

MISSISSIPPI HEALTH INSURANCE EXCHANGE ADVISORY BOARD MEETING

MISSISSIPPI INSURANCE DEPARTMENT

JUNE 13, 2012

9:30 AM – 12:00 PM

WOOLFOLK STATE OFFICE BUILDING – ROOM 145

JACKSON, MISSISSIPPI

MEETING MINUTES

I. Roll Call: Kathryn Gilchrist, Attorney, Adams and Reese LLP

○ **Board Members present:**

Ms. Geroldean Dyse (*Proxy: Ms. Signe Jones*)

Mr. Robert Pugh (*Proxy: Ms. Myrtis Small*)

Ms. Mary Werner

Ms. Therese Hanna

Mr. Roy Mitchell

Ms. Teresa Malone (*Proxy: Ms. Karson Luther*)

Mr. Joel Jasper

Dr. Claude Brunson

Mr. David Buchanan

Ms. Lee Ann Griffin

Ms. Stephanie Barnes Taylor

Mr. Bill Oliver

Ms. Kathryn Gilchrist, legal counsel to the Mississippi Health Insurance Exchange Advisory Board (“Advisory Board”), verified that a quorum was present.

○ **Attendees:**

Mr. Aaron Sisk, Ms. Maris Cooper, Ms. Kaylea Crabbe, Mr. Drew Weiskopf, Ms. Misty Watson: Mississippi Insurance Department

Ms. Cheryl Smith, Ms. Kathryn Toone, and Ms. Laura Summers: Leavitt Partners, LLC

Ms. Kathryn Gilchrist: Adams and Reese LLP

II. Welcome and Introductions: Mr. Aaron Sisk, Senior Staff Attorney, Mississippi Insurance Department

Mr. Sisk welcomed the Advisory Board members and thanked them for their time and efforts thus far. Mr. Sisk reported on the responses to the Mississippi Health Insurance Exchange Community Education and Outreach Program Request for Proposals (“RFP”). Mr. Sisk requested that five (5) members of the Advisory Board volunteer to evaluate the proposals and make a recommendation to the Mississippi Insurance Department (“MID”). Ms. Werner, Ms. Hanna, Mr. Buchanan, Mr. Jasper, and Mr. Mitchell, as well as Ms. Taylor, volunteered to review the proposals.

Mr. Sisk gave a brief overview of the Health Insurance Exchange System-wide Meeting hosted by the Center for Consumer Information and Insurance Oversight (“CCIIO”) in Washington, D.C., from May 21 – 23, 2012. Representatives from MID, the Mississippi Division of Medicaid (“Medicaid”), Adams and Reese, and the Mississippi Comprehensive Health Insurance Risk Pool Association (“CHIRPA”) attended the meeting.

Mr. Sisk spoke to the Advisory Board about the One, Mississippi initial branding and messaging package proposed by Broderick Advertising (“Broderick”). He stated that once a vendor is selected for the Mississippi Health Insurance Exchange Community Education and Outreach Program, said vendor will need to work with Broderick to accomplish MID goals. Mr. Sisk introduced Ms. Leslie Horton, an education and outreach consultant for MID, and Mr. John Matlock, a representative from Broderick, who presented their initial branding recommendations.

III. Updates and Announcements: Mr. John Matlock, Broderick Advertising

Mr. Matlock presented Broderick’s initial branding and messaging ideas for One, Mississippi. He presented several options for strategic positioning lines, including:

“Count Me In,” “A Better Way to Play the Game,” “One Site Fits All,” and “Search It. Find It. Buy It.” Mr. Matlock also presented additional prototype advertising ideas. These included outdoor media such as posters; signage at ballparks, on buses, and on public transportation; as well as traditional advertising options in television, radio, and newspapers. Mr. Matlock noted that each picture in the suggested advertisements featured actual Mississippi residents.

Discussion from Advisory Board Members:

Ms. Griffin commented that some of the messaging and branding ideas may be confusing. She said the health literacy level was a main concern for the Public Health Experts Subcommittee with regard to the population that the Exchange will seek to reach.

Mr. Jasper noted that he sensed a general theme of ‘purchasing’ in each messaging proposal. Since the Exchange will target the uninsured populations, he said the proposed messaging might alienate people from the Exchange since most uninsured are not able to actually purchase health insurance. He suggested that the Exchange portray the message “For Mississippians, by Mississippians.”

Mr. Buchanan agreed with Mr. Jasper and suggested changing one of the proposed messages to “Search It. Find It. Get It.” instead of “Search It. Find It. Buy It.” Other members of the Advisory Board agreed, because some individuals will receive a subsidy or tax credit through the Exchange and may not purchase a policy.

