

KENTUCKY HEALTH BENEFIT EXCHANGE ADVISORY BOARD

Meeting Minutes

November 3, 2022

Board Members in Attendance: Carrie Banahan, Shaun Orme on behalf of Sharon Clark, Ryan Sadler, Mark Kleiner, Joe Ellis, Martha Mather, David Roode, Whitney Allen, April Hester

Deputy Secretary Banahan began the meeting and roll was taken. There was no quorum in the beginning of the meeting to approve minutes from September, so the first agenda item was an update on Kentucky Health Benefit Exchange activities.

Melea Rivera began the update with mention of the press release that was released on November 1st and indicated there were news organizations that had covered the Open Enrollment announcement. Melea reminded everyone that the MCO open enrollment period, when individuals may change MCOs, began on October 17th. With individuals shopping for plan year 2023 Qualified Health Plans and updating applications, Melea noted that as of November 2nd, all renewals that were possible had been completed. There were some individuals who were not able to be renewed due to things like their plan was no longer available, they had aged out of their plan, or other circumstances. Notices were sent to these individuals kynect inbox and were available mid-October. Notices for residents who opted for paper mail only have had their notices sent.

Melea invited Kayla Skaggs to cover the metrics and statistics slides. Kayla first provided an overview of activities, stating that two webinars were held Monday October 31st. One session was for kynectors with a total of 142 participants, and another for Agents with 70 in attendance. These sessions provided a kynect overview, Open Enrollment information, review of the escalation processes, second lowest cost silver plan information, and information on employer insurance affordability, also known as the Family Glitch. Kayla shared information about the Open Enrollment Incident Tracker that is being used by both kynectors and Agents. The Incident Tracker went live November 1st and will be used throughout Open Enrollment. This allows users to report incidents which allows for quick triage and resolution by the dedicated monitoring team. Agents and kynectors received a communication with the tracker and a quick reference guide. Melea added that the tracker had been used last year and was very helpful.

Melea provided an update on the IRS finalized rule on the Family Glitch that happened in October. She stated that Family Glitch is a term used to describe when an employer offers coverage that is affordable for the employee, but not for the family. The rule was revised to base affordability on the affordability of family coverage. The unaffordable threshold is based on 9.12% of household income, and this amount may change each year based on IRS guidance. The kynect website has added a

banner announcement for this information and functionality should go live late December. Notices have been sent to identified individuals who had indicated employer sponsored coverage on their application. A Fact Sheet is posted with this information, as well as messaging sent to Agents and kynectors. David Verry provided the link to the Fact Sheet in the meeting chat.

Melea next provided an update on the Public Health Emergency Unwinding, stating the Federal government had previously made the decision to delay another 90 days and we should know around November 11th or 12th if there will be a 60-day warning that the PHE will end in January. If no notice is received mid-November, this will indicate it will not end in January. Melea reminded the members that until a notice is given, we must still be ready for January. To that end, Melea shared that her team has continued work on training materials and consumer messaging. Melea indicated that there is an estimated 210,000 members who would roll off Medicaid upon the unwinding. 79,000 of those members would potentially be eligible for a Qualified Health Plan with a premium tax credit or a Basic Health Plan, if BHP is available at that time. The health benefit exchange continues to monitor those numbers to ensure they receive the help needed to transition.

Melea then shared that the Medicare Special Enrollment Period (SEP) rule was finalized. There are some members who are enrolled in Medicaid due to the Public Health Emergency, who may not have opted into Medicare Part B. Members who do not opt into Medicare Part B are penalized. There has been concern that some members may have been confused and didn't realize they needed to make that change because they were still covered by Medicaid. This rule change will provide relief from this situation. Other scenarios may also be covered under this new rule. David Verry shared the Fact Sheet with this information into the meeting chat.

Melea then shared that feedback from previous meetings requested more metrics and reports. She added that monthly metrics have been added to the KHBE.ky.gov webpage.

Melea paused for questions and David Roode asked about the Open Enrollment notice he received. David indicated it was unclear on the first page of the notice where it states Report a Change. This seemed unclear if it meant a request for information or if it were only to report a change. It was clarified that all applicants are responsible for reporting changes like income, as they happen. This language is added since many residents do not report this until the Open Enrollment Period. If there are no changes to report, no action is needed.

