

# KENTUCKY HEALTH BENEFIT EXCHANGE ADVISORY BOARD

## Meeting Minutes

August 4, 2022

**Board members in attendance:** Sharon Clark, Ryan Sadler, Harry Hayes, Dr. Joe Ellis, John Mark Fones, Martha Mather, David Roode, Supra Parthasarathy

Deputy Secretary Carrie Banahan began the meeting by welcoming the attendees to the August 4th Kentucky Health Benefit Exchange Advisory Board meeting.

Roll call was completed and Melea Rivera provided the State-based Marketplace update.

Melea began by announcing there had been a reorganization within the Cabinet for Health and Family Services. This reorganization moved the Division of Health Benefit Exchange to the Department for Medicaid Services. This created a new Division of Health Plan Oversight. The division will manage complaints and appeals, some contract oversight, some enrollment and eligibility, and some health benefit exchange members. This is not a change that will create much change for the Advisory Board, but KHBE wanted to make the board aware.

Melea's next update was on the topic of ARPA subsidies. It has been reported that the ARPA subsidies are scheduled to end in December. There is some legislation proposed that would continue them through 2025, though that legislation has not yet passed. An extension will help a lot of Kentuckians. Melea said KHBE does have fact sheets prepared to send to provide information either way, extended or not. Melea noted that Kentucky could lose 15,000 enrollees if those subsidies expire.

Melea then updated on a proposed regulation back in June that would take away or mitigate the family glitch. The glitch is when a person, and family, is eligible for employer sponsored coverage, but affordability is only measured on the employee as an individual. Melea gave an example of a family who may have a very high premium in this situation, but it would still be considered affordable if an individual plan for only the employee met affordability standard. The new regulation would allow an affordability test for the family plan as well. The regulation has not yet been finalized, but at the FFM level, they are planning to implement this. She shared that at the state level we are getting that ready to go, should the proposed regulation become final. That won't be ready until late fall or early December. We will continue to give updates to the Advisory Board as this gets closer. This will help families whose family premium is currently considered affordable, though it is typically not. The IRS guidance is a

revenue procedure that let us know that the employee percentage of premium, that had been around 9.66 or more in previous years, was reduced to 9.12 for the future year.

Melea shared that CMS had recently provided guidance, as well as the IRS, that state exchanges have flexibility for another year for checking if individuals had reconciled their taxes from the previous year. Kentucky was prepared to implement the standard to reinstate the checks but learned it would be relaxed another year.

She explained that we would likely get an indicator from the federal government from the IRS that confirms a person has filed taxes or not. When a person had not yet reconciled their tax credits from the previous year, kynect would not give them tax credits for the next year. Due to the pandemic and other factors, tax information may not be complete. To not cause a person to miss taking their ATC, the IRS will wait until tax information is more reliable. This will eliminate notices to people asking if they filed their taxes and being asked to attest to this during the application or enrollment. Those steps may return in 2024.

Melea, then reminded the Advisory Board that we are less than 90 days from the Open Enrollment period. Open Enrollment will be November 1, 2022 to January 15, 2023.

Another update was information on the upcoming OKTA verification process. OKTA is simply another way to provide a code upon log in to access kynect. Kentucky Online Gateway (KOG) users currently use the Symantec VIP token. VIP will still be an available multifactor authentication method, but those users will need to re-register their VIP token once OKTA goes live.

Melea next discussed plan certification. DOI has done their rates and forms checks. KHBE is now conducting some of their certification activities. KHBE has been letting insurers know to come look at plan management to see that their plans have transferred over. Everything needs to be certified by the end of September so renewal activities can be supported.

Melea also acknowledged that the flooding in the state had been a focus, trying to make sure those individuals get access to the resources they need. She explained that the Governor's office had provided information and direction on their website. Health coverage was included in the specific resources listed. This included information about Special Enrollment Periods and Medicaid.

Susan Dunlap invited anyone with additional information or resources that should be added to contact her directly. Edith Slone shared that kynectors were prepared to go to each of the counties whenever they get direction that it's safe for them to start. A schedule is ready, and these kynectors will be in each of the affected counties to help with the healthcare coverage there.

Ashley Schumacher asked if the dates for Medicaid open enrollment could be confirmed. Veronica Judy-Cecil confirmed the dates are October 17th through December 2nd.

David Roode asked what the criteria is for the special enrollment period for those affected by the flooding. Melea explained that it is not a unique special enrollment period but an existing special enrollment period for those who have an address change, income is greatly reduced, or when a person experiences an exceptional circumstance.

Edith Slone then provided on kynector outreach. She told the Board that is a busy this time of year with back-to-school events. Edith then gave an example of how kynectors collaborate with Community

partners to put together an outreach event. Edith had attended an outreach event Tuesday night in Newport, KY. The kynectors have been very resourceful and creative. The Northern Kentucky kynector, Vicky Flan and Captain Paul Kunkel of the Newport Police Department, worked for months, recruiting community partners to participate in a back-to-school event held at the Pavilion Shopping Center in Newport. The event was called Newport's Night Out. This year's participation included Newport Police Department, who had drug sniffing dog demonstrations. They also had 50 bicycles that they raffled off. The Kentucky Army National Guard participated with a 90-foot inflatable obstacle course that children ran up a hill and down and slid down and then went through the bars and everything. National Guard members were one-on-one running the obstacle course with the children. The Head Start program was there and had an outdoor children's game set up where children won prizes. Kroger was there giving away bags of fruit of fruit, apples, oranges and bananas for lunch. A sporting goods company gave away backpacks, Newport Fire Department was set up with fire trucks that children could enter and try on equipment. Great Clips provided free haircuts for children 12 and under. The event offered plenty of food, free pizza, free burgers, hot dogs, slushies, and plenty of water. kynect was well represented as all the volunteers and kynectors wore T-shirts that had Newport night out on the front and kynect on the back. All advertising the posters included kynect. Edith then shared photos from the event. This was a very well attended event, popular with the community with successful results.

