

beWellNm  
New Mexico Health Insurance Exchange  
Board Meeting Minutes  
Friday, November 20, 2020, 8:30AM-12:30PM MDT  
Public Dial-In: 1-415-655-0001  
Access Code: 126 862 5060  
Online: [Board Meeting Web link](#)

Board Members Present:	Board Members Absent:
<ul style="list-style-type: none"><li>• Dr. Mark Epstein</li><li>• Ms. Terriane Everhart</li><li>• Mr. Dan Foley</li><li>• Superintendent Russell Toal</li><li>• Mr. Brandon Fryar</li><li>• Ms. Mona Ghattas</li><li>• Ms. Teresa Gomez</li><li>• Ms. Nandini Kuehn</li><li>• Ms. Janice Torrez</li><li>• Dr. David Leachman</li><li>• Ms. Patsy Romero</li><li>• Mr. David Shaw</li><li>• Ms. Nicole Comeaux on behalf of Secretary David Scrase</li></ul>	

**1. Welcome, Roll Call, and Confirmation of Quorum-** Chairman David Shaw

The meeting was called to order at 8:33 a.m. Roll call was taken and a quorum was established.

**2. Approval of Agenda-** Chairman David Shaw

**Motion:** Superintendent Toal

**Second:** Director Gomez

**The motion passed unanimously.**

**3. Approval of Minutes of the September 18, 2020 beWellNm Board Meetings-** Chairman David Shaw

**Motion:** Move that the Board approve the September 18, 2020 Board Meeting Minutes with one correction.

**Discussion:** Superintendent Toal stated that the item on page 7 having to do with the Memorandum of Understanding (MOU) should be corrected to reflect that the Board authorized

the CEO to enter into an MOU with OSI for an annual not-to-exceed of \$360,000, with a total not-to-exceed of \$720,000.

**Motion:** Superintendent Toal

**Second:** Director Ghattas

**The motion to approve the minutes, as corrected, passed unanimously.**

**4. Chairman's Remarks-** Chairman David Shaw

Chairman Shaw thanked everyone for participating in the Board meeting.

**5. Matters from the CEO-** Mr. Jeffery Bustamante, CEO

Mr. Bustamante noted that the CMS Notice of Benefit and Payment Parameter proposed rule will likely be released in advance of the inauguration, and may be finalized by then. He recognized Ana Leyba and Miranda Tso for going above and beyond to help New Mexicans and to make sure that BeWellNm was prepared for Open Enrollment.

Mr. Bustamante provided a high-level summary of the November committee meetings. The Native American Committee discussed outreach efforts and the energy around Native American enrollment in conjunction with Open Enrollment. The Finance Committee discussed the Outreach and Education Request for Proposals (RFP) and reviewed the quarterly financial statements.

Mr. Bustamante provided an Open Enrollment update. He discussed enrollment projections, including a market analysis, carrier projections, and key considerations, such as the pandemic, unemployment and the current economy, the pending Supreme Court case, public charge and Medicaid roll-off restrictions. Mr. Bustamante discussed an Urban Institute study provided by the New Mexico Human Services Department (HSD), which identified approximately 43,000 New Mexicans who were eligible for premium assistance (pre-pandemic). Enrollment in the Exchange has not clearly grown with this population through 2020. However, Medicaid enrollment has grown. Some of these individuals would be eligible for Exchange coverage but cannot be disenrolled due to the public health order. The study estimated that at 15% unemployment, 16,000 more New Mexicans would be eligible for Exchange coverage. Exchange enrollment is currently at approximately 36,000. BeWellNm reaches out to carriers annually for information to help generate an overall enrollment projection. Projections from carriers for plan year 2021 are 35,899 individuals. 59:00. This is a very conservative estimate compared to prior years and seems to align heavily with many of the current economic challenges.

**6. Committee Reports**

a. Matters from the Operations Committee- Director David Leachman

Mr. Bustamante provided the update on the individual exchange build. In light of the strain on HSD resources due to the pandemic, the project schedule has been updated to allow

sufficient time for the Exchange to continue to work with HSD on integration and the account transfer process. This will require a project change order, which will be brought to the Board for review. In the meantime, the Exchange has reached an agreement with HSD regarding the account transfer process and has completed the Single Streamlined Application gap analysis with CMS/CCIIO. The Exchange has released an RFP for an independent privacy and security controls assessment. There are also ongoing carrier work group meetings

Superintendent Toal asked to review the IV&V health check reports as they are completed and available. Chairman Shaw asked whether the updated project schedule might delay the project end goal. Mr. Bustamante indicated that as long as there are no further deviations, the launch is not at risk.

There are 10 months to “go live.”

b. Matters from the Outreach and Education Committee- Director Mark Epstein

Mr. Bustamante provided the committee update. The Exchange received five proposals in response to its RFP for outreach and education services for 2021. One proposal was considered incomplete, one was submitted late, and one was disqualified. The final two proposals, from the Albuquerque Hispano Chamber of Commerce (AHCC) and Sunny 505, met all requirements and were reviewed for scoring. Services within the scope of work include outreach and education, website management, media management, social media, public relations, and marketing and advertising.