Joe Ellis asked if those impacted by the Medicaid Unwinding would roll into the start of calendar year 2023 and if they would stay on their Medicaid plan throughout the year or if we would do the rollover? Melea clarified that the state of Kentucky will have a year to redetermine the eligibility of all those individuals. She further explained that if we were to receive the notice that the unwinding will begin in January 2023, our plan is to send some notices to the first group impacted (approximately 60,000-70,000 individuals) alerting them it is time to renew Medicaid benefits. Most of those individuals would renew with little problems, with a few needing to respond to a request for more information.

If notice is not received, planning would continue for the next possible window of unwinding which would begin in April 2023.

David Roode asked a question that had been provided to him from one of his colleagues, the question, read from a text message was: Does the cabinet have a mitigation plan for those enrolling before December 16th, to make sure folks get the correct plan before the new family glitch calculator is live on kynect? There is concern that people won't know that they're affected by the family glitch and may end up with more expensive coverage before.

David Verry replied to answer that the fact sheet he had linked in chat explained the mitigation plan for people who enroll in the wrong plan. For those who wait, the start date can be changed to January 1. If an individual was enrolled in the wrong plan, APTC eligibility can be changed to the needed date. Basically, there are two methods. David advised that the exceptional special enrollment committee stands ready to pick up any cases that are missed to ensure everyone has correct eligibility.

Edith Slone provided the next update on kynector outreach. Edith stated she typically shared images of kynectors handing out information and promotional items at outreach events but stated there is much more work involved in preparing for such events. Edith then shared photos of KIPDA kynectors loading a 27-foot truck with over 500 boxes of promotional items. The kynectors drove this truck from Louisville to distribute to individual kynectors for events. Edith also shared an image of the Community Action team using a UHAUL truck to load approximately 600 boxes of promotional items to be distributed to kynectors for their large region. Edith was not able to get photos of the Kentucky Primary Care kynectors due to camera issues, but they too had a large truck and loaded items. Other images shared showed KIPDA kynectors working a trick or treat outreach event with the Jefferson County Police Department where they handed out over 1,000 kynect bags with treats and promotional items. Another image showed KIPDA kynectors at the National Guard Family Day in Louisville. Edith shared that over 300 connector outreach events are scheduled for the month of November, with more added each day.

Deputy Secretary Banahan moved into the subcommittee updates and asked Martha Mather from the Behavioral Health Subcommittee to begin. Martha Mather shared that the committee met the previous week. The main topic for discussion was a request from kynect team leaders that will begin early 2023. This request was to develop a side-by-side comparison for behavioral health benefits, like the side-by-side comparison for health plans and for maternity benefits. Martha acknowledged that Dr. Sheila Schuster, who participates in the subcommittee met with the Medicaid Behavioral Health TAC and would bring the request to them as well. This side by side of the behavioral health benefits would exist for the six health plans and would include member incentives and any additional benefits offered to recipients.

Whitney Allen provided an update for the Education and Outreach Subcommittee. The last meeting occurred on Monday, October 31st. The meeting covered updates from KHBE and an update on the kynect to Care materials. kynect to Care was modeled from the CMS Coverage to Care materials

which kynectors had requested a kynect version of a similar piece to be used in their community outreach and education. A final draft of the kynect to Care content had been submitted to Doe Anderson for finalization. Printing quotes have been requested and a small batched will be printed with a request process developed for kynectors. PowerPoint presentations of the kynect to Care content will also be made available. A subcommittee member had also suggested a board game modeled from the guide for outreach events. The subcommittee further discussed their next meeting agenda, scheduled for November 28th, to discuss the 2023 priorities. Suggestions have been for coordinating a monthly message among kynector agencies, coordinated efforts on materials and events, and open enrollment review.

