

BeWellnm
New Mexico Health Insurance Exchange
Special Board Meeting Minutes
Friday, August 7, 2020, 9:00AM-10:30AM
Digitally/ Telephonically

Board Members Present: <ul style="list-style-type: none">• Dr. Mark Epstein- Via Phone• Ms. Terriane Everhart- Via Phone• Mr. Dan Foley - Via Phone• Mr. Brandon Fryar- Via Phone• Ms. Mona Ghattas- Via Phone• Ms. Teresa Gomez- Via Phone• Dr. Nandini Pillai Kuehn- Via Phone• Dr. David Leachman- Via Phone• Ms. Patsy Romero- Via Phone• Ms. Nicole Comeaux on behalf of Secretary David Scrase- Via Phone• Mr. David Shaw- Via Phone• Superintendent Russell Toal- Via Phone• Ms. Janice Torrez- Via Phone	Board Members Absent:
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1. Welcome, Roll Call and Confirmation of Quorum - Chairman David Shaw

The meeting was called to order at 9:03 a.m. Roll call was taken and a quorum was established.

2. Approval of Agenda - Chairman David Shaw

Motion: Superintendent Toal

Second: Director Torrez

The motion passed unanimously.

3. Chairman's Remarks - Chairman David Shaw

Chairman Shaw thanked the Outreach & Education Committee for meeting on short notice to discuss the current outreach and education contract and possible request for proposals (RFP).

4. Matters from the CEO - Mr. Jeffery Bustamante, CEO

Director Epstein stated that the Outreach & Education Committee reconvened and had a robust discussion regarding the current outreach services. He shared the recommendation of the committee, which is to issue an RFP for outreach and communication services commencing on

January 1, 2021. The recommendation to issue an RFP was based on a new set of priorities, a new set of deliverables, and a new operating environment for the Exchange. The committee looked at how best to position the Exchange for 2021.

Motion: Move that by September 8, 2020, management will issue an RFP for the selection of a vendor for outreach, communication and marketing activities beginning January 1, 2021.

Motion: Director Epstein

Second: Director Everhart

Discussion:

Director Foley inquired regarding the terms of the current outreach vendor contract, including scope of work and termination. Breanna Contreras of Bardacke Allison, LLP, counsel for the Exchange, indicated that the contract can be extended for additional terms on an annual basis, not to exceed a total of 5 years, and can be terminated by the Exchange at its full discretion, for any reason and upon written notice.

Director Foley inquired as to what has changed from the Exchange's perspective that could not be handled under the scope of work in the current contract. Director Epstein indicated that the committee took a very forward-looking view of what the Exchange looks like for 2021 and beyond. He noted that there are significant changes afoot, including the transition to a fully state-based exchange, the COVID environment, and some legislation around standardized plans that will require significant outreach. He also noted the ongoing prioritization of allocation of dollars within the scope of work.

Director Foley also inquired regarding the input from staff, especially regarding the current vendor relationship. Director Epstein noted that the committee considered management's recommendations and engaged in lengthy deliberations. He stated that although the staff could see value in either path (simply changing the scope of work under the current contract or issuing a new RFP), staff understood the options, risks, and benefits of the various pathways and supported the committee's recommendation. Director Foley expressed his concern that the action taken by the committee is contrary to staff feedback that they are pleased with the current vendor.

Director Foley further expressed concerns that the Exchange has not fully utilized the current vendor and that the Board has not articulated the new direction or path supporting the RFP. Director Epstein noted that the committee determined that the environment has changed and that by letting out the RFP the Exchange can come up with the best solution going forward. The recommendation is about a strategic, process-driven decision to move forward for the best solution for 2021.

Director Romero expressed appreciation to the committee and validated Director Foley's concerns. She recommended that the Exchange consider its enrollment numbers, and stated that the new direction is not about the failure of any vendor, but examining and acting on the

data. Director Epstein noted that the committee focused on marketing and outreach activities, and did not consider a wholesale change in strategy and tactics regarding enhanced enrollment.

Superintendent Toal expressed concern that changing the scope of work of the current contract might open the Exchange up to allegations of procurement code violations. He noted that the committee felt the outreach services needed to be more community-based, to engage more partners, and to try different outreach approaches, which is best accomplished by an RFP.

Director Foley expressed concerns that issuing the RFP during the transition to a state-based exchange is not prudent or in the best interest of New Mexicans.

The motion passed with 12 ayes (Director Epstein, Director Everhart, Director Fryar, Director Ghattas, Director Gomez, Director Kuehn, Director Leachman, Director Romero, Director Comeaux, Director Shaw, Superintendent Toal, and Director Torrez) and 1 nay (Director Foley).

5. Public Comment (1-2 minutes/participant)

Adriann Barboa, New Mexico policy director of Forward Together, provided her understanding that the majority of Exchange outreach is web-based, although 70% of New Mexicans do not have reliable internet access. She encouraged the Board to meet the needs of the underserved communities in New Mexico. She is hopeful the RFP will be competitive and include criteria on how to reach individuals with no internet access.

Barbara Webber of Health Action New Mexico recognized that this is a new time as the Exchange transitions to a State-based Exchange. She noted the importance of having localized regional efforts and trusted people in the community to work with individual consumers.

6. Adjournment

Motion: Director Romero

Second: Director Everhart

The motion passed unanimously.