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New Mexico Health Insurance Exchange
Special Board Meeting Minutes
Thursday, December 17, 2020, 9:30AM-11:00AM MDT
Public Dial-In: 1-415-655-0001
Access Code: 126 253 0177#
Online: [Board Web Link](#)

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

The meeting was called to order at 9:02 a.m. Roll call was taken and a quorum was established.

- 2. Approval of Agenda-** Director Gomez

Motion: Superintendent Toal

Second: Director Ghattas

The motion passed unanimously.

- 3. Chairman’s Remarks-** Director Gomez

Director Gomez indicated New Mexico has received its first shipment of the COVID-19 vaccination. She wished Chairman Shaw good luck as he helps roll the vaccination out to New Mexicans.

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

Mr. Bustamante noted that there are some matters that need to be addressed by the Board, all related to the Individual Exchange technology build. First, staff recommends that the Exchange enter into a Memorandum of Understanding (MOU) with the Human Services Department (HSD) to support HSD's integration work with the technology vendor. The Exchange anticipated this work and the costs were included in the budget approved by the Board. The total amount necessary to support the successful integration of HSD with the Exchange technology solution is \$3,975,000.

Motion: Move that the Board direct the CEO to enter into a Memorandum of Understanding with the Human Services Department to support the individual technology build with a not-to-exceed budget of \$3,975,000.

Motion: Director Everhart

Second: Director Romero

A roll call vote was taken and the motion passed unanimously.

Mr. Bustamante next discussed the independent privacy and security controls assessment required of the Exchange by CMS. The assessment looks at whether the Exchange systems meet the minimum acceptable risk standards for exchanges. It requires the employment of an assessor with a CMS-defined level of independence. The purpose of the assessment is to determine whether the security and privacy controls are implemented correctly, operate as intended, and produce the desired outcomes for meeting the security and privacy requirements of the information system.

The Exchange released a Request for Proposals (RFP) on October 23. The scope of work includes the preparation of a security and privacy controls assessment plan before the assessment, a report after the assessment, and the assessment itself. The Evaluation Committee identified a successful bidder who has the appropriate knowledge and resources to conduct the audit. Staff recommends awarding this contract to the finalist (BerryDunn).

Director Epstein asked whether the assessment timeline imposed by CMS/CCIIO might negatively impact the build. Mr. Bustamante confirmed that the Exchange had anticipated the assessment and that the timing of the assessment would not have a material impact on the build. Superintendent Toal noted that the Exchange will need to make sure that the vendor meets applicable timelines.

Motion: Move that the Board authorize the CEO to enter into a contract for \$184,840 for the Privacy and Security Audit.

Motion: Superintendent Toal

Second: Director Comeaux

A roll call vote was taken and the motion passed unanimously.

Mr. Bustamante next addressed a third change request related to the technology build. The change request revises the scope, schedule, and implementation of the account transfer

interface between the Exchange solution and HSD. Specifically, HSD will send less data than initially planned and, therefore, the Exchange will ask applicants to provide additional information to complete their application and, if eligible, shop for a health plan. To minimize the impact to consumers, the vendor will update the design to maintain application data. The change will also reduce the work required by HSD. The change request will allow the Exchange to maintain, as much as possible, real time eligibility determinations for coverage; support the proper amount of pre- and full systems integration testing (multiple phases of testing are required as new design elements supporting integration with HSD are developed); and allocate sufficient resources to ensure that the system is ready for go-live. and will be successfully launched. Staff recommends supporting the change request.

Superintendent Toal inquired regarding the compressed testing timeframe. Mr. Bustamante noted that HSD's resources have been stretched due to the pandemic and some of the testing will happen later than anticipated. However, the change request will accommodate the shorter timeframe and ensure that exhaustive testing of the system is not compromised.

Motion: Move that the Board authorize the CEO to increase the individual technology contract by \$222,820 to support Change Request 003. This amount is within budget, and so a corresponding budget increase is not necessary.

Motion: Director Everhart

Second: Director Fryar

The motion passed unanimously.

Mr. Bustamante provided an update regarding the upcoming 2021 legislative session. He indicated that the legislature will be gathering in mid-January. There are a handful of bills that will be presented, some of which will either directly or indirectly impact the Exchange. Mr. Bustamante asked the Board to anticipate a gathering of the Legislative Committee before the next Board meeting in January to discuss any bills that may impact the Exchange.

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

There were no comments.

6. Adjournment

Motion: Superintendent Toal

Second: Director Ghattas

The motion passed unanimously.

