

**Delaware Health Care Commission**  
**Thursday, October 5, 2017 9:00 AM**  
**Delaware Tech Terry Campus Corporate Training Center**  
**Rooms 400A & B**  
**100 Campus Drive, Dover, DE**

***Meeting Minutes***

**Commission Members Present:** Nancy H. Fan, MD, Chair; Theodore W. Becker, Jr; Susan A. Ccyk, M.Ed., Director of Prevention and Behavioral Health Services, Department of Services for Children, Youth and Their Families (DSCYF); Janice L. Lee, MD; Kara Odom Walker, MD, MPH, MSHS Secretary, Department of Health and Social Services (DHSS); Edmondo J. Robinson, MD, MBA; Dennis Rochford; Kathleen Matt, PhD; Trinidad Navarro, Commissioner, Department of Insurance (DOI); Rick Geisenberger, Secretary, Department of Finance.

**Commission Members Absent:** Richard Heffron

**Staff Attending:** Ann Kempfski, Executive Director; Helen Arthur, Deputy Director; Marques Johnson, Administrative Specialist III

**CALL TO ORDERCALL**

Dr. Nancy Fan called the meeting to order at 9:03 AM.

**MEETING MINUTES APPROVAL – September 7<sup>th</sup>, 2017**

Dr. Edmondo Robinson asked that two corrections be made to the notes in regards to his presentation. It was agreed that Marques Johnson would make the changes. Dr. Nancy Fan asked for a vote to approve the September 7<sup>th</sup> meeting minutes. Dr. Robinson motioned to approve the minutes and Ted Becker seconded. All members were in favor of approving the minutes. Motion carried.

**ACA MARKETPLACE UPDATE**

- Commissioner Trinidad Navarro (Department of Insurance (DOI) – Mr. Navarro began his presentation by providing an update regarding the Marketplace Insurance rate negotiations. He stated that there will be a 25% increase, which is a decrease from the proposed 33.6% that Highmark proposed. He lamented that while DOI was able to negotiate a lower increase, he knew the consumers would not be happy with any increase. He assured, however, that DOI did all that could be done during the negotiation process. With Highmark being the only insurance competitor in the Marketplace in Delaware, there were difficulties in negotiations. Presentation (Trinidad Navarro)
  - Commissioner Navarro provided information regarding that the DOI has met with many health insurance companies since January to discuss their business model and what makes them successful. Another purpose of the meetings were to ascertain what it would take to get the companies to consider filing as insurance providers in the state of Delaware. Competition for insurance services in Delaware would benefit consumers. Two insurance companies that expressed interest in filling in Delaware.
  - Commissioner Navarro briefly discussed slide about QHP submissions for 2018. There are less plans than last year – and no small business plans for 2018. There are two companies offering Stand Alone Dental health options in Delaware; Delta Dental and Dominion

