

HDHP Task Force – Initial Meeting
August 23, 2019
3:00 – 4:00 PM
Via Phone

Members via Phone: Dr. Andrew Wormser, Pat McCabe, Dr. Andrew Lim, Dr. Andrew Freess, Janice Perkins, J. McDonagh, Attorney Robert Krzys

Members Present: Ted Doolittle, Seth Powers

Members Absent: Dr. Greg Shangold

OHA Staff Present: Adam Prizio, Sherri Koss, Kim Davis, Valerie Wyzykowski

Welcome & Introduction of OHA Staff

- OHA Staff introduced themselves
- Ted gives a background of OHA's responsibilities and funding

Roll Call

- Dr. Andrew Lim
- Dr. Andrew Wormser
- Dr. Daniel Frees
- Janice Perkins
- Joseph McDonagh
- Pat McCabe
- Atty. Robert Krzys
- Seth Powers
- Ted Doolittle
- Dr. Shangold – absent
- 2 Vacant appointment

Appointment of Temporary Chair

- Ted asks for motion to appoint a temporary chair; Ted suggests himself
- Motion to approve made by Janice Perkins; Dr. Andrew Wormser seconded; no nays, motion carried.

Approval of Agenda

- Ted asks for motion to approve agenda
- Motion to approve made by Dr. Wormser and Joseph McDonagh seconded; no nays, motion carried

Public Comment

- Ted asks for any public comment
- None at this time

Ted reminds that written comments of any length can be submitted to Sherri Koss

Preliminary review of FOIA and Open Meeting Laws

- Ted reviews state laws regarding FOIA; any document, including emails is subject to FOI
- Be aware if you are meeting at a social event or any other situation, group discussions can be subject to FOIA rules
- Any recommendations made have to go through the process and made public; meetings of multiple task force members outside of the properly noticed public meeting context could be interpreted as violating public meeting notice and other requirements
- All meetings have to have proper notice
- OHA has two staff attorneys and can advise the Task Force on any questions in this matter
- Conversations between 2-3 people are ok; more than that should be avoided

Member Introductions

- Ted Doolittle – former federal prosecutor; former State Asst. A.G., Senior official with Medicare/Medicaid
- Dr. Andrew Lim – Emergency Dept. doctor at Bristol Hospital; Medical Director and started in the spring
- Dr. Andrew Wormser – Primary Care internist, long interest in health policy currently with CT medical group
- Dr. Daniel Freess – Emergency physician of Hartford Hospital
- Janice Perkins – Senior Director of Government Relations for CT Care; been in similar roles for the last 26 years
- Joseph McDonagh – Insurance broker in CT; has been in insurance in the state for 30 years mostly small groups/individuals
- Pat McCabe – Senior VP of Finance through the YNHH; responsibilities throughout the whole system
- Robert Krzys – Attorney does collective bargaining contracts for health insurance benefits and current interim chair of the consumer advisory board lodged in OHS
- Seth Powers – Co-director for the Center for Children with Special Needs – children with disabilities

Review Public Act 19-117, Sec. 247

- Task Force will need to appoint two (2) co-chairs; Ted recommends to wait for the final two appointments to do this
- Reminds members to review the public act
- Temporary commission; broad look at HDP; any improvements that can be made; write report and submit to legislature in 2020;
- Commission will then be dissolved

Recap of Public Act 19-117, Sec. 247

- Outgrowth of two bills that had hearings in the last legislative session:
 - o S.B. 902: Bill addressing HDHP administrative reforms, seeking to adjust certain aspects on the way they are administered. For example, if you are in a HDP and you switched within the year you may have to pay 2 deductibles in a year
 - o If you join for the last couple of months of the year; deductible is not prorated? Should it?
- Second Bill:
 - o S.B. 28: Proposal supported by the CT State Medical Society - have plan require to pay provider and then plans would have burden to collect deductible from their members
 - o Are there any theoretical and or legal opportunities –constraints on touching these plans due to Federal law

Next Steps

- Ted has had interest in this for a long time; has many materials that are educational and feels members could benefit from the information
- Ted asks members to notify Sherri on whether or not they would like a physical binder or electronic version

Key Concepts:

- Whenever the state is regulating an insurance area there are many limits
- Fully-insured plans are state regulated
- Self-funded plans regulated at the federal levels
- Fully-insured market segment (state-controlled) is contracting; self-funded (federally-controlled) is growing
- Members need to be smart on the limits the state can and cannot do; what segments it applies to and how any new requirements for fully-insured plans at the state level impact on and interact with self-funded

Key Role for IRS/Internal Revenue Code

- HDHP's don't need to be linked to Health Savings Accounts (HSA's) but can be and when they are linked to HDHP's IRS rules come into play, for example; certain things will be paid for before you have to pay such as certain preventative services, annual physicals, colonoscopies; list of what services can be paid for by the plan pre-deductible has been expanded recently for first time in 20 years
- This is an example of the complexity that the task force will need to be informed about so that we can be smart before we can offer recommendations that can be pragmatic on one hand or legal on the other hand
- Consumer contributions to HSAs are deductible, but IRS states what is deductible, not HHS; any new rules at the state level must be designed not to interfere with the deductibility rules; this is just an example of the complexities the Task Force will have to negotiate

Other Business

- Ted asks for any ideas on materials or speakers that may be valuable for members to hear
- First few meetings will have an educational component for members to fill in gaps within their skill set
- Ted talks about the article by Matt Pilon in the Hartford Business Journal regarding HDHP's
- Let Ted or Sherri know if you cannot locate the article and they will send you the link
- Janice asks what resources will committee have available to them besides OHA staff pertaining to research or gathering of information. Ted states no resources, some administrative support from the Insurance & Real Estate Committee in the General Assembly. Possible Insurance & Real Estate Committee would be willing to assist; Legislators have some research capabilities; may possible use them; Task Force will have to inquire at the appropriate juncture

Ted ask for motion to adjourn meeting. Seth Powers motioned and Janice Perkins seconded. Meeting adjourned.

Next meeting to be held on TBD