



Maryland Health Benefit Exchange Board of Trustees

November 19, 2018

2:00 p.m. – 4:00 p.m.

Maryland Health Care Commission
4160 Patterson Avenue
Baltimore, MD 21215

Members Present

Robert R. Neall Chair

S. Anthony (Tony) McCann, Vice Chair

Linda S. (Susie) Comer (by phone)

K. Singh Taneja (by phone)

Ben Steffen, MA

Dana Weckesser

Dr. Rondall Allen (by phone)

Members Absent

Alfred W. Redmer, Jr.

Also in Attendance

Michele Eberle, Executive Director, Maryland Health Benefit Exchange (MHBE)

Andrew Ratner, Chief of Staff, MHBE

Venkat Koshanam, Chief Information Officer, MHBE

John-Pierre Cardenas, Director, Policy & Plan Management, MHBE

Sharon Stanley Street, Principal Counsel, Office of the Attorney General

Trevor Coe, Assistant Attorney General, Office of the Attorney General

Tony Armiger, Chief Financial Officer and Acting Procurement Officer, MHBE

Lourdes Padilla, Secretary, Maryland Department of Human Services

Subramanian Muniyasamy, Chief Technology Officer, Maryland Department of Human Services

Gregory James, Deputy Secretary for Operations, Maryland Department of Human Services

Dennis Schrader, Chief Operating Officer and Medicaid Director, Maryland Department of Health

Welcome & Introductions

Secretary Neall welcomed everyone to the Board meeting.

Closed Session

Secretary Neall moved that the meeting be closed in accordance with General Provisions Article § 3-305(b)(7) to consult with counsel to obtain legal advice.¹ Mr. McCann seconded the motion. The Board voted unanimously to move into closed session.

Open Meeting

After returning to the open meeting, Secretary Neall read the following closed meeting summary: We had seven Board members, present or on the phone, and Michele Eberle, Cynthia Wilson, and Assistant Attorneys General Sharon Street and Trevor Coe were there. Dennis Schrader was there for part of the meeting. The Board approved meeting minutes of the May 21, 2018, closed session and received an update on litigation matters and legal advice

¹ General Provisions Article § 3-305(b) (7) allows a closed session to consult with counsel to obtain legal advice. Article § 3-305(b)(14) allows a closed session to discuss, before a contract is awarded or bids are opened, a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

regarding MD THINK. The closed session adjourned at 2:38 PM. For topics discussed and actions taken, please see the Statement for Closing a Meeting.²

Approval of Meeting Minutes

The Board reviewed the minutes for the October 15, 2018, open meeting. Ms. Weckesser moved to approve the minutes. Mr. Steffen seconded the motion. The Board voted unanimously to approve the minutes of the October 15, 2018, open meeting.

Executive Update

Michele Eberle, Executive Director, MHBE

Ms. Eberle provided an update on open enrollment and highlighted the corresponding commercials and media. She stated that the staff's hard work over the last year has come to fruition, auto-renewals were very successful, and premiums are lower. Ms. Eberle explained that there has not been as much open enrollment traffic yet because auto-renewal customers are keeping their current plans, and new enrollments have been slow at first, but the MHBE is hoping to see new enrollments increase. Ms. Eberle invited meeting attendees to take and distribute brochures.

Ms. Eberle provided a summary of the Office of Legislative Audits (OLA) recent review of the MHBE and explained that it was a ten-month, onsite audit process. She explained that press articles were recently released about the audit, and the number of findings were reduced from the previous audit. Ms. Eberle explained that of the eight audit findings, four are in the process of being resolved, and the other four are in progress to be resolved by next summer and mostly involve other agencies. She thanked OLA for their in-depth and quality review and emphasized that the MHBE welcomes the audits.

Ms. Eberle provided an update on staffing, which included a new hire named Veronica Francis Rollins. Ms. Eberle explained that she was hired from the call center and has been with the call center since its initial implementation. She added that Ms. Rollins will be working in the escalated issue department. Ms. Eberle also highlighted an MHBE staff member who has been working in the U.S. for 18 years and has recently acquired citizenship.