Mark Kleiner provided an update for the October 25th Agent and Navigator Subcommittee meeting. Mark shared that through the meetings over the year, the subcommittee covered 35-40 different suggestions. This included kynector and Agents offering input to improve processes. Mark offered a big thank you to all who were involved. David Verry provided further subcommittee updates that over 50% of enrollments happen with help from either an Agent or kynector. The subcommittee update voiced acknowledgement for how busy Agents and kynectors are and appreciation for their suggestions which help make the state-based marketplace better. The subcommittees last meeting included demonstrations of system enhancements including prescreening enhancements, and easier navigation. An area of great excitement is the added ability to email quotes from the anonymous shopping screen. This allows the quote to be sent without a log in. Another enhancement was the ability to change the household composition during prescreening. David said there had been many other enhancements the subcommittee worked on, and they spent time as a subcommittee following up on all suggestions and reviewing a timeline for their release. The subcommittee also covered Agent community outreach, as Agents are a frontline stakeholder in providing information about the Family Glitch. David said it had been a very productive year and they are looking forward to a great next year. Mark Kleiner added that with the Family Glitch being fixed, he would like to see a Special Enrollment Period be granted for this issue. Mark further acknowledged that such an SEP may have a negative impact on group business. Mark provided an example of an individual he had encountered at a seminar in recent weeks who made \$100,000.00 per year salary and was married with two dependents. Instead of paying \$8500 per year for an exchange plan, he was spending about \$20,000 a year for coverage, which is 20% of his income. This family must wait until the employer open enrollment. Mark expressed that he was glad the glitch was fixed and that it will allow more people to get affordable coverage.

David asked Mark to clarify if he was saying he favored a special enrollment for employees to get off their employer plan and David confirmed there is an existing SEP for those who lose employer sponsored coverage. Mark was aware but further clarified that since open enrollment is now, and the only time people must get a plan and a tax credit, an unaffordable group plan should be a qualifying event to enroll during our Open Enrollment Period. Mark asked if the Insurance Commissioner was on the call to provide any information on legislation versus executive order on this topic. Deputy Secretary Banahan stated that the Commissioner was not on the call, but that Shaun Orme with Department of Insurance was in the meeting. Mark provided an example to Shaun stating he had talked to carriers and if an individual was on a group plan and decided October 1st to stay on a wife's

group plan, because they were not aware that the fixed family glitch that would be available in December, how could we get that to be a qualifying event so people could enroll in more affordable coverage. Shaun said he would look at that and provide answers. Mark said when you switch jobs, there is coverage available through an employer, but during Open Enrollment on the exchange, you can only enroll once a year. This issue will continue because people must make decisions on work health plans that may not align with the same open enrollment dates. Mark agreed that if someone comes off an employer plan during the year, that is an SEP, and aligned that is possibly the way it must be, meaning the individual would wait until they review their employer offered plans and decide to come off at that time. Shaun offered that it may have to do with plan rules about leaving coverage mid-year. Mark expressed surprise that unaffordable employer sponsored insurance wasn't made an SEP at the federal level. Shaun agreed to talk to the Commissioner to explore if there was anything that could be done to address the issue. Deputy Secretary Banahan asked KHBE if there had been any talk on the national level during any other of their meetings. Melea stated that we have flexibility as a state exchange to offer SEPs, but employer sponsored coverage is regulated by the state but since it is considered a large group it is treated slightly differently and regulated by the federal government. Shaun agreed and said it would depend on the plan rules for the employer. Mark also asked if there was any type of mandate for employers to send information to employees about the state exchange availability. Mark believes an announcement with information about the Family Glitch would be helpful. Deputy Secretary Banahan suggested the possibility of some of the major newspapers to write an article about it and reach out to the Chamber of Commerce. Deputy Secretary Banahan said she would reach out to CHFS Communications Director Susan Dunlap for ideas as well.

Ryan Sadler provided the next update for the Qualified Health Plan Subcommittee. The subcommittee had discussed the passive renewal process, Open Enrollment and validating the pre-screening tool. The subcommittee also tested the kynect website to make sure things were ready for Open Enrollment. They had a strong consensus that things were functioning and ready. The subcommittee also discussed 2024 planning, including the standard plan and basic health plan. The next scheduled meeting is November 16th.

Before bringing the meeting to the open discussion and questions section, Deputy Secretary Banahan indicated there was now a quorum and asked for meeting minutes to be approved. Ryan Sadler offered the motion to approve the minutes, Mark Kleiner offered a second to approve the meeting minutes. All were in favor with no nay votes. Deputy Secretary Banahan announced that the next meeting would be scheduled for December 1st, 2022. She asked the Advisory Board if they would like to hold the December meeting or reconvene in January. There were no preferences stated. Deputy Secretary Banahan announced that she would not be in attendance, though the group would be in good hands with KHBE. The December meeting would give an opportunity for an Open Enrollment activity update as well as additional updates on Family Glitch.

With no further questions or discussion topics offered, the meeting was ad