

Policy Committee Minutes
September 27, 2021
1:00 PM – 3:00 PM

Board Members Present: Claire Brockbank, Adela Flores-Brennan, Patrick Gordon, and Marc Reece

Staff Present: Brian Braun, Bailey Dvorak, Jessalyn Hampton, Danny O’Neil, Emma Oppenheim, Carolyn Pickton, Ilana Rivera, Nina Schwartz, Alan Schmitz, Monica VanBuskirk, and Ezra Watland

I. Welcome and Introduction

Adela Flores-Brennan chaired the Policy Committee Meeting and called the meeting to order at 1:03 p.m., welcoming those in attendance.

The August Committee minutes were reviewed and approved.

II. HCPF Update

Staff from the Department of Health Care Policy & Financing (HCPF) provided an update to the Committee:

- As HCPF begins work for the Afghan refugees, the Centers for Medicare & Medicaid Services (CMS) released the [final guidance](#) regarding health coverage options
- The Afghan refugee overview and benefits eligibility can be found [here](#)
- HCPF presented the work and initiatives in place to end the public health emergency (PHE) to eligibility workers, advocates, and community partners
- Intelligent character recognition technology will be used to improve the renewal process for the end of the PHE
- Further CMS guidance regarding the end of the PHE will be forthcoming

III. DOI Update

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

- The Governor, with consent of the Senate, will appoint the Prescription Drug Affordability Board (PDAB) by October 1, 2021
- Colorado option standardized plan stakeholder meeting #5 will take place October 8, 2021
 - Meeting will be focused on plan design and cost sharing
 - Meeting materials and registration can be found [here](#)

- Colorado option standardized plan – frequently asked questions can be found [here](#)
- Staff at DOI discussed upcoming virtual permanent rulemaking hearings:
 - October 5, 2021 regarding [proposed new regulation 4-2-7X](#) – Concerning infertility coverage by health benefit plans, [proposed amended regulation 4-2-74](#) – Concerning data reporting requirements for carriers’ out-of-network reimbursements, and [proposed amended regulation 4-2-77](#) – Concerning payments to carriers for the Colorado reinsurance program
 - Links to all virtual hearings can be found [here](#)
- The following emergency regulations have been adopted by the Commissioner without going through the rulemaking process:
 - [Emergency regulation 21-E-12](#) – Concerning the establishment of a special enrollment period (SEP) due to the cessation of employer contributions or government subsidies for COBRA or state continuation coverage – effective 9/21
 - [Emergency regulation 21-E-13](#) – Concerning coverage and reimbursement for COVID-19 vaccines during the COVID-19 recovery – effective 9/21
 - Links to all emergency regulations can be found [here](#)

IV. Federal Legislative Update

Staff presented the [proposed federal legislative initiatives](#). The presentation outlines expectations during the process and proposed health provisions. Connect for Health Colorado will be monitoring each of the provisions as they move through Congress.

V. Notice of Benefit & Payment Parameters (NBPP)

The Committee reviewed a summary of the 3-part [final NBPP rule](#) for 2022. Consistent with Executive Order 14009 and the Administrative Procedure Act, CMS reversed changes made by the previous Administration. CMS changes can be found [here](#) in blue text.

VI. Auto-enrollment Policy Agenda

Staff presented the Policy Agenda follow-up on [auto-enrollment considerations](#). The presentation outlined auto-enrollment opportunities, the continuum of automation and enrollment, different approaches to auto-enrollment, lessons learned from Maryland’s Easy Enrollment implementation, and examples of automation and enrollment.

The Committee discussed prioritization of auto-enrollment within the Policy Agenda and concluded a need to continue exploration of the range of auto-enrollment policies before being given a prioritization ranking. Further discussion will be forthcoming.

VII. Public Comment

Comment given by Allison Neswood, Colorado Center on Law and Policy.
 Comment given by Daniella Gosselova, Broker

Ms. Neswood shared a study conducted by Mark Shepard and Myles Wagner regarding auto-enrollment as well as a case study of Louisiana's express land eligibility.

Meeting adjourned at 2:38 p.m.

Respectfully submitted,

Adela Flores-Brennan
Policy Committee Chair