Ms. Eberle provided an overview of federal policy activity, which includes a state relief and empowerment waiver that loosens the requirements on 1332 waivers. She added that there is another rule coming out about health reimbursement accounts that will provide more flexibility for employers. Ms. Eberle explained that the MHBE is looking at what opportunities these changes provide for the exchange. She added that program integrity is also an upcoming issue, including what kind of oversight agencies have in place. Ms. Eberle stated that an area that the MHBE is looking at is payment for abortion coverage.

Ms. Eberle provided an IT update and explained that the MHBE is busy developing for the January release and testing. She also noted that the MHBE's annual report for 2018 has been released. Ms. Eberle highlighted Mr. Ratner's contribution to the annual report and commented on how proud she is of the MHBE staff. Ms. Eberle then thanked Secretary Padilla, Dennis Schrader, Subramanian Muniyasamy, Gregory James, and all of the people who have been working on the Maryland Total Human Services Integration Network (MD THINK) memorandum of understanding (MOU).

MD THINK MOU

Andrew Ratner, Chief of Staff, MHBE

Venkat Koshanam, Chief Information Officer, MHBE

Raelene Glasgow, Procurement Officer, MHBE

Subramanian Muniyasamy, Chief Technology Officer, Maryland Department of Human Services

Gregory S. James, Deputy Secretary for Operations, Maryland Department of Human Services

Dennis Schrader, Chief Operating Officer and Medicaid Director, Maryland Department of Health

² Statement for a Closed Meeting: <https://www.marylandhbe.com/wp-content/uploads/2018/11/Closed-meeting-statement-11.19.18-MHBE-.pdf>

Mr. Ratner provided an overview of MD THINK, including the benefits and potential issues associated with migrating to MD THINK. MD THINK is an initiative through the Governor's office to modernize existing systems, improve access to human services, and enable data sharing between agencies. He also laid out the timeline for the MHBE's migration to MD THINK and the financial impact of implementation. Migration to MD THINK will occur in two phases, with completion anticipated in September 2019.

Mr. McCann asked whether staff have enough information to formulate the 2020 budget, and Mr. Armiger responded in the affirmative. Mr. Taneja asked about the vendors and how much control the Board will have in terms of benchmarks and deliverables. Mr. Ratner responded that this is still being worked out. Mr. Taneja emphasized that the operational MOU should include certain requirements in regards to the MHBE being able to fulfill their responsibility to their consumers, and Mr. Ratner agreed. Secretary Neall asked about the MD THINK steering committee membership. Mr. James stated that the steering committee is chaired by Tiffany Robinson within the Governor's office and includes the Secretaries of the Department of Information Technology, the Department of Health, the Department of Human Services, the Department of Juvenile Services, the Department of Budget and Management, and the Executive Director of the MHBE. Ms. Eberle stated that she will share the charter and executive order for the steering committee with the Board when available.

Ms. Glasgow provided an overview of the current funding of the Indefinite Delivery Indefinite Quantity (IDIQ) contract and a breakdown of the requested increase. Mr. McCann asked if the net cost to the exchange is \$0 because the MD THINK project funding will equal the additional expenditures of \$5.3 million. Mr. Koshanam replied yes.

Secretary Padilla clarified that the MHBE will have less direct control, but that the MD THINK platform is operated by the State. She reiterated that the MHBE has representation on the steering committee. Secretary Padilla emphasized that the exchange may be impacted by system wide changes outside of MHBE control, but this is similar to the risks of other statewide infrastructure, such as Network Maryland. She added that the creation of MD THINK has been a priority of the administration since 2016, and the migration of the exchange has always been a part of the plan.

Mr. Steffen asked why there are no savings or reductions in the amount of the IDIQ. Mr. Koshanam responded that IDIQ savings are not directly related to the migration of the exchange to the MD THINK platform. He added that what is being replaced is the hosting environment that is currently contracted to Conduent, and that there are potential savings on that end. Ms. Eberle added that the requested amount is only for 2020. Secretary Padilla emphasized that the federal government is paying.