#### Dental.

- Commissioner Navarro asked Nick Moriello (Health Insurance Associates) to provide an explanation pertaining to what the Actuarial Levels are in relation to the Dental plans. Mr. Moriello stated that those percentages describe the proportion of expected costs covered by the premium.
- Commissioner Navarro discussed slide about the Qualified Health Plans (QHP) Review for 2018.
  - CMS is working with Issuers on the healthcare.gov site.
  - DOI and CMS have begun reviewing QHP applications for compliance.
- Commissioner Navarro reiterated that those who were on Aetna insurance plans with the Marketplace would now need to enroll in a Highmark QHP to remain covered in Marketplace.
  - The Commissioner mentioned that Highmark discontinued some plans which means subscribers who did not take action would automatically be enrolled under a different but similar plan. In addition, subscribers will be allowed to shop for another plan with the same issuer (the only issuer for 2018)
  - Aetna subscribers will be notified on what steps to take for them to enroll in other Marketplace coverage after Aetna's withdrawal from the Marketplace.
- There are websites that falsely claim to provide Marketplace sign-up, Navarro confirmed the 3 official websites for marketplace signup:
  - [www.choosedehalthde.com](http://www.choosedehalthde.com)
  - [www.delawareinsurance.gov](http://www.delawareinsurance.gov)
  - [www.healthcare.gov](http://www.healthcare.gov)
- Commissioner Navarro mentioned that Marketplace navigators, such as Westside Family Healthcare, have had funding allocated to continue assisting with Marketplace navigation.
  - Commissioner Navarro shared a story on his recent visit to Westside and how impressed he was with their operation. He also noted that a complete list of navigators can be found on [www.choosehealthde.com](http://www.choosehealthde.com)
- Commissioner Navarro noted that Marketplace website maintenance will take place on Sundays. Website maintenance could be a potential challenge and delay the process for consumer sign-ups. Commissioner Navarro concluded his presentation by expressing his gratitude to Delaware's congressional delegation for their assistance.
- *Discussion* - Dr. Nancy Fan (Chair) asked who would disseminate notifications to consumers transitioning from Aetna to Highmark.
  - Frank Pyle (DOI) responded to Dr. Nancy Fan's question – Aetna will send notifications to subscribers. Aetna was informative and helpful.

#### Presentation – Jill Fredel – **Outreach Plan for 2018 Marketplace Open Enrollment**

- Jill Fredel began her presentation with a National update.
  - National Update: Challenge is that many citizens think they don't need to sign-up or that there are no penalties for not enrolling in coverage if it is affordable. The ACA is still the law of the land.
  - Enrollment period runs from November 1 through December 15, which is half the time previously allotted. This may also pose some challenges as no signup extensions are expected.
- Uninsured update
  - Jill Fredel mentioned the uninsured rate in Delaware decreased from 10% in 2008 to 5.7% in 2016. Due to challenges this trend may not stay consistent in Delaware.
- Delaware Update

- Delaware obtained two federally funded Marketplace Navigators – Westside Family Healthcare and Chapman LLC; which are fully funded for 2018. Jill Fredel commented that navigators provide a great deal of free assistance to citizens during the enrollment process.
    - Fredel encouraged individuals to navigate through [choosehealthde.com](http://choosehealthde.com) for additional information and ongoing updates.
    - Delaware Health and Social Services (DHSS) has planned a kickoff press conference on Wednesday, November 1<sup>st</sup> (the kickoff meeting will also be streamed via Facebook Live). Jill Fredel also mentioned that press releases will be published at the beginning of open enrollment and 10 days before the end of enrollment. Social media will be used to promote Marketplace enrollment.
      - Jill Fredel asked for public’s help in promoting the Marketplace open enrollment dates (November 1, 2017 through December 15, 2017).
  - Tax Penalty
    - Jill Fredel emphasized that there will be a tax penalty for citizens who do not obtain health insurance. Tax penalty calculators are provided on [choosehealthde.com](http://choosehealthde.com) to assist consumers with their decision.
  - Discussion
    - Commission member Rick Geisenberger asked what percentage of citizens re-enrolled on the Marketplace. Frank Pyle (DOI) responded that the rate was around 95%.
    - Jill Fredel also mentioned that there are some struggles with promoting and encouraging certain demographics to sign up for health insurance.
    - Maggie Norris (Westside Health Care) mentioned that there may be confusion with the transition process from Aetna to Highmark.
    - Dr. Nancy Fan (Chair) commented that there would likely be more challenges due to changes. The focus should be to reassure that while the Marketplace plans will increase in price, they [plans] are still available for consumers to utilize.
    - Nick Moriello pointed out that those already signed up with Highmark will automatically re-enroll as long as they continue to pay their premiums, even though some of the Highmark plans have changed. Consumers utilizing Aetna will have to re-enroll voluntarily. Nick Moriella also stated that there are insurance products on the market that are legal, but are not compliant with the Affordable Care Act. Therefore, the tax penalty will still apply unless they are signed up with the Marketplace.
    - Dr. Nancy Fan mentioned that there will be a need to focus on assisting consumers to allow them to understand their options.
      - Public Comment
        - Question was raised as to whether group health multi-plans for small businesses offered from businesses are legit and whether Department of Insurance has vetted such plans.
          - Frank Pyle (DOI) mentioned that most of those plans are compliant with the Affordable Care Act. But cautioned that there will be bad insurers posing as ACA compliant, however; some are not. DOI is consolidating a list of compliant companies.

