

STATE INNOVATION WAIVER TASK FORCE

Meeting 7
Minutes

Date: Thursday, February 12, 2015
Time: 9:00am
Place: Capitol Center, Room 305
1177 Alakea St., Honolulu, HI 96813

Attendance:

State Innovation Waiver Task Force Members - Present

Beth Giesting, Chair, Governor's Office
Joan Danieleley, Senate Health Care Appointee
Jennifer Diesman, HMSA
Bryan FitzGerald, OIMT
Robert Hirokawa, HPCA
David Hong, House Small Business Appointee
Gordon Ito, Insurance Commissioner
Daniel Jacob, Office of the Attorney General
Jeff Kissel, Hawaii Health Connector
Royden Koito, DLIR
Christine Sakuda, Hawaii HIE
Sandra Yahiro, EUTF
Paula Yoshioka, Queen's Health System
Paul Young, HAH

State Innovation Waiver Task Force Members - Absent

Kenny Fink, MedQUEST/DHS
Lorrin Kim, DOH
Sherry Menor-McNamara, Chamber of Commerce of Hawaii

Call to order:

The meeting was called to order by Chair Giesting at 9:05 a.m. Chair Giesting welcomed the group and took roll call, noting new members: Jeff Kissel for the Hawaii Health Connector and David Hong, House appointee representing small business.

Public Comment

There was no opening public comment.

Review of minutes of January 13, 2015

Members Diesman moved and Young seconded approval of minutes as circulated. There was no public comment. The minutes were unanimously approved.

Creation of Permitted Interaction Groups

Members Danieleley moved and Young seconded a motion to authorize a Hawaii Health Connector PIG to attend HHC board and committee meetings and report back on any issues pertinent to this TF. Members are Giesting, Kissel, Koito, and Sakuda. There was no public comment. The motion was unanimously approved.

Members Danieley moved and FitzGerald seconded a motion to authorize a PIG to explore priority issues to waive or modify and report back on any issues pertinent to this TF. Members are Diesman, FitzGerald, Giesting, Hirokawa, Ito, Kissel, Jacob, and Young. There was no public comment. The motion was unanimously approved.

Sunshine Law Reminder

Chair Giesting reminded the task force that Sunshine Law requires that at the meeting where a PIG report is provided, the task force may ask only clarifying questions. At the next meeting the task force may engage in substantive discussion. At the third meeting the task force can take action on the PIG's recommendations.

Connector PIG Report

Member Kissel reported for the Connector PIG that the Hawaii Health Connector:

- Has enrolled nearly 21,000 people
- Is enrolling COFA migrants
- Has 3 board vacancies awaiting appointments from the Governor
- Passed a board resolution to take no position on policy issues such as waivers
- Has resources for operations through June 30, 2015; access to resources beyond that will depend on Connector's sustainability plan, legislation, and other factors
- Recently learned in discussions with representatives of DHHS about the requirements and timelines for states using the FFM and noted that, in future, states may be charged for use of the FFM platform

There was no public comment.

Waiver/Modification PIG Report

Chair Giesting outlined the Waiver Options PIG report with additional clarifying or correcting comments from PIG members, as follows:

Purpose: Explore ACA sections to waive or modify

Members: Alborg, Diesman, Fink, Giesting, Ito, Jacob, FitzGerald

QHPs and EHBs

- Recommendations for TF Discussion, Section 1302
 - Individual and SHOP are assumed to be separable
 - Retain 4 metal levels for individual market
 - Require that SHOP/ACA plans comply with Prepaid 7A and 7B
 - Try to make benefits as consistent as possible for small and large businesses:
 - Should prescriptive benefits (required for small businesses) be mandated for all?
 - Should dental benefits (required for small businesses) be mandated for all?
 - Both of these additions would be good health policy but, since most businesses reportedly already provide such benefits voluntarily, could provoke a backlash if mandated.
 - Clarify dental enrollment processes for children
 - Via waiver insert PHCA language for annual limits on cost-sharing for employer-sponsored plans
 - Via waiver insert PHCA language for annual limits on deductibles for employer-sponsored plans
 - Catastrophic plans – no change from ACA
 - Children-only plans – no change from ACA
- Recommendations for TF Discussion, Section 1303
 - Special rules related to abortion services – no change from ACA
- Recommendations for TF Discussion, Section 1304

- Definitions of small and large employer groups – recommends continuing to define small business as one with 50 or fewer employees. PIG considered defining small business as one with 25 or fewer employees since that’s the ceiling for small business tax credits but thinks it would create less upheaval to retain the current definition.

Providing consumers a health insurance exchange

- Recommendations for TF Discussion, Health Insurance Exchange, Sections 1311/1312
 - **Individual Exchange**
 - Retain State-based Marketplace
 - Consolidate eligibility for Medicaid and APTC/CSR– single location/responsible agency (State CIO has to approve)
 - APTC/CSR eligibles check options on shop & compare website, link directly to insurers
 - Health plans complete enrollment, billing, and reporting
 - (May not need a waiver)
 - Fallback (available but not the preferred option)
 - “Supported State-Based Marketplace” that uses FFM platform for eligibility
 - Medicaid-eligible files sent to DHS for enrollment
 - Other individuals enrolled via FFM
- **SHOP Exchange**
 - Retain State-based SHOP with modifications
 - Develop robust, dynamic shop & compare website that allows small business to enter employee data, select best plan, and be linked directly to insurer
 - Health plans complete enrollment, billing, and reporting
 - Small business tax credit to be provided via IRS or to state for innovation (if waiver needed)
- Fallback (available but not the preferred option)
 - Supported State-Based Marketplace that uses FFM platform for enrollment in PHCA compliant plans that are qualified by Hawaii Insurance Commissioner (these would be the only plans available to Hawaii employees)

Premium Tax Credits & Cost Sharing

- Recommendations for TF Discussion, Health Insurance Exchange, Sections 1402/36B
 - Retain APTC and CSR that make insurance affordable for individuals
 - If methodology allows, determine if unclaimed APTC/CSR credits could be available to Hawaii for innovation
 - If SHOP is waived use small business tax credits that would have been available to enhance affordability for small businesses or part-time workers, or other innovations
 - Federal agencies have not decided on methodology to calculate sums
 - PIG unable to find good data sources with which to develop estimates
 - Further discussion is warranted to explore innovations that would further reduce the number/percentage of uninsured in Hawaii and improve care.

The task force asked clarifying questions as the report was made. There was no public comment.

Proposed legislation

Chair Giesting noted that the House bill to amend the charge for the task force and appropriate funds for waiver development is HB 576. HD 1 amends the original measure. The Senate version, SB 1341, was passed with technical amendments.

Public Comment

There was no concluding public comment.

Next Meeting

9:00 a.m. on February 26, 2015. Queen Liliuokalani Hearing Room, Ground Floor, DCCA.

Adjournment

The meeting was adjourned at 10:40 a.m.