**Staying connected during COVID**      Shannon Saldivar led a discussion about the MAC staying connected during the COVID-19 pandemic.  
02:33:55      • Ken suggested to try to do one on ones between meeting to maintain a personal connection.

**Public comment,  
wrap up, and  
closing**  
02:37:05

Next meeting is scheduled to be virtual on Thursday, April 22, 2021, from 9 a.m. to noon.

Thanks to Shannon for stepping in for Dan in moderating the meeting.

Assessment rule hearing will tentatively be Feb. 12, 2021. Stay tuned for further details.

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\*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 2021 Meetings, Jan. 28, 2021.