

***Policy Committee Minutes***  
***March 22, 2021***  
***1:00 PM – 3:00 PM***

**Board Members Present:** Claire Brockbank, Mike Conway, Adela Flores-Brennan, Patrick Gordon, Sharon O’Hara, and Marc Reece

**Staff Present:** Chelsey Bibeau, Brian Braun, Kelly Davies, Beth Deines, Bailey Dvorak, Kelly Guthner, Molly McClurg, Danny O’Neil, Emma Oppenheim, Carolyn Pickton, Ilana Rivera, Lisa Sevier, Nina Schwartz, Monica VanBuskirk, and Ezra Watland

**I. Welcome and Introduction**

Sharon O’Hara chaired the Policy Committee Meeting and called the meeting to order at 1:01 p.m., welcoming those in attendance.

The February Committee Meeting minutes were reviewed and approved.

**II. HCPF Update**

None.

**III. DOI Update**

Staff from the Division of Insurance (DOI) provided an update to the Committee:

- The following regulations have been issued:
  - Emergency Regulation 21-E-06: Concerning coverage and reimbursement for COVID-19 treatment and vaccines during the COVID-19 disaster emergency (effective 3/23/21)
  - Emergency Regulation 21-E-05: Concerning restrictions on coverage for use of a personal automobile or as an additional unnamed driver on a restaurant commercial automobile policy for food delivery during pendency of any public health orders related to COVID-19 that impact restaurant services (effective 3/22/21)
  - Emergency Regulation 21-E-04: Concerning coverage and cost sharing requirements for commercial insurance market coverage of COVID-19 claims (effective 3/19/21)
- There will be regulations hearing on April 2, 2021
- As the public health emergency continues, the DOI continues to reissue emergency regulations

#### Reinsurance Subsidized Enrollee Impact

Colorado's reinsurance program which was authorized by House Bill (HB) 19-1168, required the Commissioner of Insurance to conduct a study of the impact of reinsurance on Colorado's subsidized enrollee population. The DOI report can be found [here](#).

#### **IV. Current Legislation Potentially Impacting C4HCO**

The Committee reviewed the [legislative update](#) including federal and state legislation and the [legislative tracker](#).

Colorado standardized benefit bill ([HB21-1232](#)) was introduced on March 18, 2021 and it is a two phased approach aimed to lower healthcare costs.

- Phase 1: includes provisions to establish a plan with standardized benefits offered on and off Exchange and for issuers to lower premiums by 20% by 2024
- If Phase 1 provisions by the issuers are not met, Phase 2 will begin in 2025, and that is the enactment of a governmental operated insurance option

Board Member feedback on the Colorado State Option proposal includes:

- How much would plan standardization impower choice?
- What would choice look like?
- Which strategic goal is it tied to?
- What will be the operational impact on the Organization?
- What will be the customer impact?

Discussion on the Colorado State Option will be ongoing.

The American Rescue Plan has been signed. The key impacts to the Exchange include:

- Changes to the Advance Premium Tax Credit (APTC) calculator for 2021 and 2022
- Households receiving unemployment insurance for at least one week are eligible for full Premium Tax Credit (PTC)
- Temporarily lift IRS tax reconciliation requirement for PTC for at least 2020
- Grants for state-based marketplaces (SBMs) to implement technology changes

#### **Action Item**

Staff to provide information on the impact of all actively monitored bills on the bill tracker.

#### **V. Requirements for EBNE Analysis**

The Committee reviewed the [findings](#) of last year's eligible but not enrolled (EBNE) report. The analysis included a breakdown of EBNE by age, federal poverty level (FPL), primary language, and citizenship status. The Board Advisory group recommended Connect for Health Colorado to keep all the criteria that was established in the 2020 report for 2021 but add:

- Employment status of household members
- A way to quantify the households where there is employment and coverage but lack of affordability for remaining dependents in household

- Employment categories (service industries, etc.)
- Anyone effected by family glitch

#### **VI. Policy Roadmap**

Staff discussed prioritized problem statements previously determined by the Policy Committee Members. The prioritized problem statements are listed in order from highest to lowest priority:

- Noticing
- Plan display
- Verifications
- Alignment with Medicaid

The Board Advisory Group (BAG) suggested two additional ideas for the Committee to consider incorporating into the policy roadmap:

- Auto-populated forms or auto-enrollment to make it easier for the customer to apply
- Reducing barriers for those moving over to the Exchange from Medicaid; especially when the Public Health Emergency ends to make sure that those who will lose their Medicaid will be transitioned over to the Exchange as seamlessly as possible

Committee discussion concluded that the public health emergency (PHE) should be moved to the #1 spot. Further discussion on the ideas presented by the Board Advisory Group will take place at the next Policy Committee Meeting. Staff will provide the Committee with quarterly updates on the prioritized problem statements.

#### **VII. Board Advisory Group**

Staff presented Board Advisory Group input on pandemic barriers to coverage. When staff asked the BAG “Did you see any trends during the pandemic that prevented Coloradans from getting insured?”, input included:

- Access to technology was a barrier with libraries as a large resource to internet closed
- Affordability/ranking of life priorities with less money to spend was also a barrier to coverage due to the pandemic

#### **VIII. Public Comment**

None.

Meeting adjourned at 2:47 p.m.

Respectfully submitted,

Sharon O’Hara  
Policy Committee Chair