

MHBE Board and Senior Leadership Meeting  
100 Community Place, Crownsville, Maryland  
January 11, 2018  
9:00 am – 3:00 pm

In Attendance: Robert R. Neall Chair, S. Anthony (Tony) McCann, Vice Chair, Linda S. (Susie) Comer, K. Singh Taneja, Ben Steffen, Dana Weckesser, Michele Eberle, Aaron Jacobs, John-Pierre Cardenas, Heather Forsyth, Tony Armiger, Caterina Pañgilinan, Venkat Koshanam, Sharon Stanley Street, Betsy Plunkett, Carolyn Quattrocki, Deputy Attorney General, Dr. Jinlene Chan, Assistant Secretary, Public Health Services Chronic Hospitals

Minutes

The meeting began with a welcome from Board President Robert Neall, who encouraged the focus for the day on building a road map to the future. He reminded staff and board members that 2019 was likely be a year with different political challenges; that MHBE should continue to do well doing what it does well; and that nothing is more valuable than a good reputation.

Aaron Jacobs, Director of Human Resources and Organizational Effectiveness, led the group in a getting to know you exercise which was enjoyed by all present.

Assistant Attorney General and Principal Counsel Sharon Street presented a refresher to Board members on their roles and responsibilities. She addressed several key points, including: Board Members are fiduciaries responsible for the organization's sustainable future and should act in good faith and in the best interest of the Exchange using their best judgment. Ms. Street reviewed the Board structure in statute, conflicts of interest, and the requirements of the Open Meetings Act.

Member Ben Steffen asked about how to handle interested parties communicating with individual board members. Ms. Street advised there was no legal restriction on this, but it could be Board policy to prohibit or discourage it. After the Board discussed the pros and cons of public comment at MHBE Board meetings, the Board agreed that a public comment period would be included at the beginning of each future meeting's agenda.

Executive Director Michele Eberle reviewed staff accomplishments in 2018 and goals for 2019. Accomplishments included improved hiring practices with a focus on organizational values, an increased culture of compliance and self-assessment, successful 1332 waiver, numerous IT improvements, increased paid media during open enrollment leading to a better than expected open enrollment, and improvements in call center metrics.

Ms. Eberle stated that Staff priorities are to grow services, e.g., support the Governor's small business initiatives and provide support to other agencies; influence downward pressure on out of pocket costs for consumers; maintain program integrity; exercise fiscal responsibilities, increase technical innovation, and improve business intelligence analytics. The Board Members acknowledged Staff accomplishments and Secretary Neall asked Ms. Eberle to include the information in MHBE's upcoming legislative briefing.

A discussion followed about the impact of MD THINK. Ms. Eberle reminded everyone that the Exchange is more than just an HBX – it's also robust consumer service, operations, and reporting. CIO Venkat Koshanam said the in-house IT team took the place of a very expensive Deloitte contract and has since become an IT team which is flexible and responsive to a changing landscape. Board Member Ben Steffen suggested that MHBE calculate dollar of value of services to partner agencies. All agreed that MHBE is providing value to the MD THINK program. Board Member McCann suggested MHBE calculate a per member per month cost or number of transactions divided by budget, as methods for defining MHBE value. Secretary Neall emphasized the importance of not "breaking the wagon" and making sure we don't get out of our business.

Ms. Eberle brought to the Board's attention a recent audit finding from the OLA resulting from a disagreement between CMS guidance and the OIG. Board Member McCann offered that there used to be an audit resolution officer at CMS and MHBE should try to find that person.

Deputy Attorney General Carolyn Quattrocki and former MHBE Executive Director joined the meeting to discuss three features of the ACA legal landscape in which the State and MHBE operate: direct assaults on the ACA; indirect assaults to undermine the ACA; and the provision and quality of healthcare. She reviewed the legal status of various ACA lawsuits, as well as new federal rules on association and short-term plans which weaken the marketplace, and rules that weaken access to reproductive services.

Policy and Plan Management Director JP Cardenas reviewed with the Board statutory, sub regulatory, and regulatory changes with impacts on both the near (2019-2020) and long (2021 or later) term. He introduced an organizational framework for impact analysis with which to consider proposals such as a State-based Individual Mandate, merging small group markets, permanent funding for the reinsurance program, separation of costs for Hyde-prohibited services; prohibition on silver-loading, and change HRA rules. The Board discussed the impact of some of these changes.

The Board discussed its strategic initiatives for 2019. Secretary Neall suggested MHBE should stay small, focused, and cautious, focus on strengthening its organization, making continuous improvements, and resist outside forces. Board Member McCann suggested the Board should keep in mind the Governor's small business initiatives. The Board discussed developing a work group to consider "what if's" and contingency plans for action taken by MD legislature and another to consider contingency plans in response to federal action. The Board considered the benefits and risks associated with MDTHINK.

Board Member Ben Steffen suggested the Executive Director of the Exchange should be authorized to draft letters of information for the legislature for Board review and there was no objection.

Ms. Forsyth reviewed several staff action items noted during the meeting. These consist of data collection, research, and next steps to move the organization forward.

There being no further business for the Board, the meeting adjourned at 3:00 pm.