## QHP STANDARDS FOR 2019

- Ann Kempinski (Executive Director) began her presentation with QHP Standards for 2019
  - The process has been started between Department of Insurance (DOI) and Delaware Health Care Commission (DHCC) to set 2019 standards for Marketplace plans. Comments will be posted to the following website: <http://www.dhss.delaware.gov/dhss/dhcc/>. Comments are received via email at [QHPStandards@choosehealthde.com](mailto:QHPStandards@choosehealthde.com) Updates focus on 3 areas:
    - Mental Health parity regulations
    - Telehealth standards
    - Value Network Plans
      - Hoping to invite innovation in this area – similar to the SIM implementation.
      - Some innovation being completed in State of Delaware employee plans and Highmark plans in markets outside of Delaware. Marketplace is less than 30,000 people and has an aging group. This should be an area that can be focused on to help implement innovation in Value Network Plans.
      - Discussion
        - Rick Geisenberger asked if there is flexibility with implementing such plans.
        - Ann Kempinski replied to Rick Geisenberger mentioning that there will be some flexibility between Federal and State regulations in the area of Network Design.
        - Dr. Edmondo Robinson asked what the flexibility will be based on paying for health versus services.
        - Ann Kempinski replied to Dr. Edmondo Robinson and stated that there are not any federal barriers but that changing the dynamic between sharing risk and how things are paid can begin to be addressed.
        - Dr. Nancy Fan stated that there are some pay per value plans that will be required by 2018 – change will be forthcoming in that aspect.
        - Dr. Robinson stated the importance of also focusing on Social Determinants of health.
        - Commissioner Trinidad Navarro added that a factor involved in the rate increases is a result of Delaware's hospital and prescription drug costs being higher than many states. However, DOI has had ongoing discussions with Highmark on developing value based payment plans. Public Comment- Suggested on what could be done to alleviate administrative costs for providers.

## **SIM SPONSORED ACTIVITY**

### **▪ Presentation – Helen Arthur – Practice Transformation**

- Historical context – Contracted with 4 vendors to initiate transformation activities among Delaware primary care practices in 2015. In 2016 the initiative was redesigned for improvement. Helen presented the slides containing the milestones for tracking the improvements. This was finalized in August 2016.
- Helen Arthur spoke regarding the Vendor Reporting system that focuses on both qualitative and quantitative data. This was to get a handle on what the practices were accomplishing in regards to the milestones. Various statistics in relation to the milestone success rates were presented.
  - Dr. Nancy Fan made comments to clarify the basis of the milestones.
  - Dr. Jan Lee and other Commission members offered comments, concerns, and questions in regard to the data.
  - Helen Arthur and Dr. Nancy Fan addressed those questions, concerns and comments.
  - Dr. Nancy Fan agreed to take comments, concerns and suggestions for the Delaware Center for Health Information Clinical Meeting.
  - Public Comment – Questions around whether there will be a focus on a patient-oriented and patient initiative focus.
  - Dr. Nancy Fan noted that suggestions could be taken to the Patient and Consumer Advisory committee, which had representatives in attendance.

### **• Health Resources Board Update – Helen Arthur**

- Helen Arthur provided an update on the Health Resources Board.
  - HRMP Plan was voted on by the Health Care Commission Members on Thursday, July 6, 2017 and became effective as of September 11, 2017. The revised plan is posted on the HRB website: <http://www.dhss.delaware.gov/dhss/dhcc/>. On Thursday, September 28, 2017, the HRB was advised that the plan would be approved with certain stipulations which are being reviewed by the HRB and will be an agenda meeting on the November 16<sup>th</sup> HRB meeting.
  - Two new members were appointed to the HRB Committee, with more vacancies needed to be filled.

