

beWellnm
New Mexico Health Insurance Exchange
Board Meeting Minutes
Friday, September 17, 2021, 8:30AM-12:30PM MDT
Public Dial-In: 1-415-655-0001
Access Code: 2551 775 9759 #
Online: [Board meeting 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. David Shaw• Ms. Nicole Comeaux on behalf of Secretary David Scrase	<p>Board Members Absent:</p>
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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: Director Torrez

Second: Director Ghattas

The motion passed unanimously.

3. Approval of Minutes of the July 16, 2021 beWellnm Board Meeting - Chairman David Shaw

Motion: Director Romero

Second: Director Torrez

The motion passed unanimously.

4. Chairman’s Remarks - Chairman David Shaw

Chairman Shaw indicated Mr. Bustamante's contract ends on November 17, 2021. The Executive Committee will meet to discuss the contract.

Matters from the CEO - Mr. Jeffery Bustamante, CEO

Congress is considering the reauthorization of enhanced tax credits under the American Rescue Plan Act (ARPA). Current ARPA credit enhancements expire at the end of 2022.

CMS awarded grant funding to all State-based Exchanges (SBEs). Because all SBEs were awarded funding, each SBE saw a reduction in the anticipated grant amount. The New Mexico Exchange received \$650,000. The funds will be used to prepare for the end of the Public Health Emergency (PHE).

Mr. Bustamante recognized all staff for their hard work during the transition to a SBE.

Mr. Bustamante next provided a summary of the committee meetings. The Native American Committee received an update on outreach activities and the development of a Tribal Sponsorship Program. James Manuel, the Tribal Liaison at the Washington exchange, presented information about Washington's tribal premium sponsorship. Director Kuehn recommended that the Board put together something akin to a business-plan approach to look at investments and outcomes for a similar program in New Mexico. Director Romero agreed. Director Gomez asked that the Board consider its intent in entering into a tribal sponsorship. Mr. Bustamante indicated that additional information would be provided at the November Board meeting.

The Operations Committee received an update on the Customer Engagement Center (CEC) and plans for end of the public health emergency (PHE), as well as an update on the technology build. The Finance Committee received an update on assessment reallocations and the investment portfolio. The Standardized Plan Committee discussed potential areas of plan design for plan year 2023. The Outreach and Education Committee received a special enrollment update and discussed preparations for the upcoming open enrollment (OE) and end of the PHE. The Stakeholder Advisory Committee (SAC) received a demo of the technology solution. Directors Kuehn and Comeaux and Chairman Shaw asked for a demo of the technology solution. Director Epstein and Romero expressed concern about the consumer experience based on the Independent Verification and Validation (IV&V) Readiness Report.

Mr. Bustamante noted that the Exchange continues to meet with HSD regularly to plan for the end of the PHE. The Exchange is also evaluating the implementation of the Health Care Affordability Fund for plan year 2023. The Exchange is also looking at implementing a pilot Tribal Sponsorship program.

5. Committee Reports

Matters from the Finance Committee - Director Brandon Fryar, Treasurer

Ms. Schwing presented the 2020 assessment re-allocation. She indicated that all carriers got assessed in January 2020, to cover the 2020 operating budget, based on the 2018 market share, because the 2019 NAIC financial statements had not been filed at the time of the assessment.

Once the NAIC financial statements are filed for a given year, the Exchange re-calculates the market share for that year, and re-allocates the assessment on that basis. Ms. Schwing advised that checks are being sent in the mail today for carriers who overpaid, and invoices are going out to carriers who have an outstanding balance after the re-allocation. She also noted that New Mexico Health Connections (NMHC), who had an outstanding balance after the reallocation, discontinued operations on December 31, 2020.

Matters from the Operations Committee

Mr. Brent Earnest reviewed the weekly project status dashboard. Key milestones and activities include the completion of UAT cycle-2 testing (with some additional testing on notices and premium billing functionality); performance and regression testing; business continuity disaster recovery testing; upcoming SBMI testing with CMS; data migration; plans certified and published to the system; carrier onboarding and integration testing; training on user portals; the soft launch of the Broker portal; and completing policies and procedures and contingency plans. The Exchange will complete a final CMS open enrollment readiness review. CMS will send notices about the SBE transition on September 27, 2021. The Exchange will send preliminary eligibility notices shortly thereafter. CEC hiring continues. The Exchange and HSD continue to generate training materials for their respective call centers. HSD will handle formal appeals on behalf of the Exchange. The Exchange is still waiting for the final approval letter from CMS.