Mr. Oliver commented on the strategic positioning line of “A Better Way to Play the Game.” He stated that since insurance is not a “game,” this message may be confusing. Mr. Oliver inquired where a person would encounter the screening point for Medicaid eligibility. Mr. Sisk explained the experience of the Exchange website. He stated that once an individual reaches the initial website there will be a questionnaire asking about income, household members, as well as other necessary personal information. This will be the initial determination and screening point for Medicaid eligibility. If eligible, that person will be seamlessly directed to Medicaid. If ineligible for Medicaid, then the person will be directed into the Exchange to purchase a private insurance plan, using a subsidy if eligible.

Mr. Sisk stated that MID's vision for reaching and educating the young and healthy population is through advertisements to universities, colleges, and sporting events. Mr. Sisk referenced the success of the partnership between the Massachusetts Connector and the Boston Red Sox organization.

Mr. Buchanan commented that Mississippi law requires face-to-face communication for Medicaid and CHIP program determinations to eliminate fraud susceptibility.

Dr. Brunson stated that he did not see a problem with any of the messaging and branding ideas, because he felt that word of mouth would be the most important factor for Exchange education and promotion.

Mr. Mitchell stated that a collegiate advertisement would not only target parents of the students attending the universities, but it would also target fans of each school.

Mr. Jasper suggested using messaging schemes with the word 'team' instead of 'game.' He also stated that a picture including all Mississippi colleges and universities would emphasize unity.

Mr. Buchanan felt one thing that was missing from the proposed education and outreach campaigns was a plan to reach those who do not have internet access. He said a toll-free telephone number should be included on all materials.

Ms. Hanna stated there needed to be pictures representing every demographic, including blue collar workers.

Mr. Mitchell stated that smart phone access and internet capability would allow those who do not have a home computer to obtain needed information.

Ms. Griffin suggested that reaching high school football games, including major rivalry games, would be very beneficial.

Ms. Cheryl Smith stated that another advertising goal to think about is empowering the smarter consumer. She stated that even though funding may come from Medicaid or a subsidy through the Exchange, the consumer will still be making the ultimate decision about the purchase of insurance.

Mr. Sisk noted that all considerations and comments of the Advisory Board members would be taken into account and discussed with Broderick and other consultants.

Mr. Aaron Sisk, Senior Staff Attorney, Mississippi Insurance Department:

Mr. Sisk updated the Advisory Board on CHIRPA's progress. Phase I of the website has been launched, and CHIRPA has released a RFP for Phases II and III website development. Currently, there is only one insurer offering policies on One, Mississippi. Mr. Sisk said that CHIRPA is in the process of answering questions on the RFP for Phases II and III.

Mr. Roy Mitchell, Executive Director, Mississippi Health Advocacy Program:

Mr. Mitchell gave an update on the statewide advertising campaign created by Health Help Mississippi ("HHM"). He stated that different media tools will be used, including, radio, television, Facebook, and Twitter. Due to increased consumer assistance requests, HHM has hired additional staff to support the Jackson, Mississippi office.

IV. A motion was made to adopt the meeting minutes from the fourth meeting of the Advisory Board, held on May 9, 2012. Said motion was made by Mr. Jasper, seconded by Mr. Mitchell, and approved by a unanimous voice vote of the Advisory Board members.

V. **Consideration to adopt the "Final Recommendations on Essential Health Benefits" & Explanation of Future Steps: Mr. Aaron Sisk, Mississippi Insurance Department**

Mr. Sisk gave an overview of the "Final Recommendations on Essential Health Benefits" ("EHB") report developed by MID. He stated that the adopted EHB report would be presented to the Commissioner of Insurance for consideration. The U.S. Department of Health and Human Services ("HHS") has not yet clarified which entity is permitted to select the State's EHB package, but has stated in previous guidance that the EHB package would be selected by whatever process and through whatever State entity is appropriate under State law. Mr. Sisk asked the Advisory Board whether it had any comments or amendments to the EHB report.

Mr. Oliver stated that the Health Care Providers Subcommittee submitted additional comments concerning coverage for preventive measures, and that these comments were not included in the EHB report. He maintained that there must be an emphasis on coverage of preventive measures to help reduce costs. Ms. Griffin noted that the Public Health Experts Subcommittee felt similarly to Mr. Oliver's subcommittee, and felt that these comments should be included in the EHB report.

Mr. Jasper requested an amendment to add a second sentence in the second paragraph stating: "The plan selected as the Essential Health Benefit benchmark plan for Mississippi will represent the minimum benefit requirements for any health plans that write business in the State in order to be determined as a qualified health plan as determined by the U.S. Department of Health and Human Services." The amendment passed by a unanimous voice vote of the Advisory Board members.