## **HEALTHCARE BENCHMARK AND SUMMITS**

### **• Presentation – Dr. Kara Odom Walker**

- Update – Delaware has the third highest per capita health care costs in the United States. Many other states are looking for solutions to help with lowering health care costs. The Summits are being held to generate conversations in the State, specifically about [HJR 7](#), which calls for the establishment of a health care cost benchmark. The Summits will help stakeholders on finding ways to think about population health and provide care with value for Delaware citizens.
- Dr. Walker spoke about the three Summits that have been held previous to today's HCC meeting.
  - Information on previous, and future summits can be found on:  
<http://www.dhss.delaware.gov/dhss/dhcc/>  
<https://www.dehealthinnovation.org>  
Facebook.com/DelawareDHSS or youtube.com/DelDHSS  
Email: [ourhealthde@state.de.us](mailto:ourhealthde@state.de.us)
  - Public Comments

- Doesn't feel there is enough publicity for the Summits. In addition, a clear definition of what a health care cost actually is will help the state to find a solution on what direction it should go in.
  - Dr. Walker acknowledged that the work of Director Ann Kempfski and Deputy Director Helen Arthur in securing venues and working the logistics of the Summit meetings should not go unnoticed, given the many challenges that have occurred during the process, she would be open to other suggestions as well.
  - Jill Fredel (DHSS) stated that ongoing work is being completed to improve the communication to the public about the summits.
- Lolita Lopez (Westside Health) asked about a DIDER & DIMER Student Loan Repayment report.
  - Dr. Nancy Fan mentioned there had not been a recent meeting, but once more information is found, they will notify Ms. Lopez.
- A question was asked about the changes in Medicaid regarding the transition between vendors.
- Dr. Walker addressed this question stating that there were changes and DHSS is working to help make the transition smooth.

**BUSINESS**

Dr. Nancy Fan stated that Committee member Susan Cycyk will be retiring in January of 2018.

Meeting was adjourned at 10:59am by Dr. Nancy Fan.

**NEXT MEETING**

The next Health Care Commission meeting will be held on Thursday, November 2, 2017 beginning at 9:00 a.m., and will be held at the DHSS Herman Holloway Campus, The Chapel.

**GUESTS**

Julane Armbrister	Delaware Center for Health Innovation
Helen Arthur	Delaware Health Care Commission
Janet Bailey	DXC
Carol Bancroft	DTCC
Maggie Norris Bent	Westside Family Healthcare
Shannon Boyer	Mid-Atlantic Association of Community Health Centers
Victoria Brennan	Controller General
Jan Brunory	Department of Insurance
Jeanne Chigreive	ACS CAN
Kathy Collison	DPH
Mike Cordrey	AB&C
John Dodd	BDC - Health IT
Mary Fenimore	Medical Society
Jill Fredel	DHSS

Varleisha Gibbs  
Donna Goodman  
Sheila Grant  
Joanna Hasse  
Cherye Heiks  
Karen Helenski  
Marsha Horton  
Sarah Matthews  
Nick Moriello  
R.W Munson  
Kevin O'Hara  
Brian Olson  
Alex Parkowski  
Pamela Price  
Frank Pyle  
Michelle Seymour  
Karen Shablin  
Wayne Smith  
Robin Taylor  
Jose Tieso

Wesley College (MOT)  
Westside  
AARP  
League of Women Voters  
Connections Community Support Programs  
Aetna  
DSU  
Advances in Management  
Health Insurance Associates  
United Medical  
HM/BCBSDE  
LA Red  
AB&C  
Highmark  
DOI  
MSD  
Optum  
DHA  
Department of Insurance  
DCX - Medicaid