Escalation issues include additional notice generation and testing and a new risk due to changes in the American Rescue Plan (ARP) regarding tax filing. MAGI income is not available in a majority of cases for applicants. The Exchange met with CMS to discuss options and the Exchange is evaluating options. It may send out many more requests for information (RFIs) than anticipated in order to verify income (this may put pressure on CEC – require some adjustments).

Director Epstein asked about the August 6th “go or no go” date, and contingency plans if the launch doesn’t go as planned. Mr. Earnest indicated that although the Exchange has not received the formal approval letter from CMS, there are no significant roadblocks to launching from CMS’s perspective, and using the FFE is not an option in the event of an unsuccessful launch.

Superintendent Toal asked whether IV&V is still providing oversight. Mr. Earnest confirmed that IV&V is still involved and has identified UAT and CEC operations and planning as areas of focus.

Superintendent Toal also asked about premium payment options for consumers. Mr. Bustamante and Ms. Schwing indicated the Exchange has a variety of payment options (e.g. ACH, debit and credit cards, checks, and money orders) and is evaluating others, including cash payments. Superintendent Toal noted the need to accommodate consumers who do not have a bank account and recommended that the Exchange draw on carrier experience in this regard.

Director Romero asked that the committees address the concerns and recommendations raised by the SAC and others. Director Epstein asked that the upcoming IV&V report include carrier input. Directors Romero, Torrez and Fryar requested that the Board receive IV&V reports immediately upon receipt. Director Comeaux asked to review the Exchange’s response to the

risks outlined in the IV&V report. Director Fryar expressed concern that the CEC be prepared and fully staffed for open enrollment, and asked for further, transparent information on escalation processes.

Mr. Earnest indicated the Exchange and the carriers have discussed infrastructure and more formal processes for resolving escalation issues that arise.

Mr. Earnest next discussed the change request (CR) for the maintenance and operations of the Customer Engagement Center. Drivers of higher than anticipated call volumes include the end of Medicaid maintenance-of-effort requirements (with 60,000 – 70,000 individuals possibly transferring to the Exchange), ARP additional subsidies resulting in increased enrollment, data from the FFM showing higher call volumes than expected, and an extended OE period for 2022 coverage. The Exchange has re-baselined its call volume estimates and the CR is based on the “low” call volume model, which reflects an additional 60,000 calls each year and provides for some additional staff (including a maximum of 13 on the member resolution triage team and a maximum of 35 customer service representatives). Other changes to the contract include a modification to the operating hours of the CEC (change to 65 hours during open enrollment, and 50 hours outside of open enrollment). The parties will review and revise, as necessary, contract provisions for the management of SLAs to provide mechanisms for relief of SLA penalties should call volumes exceed estimates.

The CR budget impact is an increase of \$1,337,926. Grant proceeds will fund the 2021 budget increase; there will be no additional assessment for 2021. Staff will work to identify funding solutions to prevent an increase to the 2022 assessment and report back to the Board in November.

Director Fryar asked how many customer services representatives (CSRs) will be in place for the start of OE. Mr. Earnest indicated there will be 11 CSRs starting October 1 and 25 additional CSRs starting November 1. Training has started and will continue into October.

Director Epstein asked whether the CSRs will handle the mailroom, and asked if the complexity as well as number of calls will increase. He asked that the Exchange share the CEC training materials with carriers and the SAC to ensure accuracy. Mr. Earnest confirmed that the CEC will process mail and noted that additional Exchange staff has been hired to handle more complex and escalated issues.

Director Comeaux asked about the CEC capability to handle the call volumes given the potential complexity of the calls and asked about the options and staffing model for consumer enrollment assistance. Mr. Earnest noted that some applications will be completed over the phone, and consumers can also take advantage of virtual and in-person appointments with agents, brokers, and certified assisters. Director Ghattas also expressed concern about possible call lengths and wait times.

Director Fryar indicated that the Finance Committee supports funding the CR and was sensitive to not increasing assessments. The directors agreed there is a need for additional staffing of the CEC.