Mr. Bustamante highlighted some of the focus areas that the Exchange is seeking in a vendor with the following: proficiency in engaging with New Mexico’s diverse population, including individuals in rural areas and the traditionally underserved such as the Hispanic and Native American populations; an awareness of health equity and current inequities in coverage, especially as related to COVID-19; an awareness of the transition to a state-based exchange (SBE) and how it will improve the consumer experience; the goal enrolling the remaining uninsured; and retaining consumers who are already enrolled. The chosen vendor should exhibit and increased awareness and understanding of the SHOP, a unified social media strategy, an increased participation of agents and brokers, and should provide strategies to increase awareness and understanding of our programs.

Mr. Bustamante presented a consensus score chart reflecting the scoring breakdown between Albuquerque Hispano Chamber of Commerce and Sunny 505. Albuquerque Hispano Chamber of Commerce was awarded more points than Sunny 505 in 3 out of the 4 key areas, including communications and public relations, and received a total of 31 more points than Sunny 505. The Evaluation Committee recommends that the contract be awarded to the Albuquerque Hispano Chamber of Commerce.

Director Romero requested that the staff undertake extensive monitoring of the goals and objectives laid out in the contract, and hold the selected vendor accountable to the same.

Mr. Bustamante stated that the committee also recommends that the contract be negotiated so that there are performance initiatives tied to ensuring an adequate in-person assistance network. This should be accomplished via the New Mexico Primary Care Association, county and tribal health councils, and the exploration of unutilized partners.

Director Epstein asked whether the Finance Committee had input on the recommendation. Mr. Bustamante noted that the Finance Committee supported the recommendation. Director Shaw noted that the Finance Committee agreed that there needed to be accountability built into the contract.

**Motion:** Move that the Board authorize the CEO to enter into contract with the Albuquerque Hispano Chamber of Commerce in an amount not-to exceed \$3,600,000. The Board also instructs the CEO to negotiate the contract so that it includes performance-based requirements.

**Motion:** Director Epstein

**Second:** Director Torrez

**The motion passed unanimously.**

Mr. Bustamante next discussed the Consumers' Checkbook plan comparison tool. He noted that the tool is helpful to consumers and is an opportunity to collect valuable enrollment data. Staff recommends extending the Consumers' Checkbook contract through March 2021, with an additional contract price of not-to-exceed \$85,000.

**Motion:** Move that the Board authorize the CEO to extend the Consumers' Checkbook contract with the extension not to exceed \$85,000.

**Motion:** Director Epstein

**Second:** Superintendent Toal

**The motion passed unanimously.**

## 7. Agency Reports

### a. Matters from the Office of the Superintendent of Insurance- Superintendent Russell Toal

Superintendent Toal indicated that the OSI is focused on advertising open enrollment, including on social media and through newsletters to brokers and others. The OSI is also sharing information with consumer advocacy groups. It is reviewing CMS regulations that were just released about plan year data submission timelines and requirements, and has started to have discussions with carriers for submissions of plans and associated reviews. The MOU between the OSI and the Exchange has been executed. Finally, the OSI spending significant time and resources ensuring that the claims of New Mexico Health Connections members are paid, and that members are not harmed.

### b. Matters from the New Mexico Medical Insurance Pool - Superintendent Russell Toal

The Pool's contract with Delta Consulting will continue. At the upcoming meeting, Board members will discuss assessment amounts and budgets for the year. In 2020, the Pool made dramatic improvements and engaged the broker community much better.

c. Matters from the New Mexico Human Service Department- Secretary David Scrase

Director Comeaux provided the report. HSD and the Legislative Finance Committee evaluated Centennial Care 2.0, which is the managed care component of Medicaid that is responsible for coverage for over 80% of the Medicaid population.

There were some differences in opinion around the characterization of current program operation and spending. In order to capture increased capitation dollars, HSD took preemptive measures to direct the MCOs to cover COVID-19 relief payments put in place to assist providers. HSD continues to closely monitor the gap between what it assessed to be unused capitation dollars and the cost of covering the COVID-19 relief payments. It has closely aligned those dollars to avoid significant unused funds remaining with MCOs. CMS released an interim final rule on October 28 that outlined some additional flexibility for Medicaid agencies regarding how they keep people in eligibility categories for the maintenance of effort requirement. The rule also included guidance on how Medicaid agencies are expected to cover the cost of the COVID-19 vaccine administration, which requires some disaster state plan amendments and emergency waiver submissions. HSD is preparing for a budget presentation of its projected 2022 budget, preparing for the legislative session, and planning for the transition of approximately 64,000 people at the end of the public health emergency declaration.

**8. Public Comment**

There were no public comments.

**9. Executive Session- Chairman Shaw**

**Motion:** Move that the Board enter into executive session for the discussion of threatened or pending litigation pursuant to NMSA 1978, 10-15-1 (H)(7) and for the discussion of limited personnel matters pursuant to NMSA 1978, 10-15-1 (H)(2)

**Motion:** Director Gomez

**Second:** Superintendent Toal

**The motion passed unanimously.**

Chairman Shaw indicated that the Board met in executive session, the matters discussed were limited to those stated in the motion for closure, and no final action was taken by the Board.

**10. Next beWellNm Board meeting- January 22, 2021, location to be determined**

**11. Adjournment**

**Motion:** Director Torrez

**Second:** Director Ghattas

**The motion passed unanimously.**