Mr. Oliver requested to amend the EHB report to add the following sentence to the Health Care Providers section: "Much discussion centered around the need for more preventive care and education in the state and how this can be better covered by insurance products." The amendment passed by a unanimous voice vote of the Advisory Board members.

A motion was made to adopt the EHB report, as amended. Said motion was made by Dr. Brunson, seconded by Mr. Jasper, and approved by a unanimous voice vote of the Advisory Board members.

VI. Presentation on "Outreach, Education, Adoption, and Enrollment" Assignment:

Ms. Kathryn Toone, Leavitt Partners

Ms. Toone presented on outreach, education, adoption, and enrollment. In addition to an overview of Mississippi demographics, Ms. Toone emphasized that the two main groups the Exchange will need to reach for outreach and education efforts will be small businesses and individuals. Ms. Toone stated the importance of tailoring each message to the desired populations of the state of Mississippi.

Ms. Kathryn Gilchrist, Adams & Reese LLP:

Ms. Gilchrist gave a brief overview on the background of the Navigator program and applicable State and Federal requirements, including, the duties of navigators outlined in the Affordable Care Act (“ACA”). She stated that MID is looking for input from the Advisory Board and Advisory Subcommittees for which entities, beyond those specifically delineated in Federal regulations, should serve as navigators. Ms. Gilchrist noted that the ACA states that producers may serve as navigators, but that will ultimately be decided by the Commissioner of Insurance in each state. Mississippi law requires licensure of agents and brokers, and an agent may not sell, solicit or enroll people in insurance unless the agent is licensed for that line of authority. Ms. Gilchrist explained that, according to the requirements of the ACA, navigators may only be paid through the operational funds of the Exchange.

Ms. Gilchrist stated that many questions have been raised about certification and training requirements. HHS has indicated they will release model sets of training, conflict of interest, and privacy standards to states. However, Ms. Gilchrist said Mississippi is not waiting on this guidance to determine the parameters of the navigator program.

Mr. Aaron Sisk, Mississippi Insurance Department:

Mr. Sisk reminded the Advisory Board that Federal grant funds would only be available for establishing the structure of the navigator program and could not be used for funding navigator grants. He noted that the existing agent community is available to support the navigator program. Mr. Sisk requested that Mr. Jasper’s Subcommittee and Mr. Buchanan’s Subcommittee report on how agents and brokers are compensated at the next Advisory Board meeting. He requested that the rest of the Advisory Board and Subcommittees consider how to define the roles of a navigator.

VII. Presentation of Initial Findings on “Outreach, Education, Adoption, and Enrollment” and Advisory Board Discussion:

Ms. Smith gave a presentation to the Advisory Board on the initial findings regarding Outreach, Education, Adoption, and Enrollment.

Mr. Jasper discussed the Agents and Brokers Subcommittee's thoughts regarding the role of a navigator. He stated that there are already state laws enacted which require a licensed certification process for producers. These laws help define the role and different responsibilities between navigators, agents and brokers. The navigator's role may be to help determine if an individual is eligible for Medicaid or private insurance. Once that determination is made then the individual would either be directed to a producer to enroll in a private insurance plan or to Medicaid.

Mr. Mitchell noted the importance of nonprofit and community-based organizations in determining the role of a navigator. Mr. Mitchell stated that because there is limited funding available for the navigator program, utilizing the resources of non-profit organizations could be beneficial. . He reasoned that nonprofit organizations already reach many of the populations the Exchange is trying to target. Mr. Mitchell reminded the Advisory Board that grant funds can be used to set up a navigator program but cannot provide ongoing support.

Mr. Buchanan stated that the Health Insurance Issuers Subcommittee discussed that producers should not be used as navigators because their income is commission based. He said that agents and brokers may be inclined to persuade a consumer into buying their product. Mr. Jasper replied to Mr. Buchanan's comment by explaining that if a consumer is eligible for Medicaid, then the producer is trained not to solicit private insurance to the consumer.

Ms. Hanna explained how the Hard-to-Reach Populations Subcommittee defined the role of a navigator vs. the role of a producer. She stated that the role of a navigator should be education and outreach and should end at enrollment. The technical aspects and subsequent enrollment issues should be the responsibility of the producer.

VIII. Discussion of Initial Findings from Subcommittees on "Outreach, Education, Adoption & Enrollment"

The Advisory Board members provided reports from their Subcommittee meetings:

Dr. Claude Brunson, Large Employers Subcommittee:

Dr. Brunson reported that the Large Employers Subcommittee felt agents and brokers may not want to serve as navigators if they would be compensated at a lower rate than what they currently are compensated. Community-based organizations should be relied on to serve as navigators and for Exchange education and outreach.