Motion: Move that the Board authorize the CEO to enter into contract negotiations to increase the individual Exchange technology contract by \$1,337,926.

Motion: Director Epstein

Second: Superintendent Toal

The motion passed unanimously.

Mr. Bustamante presented an analysis of the SHOP program from January 2019 through July 2021. The Exchange is required to have a SHOP program. NFP currently manages the SHOP technology. Some key enrollment metrics include the metal plan selection, which is dominantly silver plans and 65% of businesses use a broker (the rest work directly with the Exchange). Director Kuehn asked about portion of the small businesses that the Exchange covers, and whether the Exchange should look at either significantly expanding SHOP and/or managing costs. Mr. Bustamante indicated it is a small percentage given the amount of small business in the state.

Staff recommends extending the current SHOP contract for one year and looking at longer term solutions surrounding the role and costs of SHOP.

Motion: Move that the Board authorize the CEO to enter into contract negotiations to extend the SHOP technology contract by one year in an amount not to exceed \$750,000.

Motion: Superintendent Toal

Second: Director Comeaux

The motion passed unanimously.

Matters from the Outreach and Education Committee - Director Mark Epstein

Mr. Bustamante provided an update on the special enrollment period. There was a 311% increase in enrollments from 2020 over the same timeframe, with 9,203 new enrollments from February 15 to August 15. About 51% of applicants saw a reduction in their monthly premium, with an average of \$74 of monthly savings. Chairman Shaw asked for the total number of enrollments. Director Epstein requested the data on enrollment acquisition costs and total termination numbers. Mr. Bustamante stated that additional data from CMS is forthcoming.

The open enrollment virtual kick-off event is scheduled for September 29. The Exchange, OSI, HSD, NMMIP and all 2022 QHP issuers will present. Enrollment counselors, brokers, community-based organizations, 33 Counties and community partners will attend the event. The Exchange's outreach approach for the upcoming year includes: coordinating virtual enrollments events, updating educational materials, coordinating formal presentations such as the 33 Counties conference and economic forum, working with community-based partners to leverage communications.

6. Agency Reports

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

Superintendent Toal indicated that OSI is reviewing and approving qualified health plans.

Mr. Colin Baillio presented on Health Care Affordability Fund initiatives to support affordability of coverage on the Exchange. OSI has contracted with Myers and Stauffer to work with stakeholders and conduct modeling and actuarial analysis in this regard. OSI is preparing for three scenarios at the federal level, including subsidies ending in 2023, subsidies being made permanent, and the expansion of federal cost-sharing reductions. Dr. Adrianna McIntyre, a Harvard health policy researcher and national expert on the ACA, presented her research on using automatic retention to improve coverage outcomes. The directors discussed exploring the ideas presented further during a strategic planning session.

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

The NMMIP had a shift with the care and case management for NMMIP members and is entering into new provider arrangements. The Superintendent recognized Debbie Armstrong for being a very active legislator and announced she will not be running for re-election.

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

Director Comeaux provided the update on behalf of Secretary David Scrase. HSD is anticipating some changes to the timeline of the end of the PHE and is planning for several contingencies and a 12-month roll off of the maintenance-of-effort population. HSD will update its budget accordingly. It also plans to release an RFP for the 2024 MCO contracts in 2022.

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

Nicolas Cordova with the New Mexico Center on Law and Poverty asked about a projection of the cost of the various models related to the Affordability Fund. Superintendent Toal stated OSI expects to have estimates in early October. Mr. Cordova also asked how the proposal would impact the amount paid towards the prior plan's deductible and if, under an auto retention policy, it would be credited to the new plan. Superintendent Toal noted that once a consumer selects a new plan, the previous deductible arrangement would disappear.

Barbara Webber with Health Action New Mexico recognized the Exchange for the transition to an SBE. She encouraged the Exchange to provide information to the public about how the public charge is no longer in effect in order to expand coverage to certain populations.

8. Other Board Business - Directors and Mr. Jeffery Bustamante, CEO

Superintendent Toal, Chairman Shaw and Director Comeaux requested regular email updates on OE and the IV&V reports. They also requested a Special Board meeting no later than mid-October.

9. Next regular beWellnm Board meeting: November 19, 2021, location to be determined

10. Adjournment Motion: Superintendent Toal

Second: Director Fryar
The motion passed unanimously.