Edith next gave an update on the college and university outreach that kynectors are involved in. Pre-pandemic the kynectors were 74 campus that agreed to let a kynectors participate as either orientation, host an event, or set-up at school functions. This may be a sporting event or campus celebration. While there was a slowdown on kynector presence on campus, that effort is ramping back up with in-person outreach again. Edith shared an example of the presentation slide used for colleges and universities. A copy of the letter to Student Health Services and Office of Student Affairs was shared as well. The letter has been sent to every college and university that we have found. Edith then covered a slide with a screenshot of the college and university students page on the KHBE website. Most colleges, over 27, have agreed to put the link to the KHBE page in their student website.

Edith then discussed preparation for the Kentucky State Fair August 18<sup>th</sup> through the 28<sup>th</sup>. CHFS has a large area within the pavilion representing many offices and divisions. kynectors are scheduled to work the event and bring their laptops. They can answer questions and even assist with enrollment. Private areas are available for kynectors to work in privacy with an individual to answer questions or enroll in coverage.

Deputy Secretary Banahan thanked Edith for the update and praised the kynectors for the collaboration on such an impressive event and the wonderful job they do.

The next agenda items were updates from the subcommittees.

Martha Mather began with an update for the Behavior Health Subcommittee.

Martha shared that the last meetings involved reports from the Office of Health Data and Analytics for both mental health and substance use disorder services for inpatient and outpatient services. This review shows the numbers have increased in 2020 with substance use disorders rising. It was noted that there was a slight decline in children's services and the company believes that that decline could be a reflection of school services since schools were out due to COVID during this time period. The subcommittee will be reviewing the 2021 data when it becomes available.

The committee reviewed the next data set for children's inpatient services, including the benefit counted services count. It was acknowledged that this did go up quite a bit and it is believed that the chart supports that, kids could be sicker and in need of more services. The data shows more children receive services.

Martha also said that in July a guest from the Department of Insurance joined the subcommittee meeting to review the network data from managed care plans to ensure network adequacy standards were met. The subcommittee has a request out with the Department of Insurance to provide a webinar to help advocates and consumers know how to use the Department of Insurance Consumer websites. Martha said it is a very engaged committee. The next meeting is scheduled for September 28<sup>th</sup>.

The next update was from Margie Meehan with Community Action for the Education and Outreach Committee. Margie shared that the Outreach and Education Subcommittee met on July 25<sup>th</sup>. From the first meeting, the subcommittee had decided to review the CMS Coverage to Care materials and possibly apply kynect branding to either existing materials or to create kynect specific materials. Tracy Williams presented information to the subcommittee with examples of kynect to Care materials. The subcommittee decided to also have PowerPoint presentations developed to be used in workshops with people who are newly insured, and then also to have PowerPoints for a different audience. The next meeting is August 30<sup>th</sup>.

Deputy Secretary Banahan mentioned we do not have an update from the Agent Navigator Subcommittee, but we will receive that update at our next meeting.

Next, Ryan Sadler provided an update from the Qualified Health Plan Subcommittee.

Ryan shared that the last meeting was June 14<sup>th</sup> and the July meeting had been cancelled. The next meeting is scheduled for August 17<sup>th</sup>. Highlights from the June meeting were conversations about the credentialing status with an organization, with the carriers confirming that these are predominantly a delegated credentialing organization, so they manage most of their own credentialing. Relative to the carriers that operate, there was discussion about standard plans and the extent to which the department evaluates the inclusion of standard plans and 2024. The pros and cons of standard plans is to be on the agenda to discuss during the next meeting. The subcommittee had also discussed an Open Enrollment sneak peek to preview some of the plan changes that are going to take place. Ryan said they were waiting for rates and detail to finalize prior to that sneak peek. Another item for the next meeting is discussion on reporting packages and experience that some of the carriers have with various reporting packages in other markets. This will help compare that to what is generally available with the public use files. The subcommittee has also looked at the renewal files of 834 : and the extent to which those can be delivered potentially earlier in the cycle.

Deputy Secretary Banahan asked for any questions from board members or other attendees.

David Roode asked if an update could be provided on the basic health plan and with the Medicaid unwinding.

Deputy Secretary Banahan shared that the basic health plan was put on pause for 2023 and we are looking to implement that in 2024.

Regarding the Medicaid unwind, during the last meeting we were not sure if the public health emergency was going to be extended. Since a 60-day notice is required to states, that would need to occur August 14th or 15<sup>th</sup>. This means if we don't receive the notice the middle of August, then it will be extended for another 90 days. The best-case scenario if that it is extended until open enrollment is over.

David asked if there was a reason the Basic Health Plan was paused. The Deputy Secretary explained that there had been some concern from some of the carriers that it was not enough time for them to build their network. There was also some concern with the reimbursement that the capitation rates were going to be based on. There were only two carriers interested in offering plans in 2023. This was likely due to the aggressive time frame for carriers to make system changes as well secure contracts with providers to participate.

Lastly, meeting minutes from the previous Advisory Board meeting were approved with Harry Hayes making the motion to approve and a second from Marth Mather.

With the meeting minutes adopted, Deputy Secretary Banahan announced the next meeting scheduled for September 1st.

The meeting was adjourned.