Mr. Roy Mitchell, Experience in Enrollment Subcommittee:

Mr. Mitchell stated that his Subcommittee felt the training process for navigators should be culturally and linguistically appropriate. The Subcommittee determined that information on cost sharing reductions and premium tax credits should be included in the training program. The Subcommittee suggested that outreach methods should vary according to the different regions of the state.

Ms. Lee Ann Griffin, Public Health Experts Subcommittee:

Ms. Griffin stated that the Public Health Experts Subcommittee focused on communications and marketing questions. The Subcommittee recommended that tax preparation professionals be educated on premium tax credits and the individual mandate tax penalty in order to inform individuals. Ms. Griffin noted that the small business populations and the individual populations may need tailored outreach materials due to differences in educational level.

Mr. David Buchanan, Health Insurance Issuers Subcommittee:

Mr. Buchanan and the Health Insurance Issuers Subcommittee discussed traditional and non-traditional marketing campaigns. They also suggested organizations that could be considered as navigators such as the Mississippi Association of Community Action Agencies and the Mississippi Primary Health Care Association. He said that these organizations would be beneficial to use because they work very closely with the underinsured and uninsured populations.

Mr. Joel Jasper, Health Insurance Agents and Brokers Subcommittee:

Mr. Jasper stated that producers do not need to serve as navigators and navigators do not need to be licensed agents and brokers. He stated that security and privacy issues were a major concern for the Subcommittee. Mr. Jasper pointed out that in order to obtain an insurance license in Mississippi, an individual must undergo a background check which

includes financial information. He stated that there is a high risk of identity theft unless the navigator program has effective oversight mechanisms. The Subcommittee recommended that the state's uninsured population should be targeted in all marketing and outreach efforts.

Ms. Mary Werner, Small Businesses and Self-Employed Individuals Subcommittee:

Ms. Werner stated that the Small Businesses Subcommittee had similar findings as the other Subcommittees. The Subcommittee did feel that only navigator entities that meet specific standards should be selected. She also stated that her Subcommittee will be discussing the privacy and security issues further at its next meeting.

Mr. Bill Oliver, Health Care Providers Subcommittee:

Mr. Oliver stated that the Health Care Providers Subcommittee discussed several of the same ideas that were shown in the presentation. The Subcommittee decided that a grassroots campaign is a better option for marketing than media advertising. The Subcommittee also suggested using local chambers of commerce.

Ms. Signe Jones, Educated Health Care Consumers Subcommittee:

Ms. Jones served as a proxy for Ms. Geroldean Dyse. Ms. Jones stated that the Educated Health Care Consumers Subcommittee's main focus was to define the role of the navigator. The Subcommittee envisioned different roles for navigators and producers, and recommended that producers should not be allowed to serve as navigators.

Ms. Therese Hanna, Hard-to-Reach Populations Subcommittee:

Ms. Hanna stated that the Subcommittee discussed using nonprofit organizations for education and outreach. The Subcommittee recommended using organizations such as the National Association for the Mentally Ill to reach the mental health and substance abuse populations. Ms. Hanna stated that using community health centers and faith-based organizations would be especially important to serve as navigator entities. The Subcommittee recommended using the community college system as an option for training programs, because they already provide training programs for other industries. The Subcommittee considered confidentiality and privacy extremely important for the training process, as well as cultural competency, communication skills, and customer service. One suggestion was to develop a performance-based compensation system for

the navigator program. Another idea was to use the Mississippi Department of Motor Vehicle offices as an informational resource.

Ms. Karson Luther, State Government Agencies and Divisions Subcommittee:

Ms. Luther served as a proxy for Ms. Teresa Malone. The Subcommittee recommended uniformity in outreach materials, and that such materials should be written at a sixth-grade reading level. She also stated that the Subcommittee favored the effectiveness of grass roots campaigns. The Subcommittee recommended that navigators be certified rather than licensed.

IX. Other Business: Mr. Aaron Sisk, Mississippi Insurance Department

Mr. Sisk noted that there were consistent recommendations among all Subcommittees. He stated that there would need to be involvement from CHIRPA for determining how the navigator program would be established.

Mr. Sisk reminded the Advisory Board that the next meeting will be held in Jackson, Mississippi on July 11, 2012. The following meeting will take place in Biloxi, Mississippi on August 30, 2012, in conjunction with the Southeastern Regulators Association Conference (“SERA”).

X. Adjournment

A motion to adjourn was made by Mr. Sisk and a seconded by the Advisory Board members.