Mr. Taneja asked about transition periods for ongoing IT projects. Mr. Koshanam answered that there is no way to update in parallel. Mr. Koshanam added that they will be testing before moving to MD THINK and are confident in the platform and the team. He also stated that the transition is a first attempt for everyone. Mr. Ratner stated that the move will be done in two stages, but there is no soft launch. Mr. McCann asked if the critical date for go-live is May 15 and requested an update for the April Board meeting. Mr. Koshanam responded yes to both questions, and Ms. Eberle added that the Board will start to receive monthly updates. Mr. Taneja asked if the Board will have the opportunity to review and discuss the operational MOU before it is signed. Secretary Neall responded yes.

Mr. Schrader added that there are 1.3 million people in the system, and he appreciates participation in these conversations and the MHBE's efforts. Mr. Muniasamy stated that the platform is already built and running in production, and he is confident that the project will go smoothly and on time. Mr. Taneja asked whether testing of the platform was occurring in the background. Mr. Muniasamy responded yes and that all of the components required for the migration are already built and running.

Secretary Padilla emphasized that the operator of MD THINK is the state, so the priorities are aligned. She added that everyone has the same goal in regards to concerns about accountability and direction.

Mr. McCann moved to approve the authorization for the MHBE Executive Director to enter into an MOU with the Maryland Department of Human Services, Department of Health, and the Department of Information Technology to migrate the HBX system to the MD THINK hosting platform. Ms. Weckesser seconded the motion. The motion was

approved unanimously.

Ms. Weckesser moved to approve an increase to the IDIQ budget of \$5,308,800 dollars for a new not-to-exceed amount of \$26,863,800. Mr. McCann seconded the motion. The motion was approved unanimously.

2020 Draft Plan Certification Standards

John-Pierre Cardenas, Director, Policy & Plan Management, MHBE

Mr. Cardenas provided an overview of MHBE's public engagement process, timeline, and plan certification standard policy goals. He discussed different policy priorities, such as concerns about both the subsidized and unsubsidized populations and affordability. Mr. Cardenas also discussed increasing consumer choice, expanding access to care, and lowering costs. Mr. Cardenas highlighted that the state will follow the federal approach with the essential community providers (ECPs) petition process. Additionally, Mr. Cardenas described the action proposed by the MHBE staff, which included proposals for both plan years 2020 and 2021. These proposals included approving work group recommendations for a required standard plan, convening a work group, and a report on the benefits in the State Benchmark Plan. Mr. Cardenas explained that carriers are limited in what they can offer because of the current requirements in the State Benchmark Plan. He added that states have the ability to customize what is included in the plan and mentioned telehealth as something that could be included. Mr. Cardenas stated that Illinois recently customized its plan to meet the needs of the opioid crisis in the state.

Mr. Cardenas added that the staff intends to collect and review comments on two proposals that would increase consumer choice. He added that the staff also proposes to collect comments on the development of a petition process for additions to the list of ECPs for plan year 2020. Mr. Cardenas went on to explain one plan certification standard change for 2020 that aligns a stand-alone dental plan standard with the federal approach. Finally, Mr. Cardenas provided an overview of the timeline and next steps, with the goal of releasing the final letter to issuers by January 31, 2019.

Mr. Steffen asked about telehealth coverage on the exchange by carriers and if telehealth would expand the scope of services beyond the essential health benefits offered today. Mr. Cardenas responded that telehealth is a benefit that could theoretically be included. Mr. Steffen commented that telehealth should be a covered benefit. Mr. Cardenas responded that the federal government has already approved telehealth in Illinois' renegotiation of its essential health benefit. He added that they included three telehealth visits for substance use disorder and mental health. Mr. McCann raised concern regarding the term standard plan and controlling the expansion of services included. Mr. Steffen asked about incentives for consumers maintaining their health. Mr. Cardenas responded that there is opportunity to implement a wellness plan requirement, and it is a potential opportunity for the future. Secretary Padilla emphasized the concept of incentivizing providers to encourage consumers to renew their benefits. Mr. Cardenas thanked the Board for their thoughtful suggestions.

Other Discussion

Secretary Neall then opened the floor for any other Board members who wished to speak. No additional comments were offered.

Adjournment

Mr. Steffen moved to adjourn the meeting. Mr. McCann seconded the motion. The Board voted unanimously to adjourn the meeting.