



Maryland Health Benefit Exchange Board of Trustees

April 19, 2021

2 p.m. – 4 p.m.

Meeting Held via Video Conference

Members Present:

Dennis Schrader, Chair

S. Anthony (Tony) McCann, Vice Chair

Dr. Rondall Allen

Mary Jean Herron

Kathleen A. Birrane

Dana Weckesser

K. Singh Taneja

Robert D'Antonio, PhD

Members Excused:

Ben Steffen, MA

Also in Attendance:

Michele Eberle, Executive Director, Maryland Health Benefit Exchange (MHBE)

Andrew Ratner, Chief of Staff, MHBE

Venkat Koshanam, Chief Information Officer, MHBE

Anthony Armiger, Chief Financial Officer, MHBE

Sharon Merriweather, Principal Counsel, Office of the Attorney General

Johanna Fabian-Marks, Director, Policy & Plan Management, MHBE

Betsy Plunkett, Director, Marketing & Web Strategies, MHBE

Heather Forsyth, Director, Consumer Assistance, Eligibility & Business Integration, MHBE

Caterina Pañgilinan, Chief Compliance Officer, MHBE

Raelene Glasgow, Procurement Manager, MHBE

Welcome and Introductions:

Vice Chair McCann opened the meeting and welcomed all in attendance.

Approval of Meeting Minutes

The Board reviewed the minutes of the February 16, 2021 open meeting. Mr. Taneja asked for clarification of the Board's discussion regarding joint marketing efforts with Virginia and Washington, D.C. Mr. McCann replied that such efforts are not ruled out but are unlikely. Ms. Eberle added that the

MHBE works with all state and federal exchanges on coordinated content and strategies, and that the D.C. media market is expensive and could be confusing to residents. Betsy Plunkett, Director, Marketing & Web Strategies for MHBE, reported that the agency is exploring entering the D.C. market via transportation advertising including links to the D.C. and Virginia exchanges as a courtesy. Commissioner Birrane asked that the minutes be amended to reflect her presence. The Board voted unanimously to approve the minutes of the January 19, 2021 open meeting as amended.

Public Comment

Mr. McCann invited members of the public to offer comment. No comments were offered.

Executive Update

Michele Eberle, Executive Director, MHBE

Ms. Eberle began her remarks by noting that the Chair had recently been confirmed as Secretary of the Maryland Department of Health. She extended her congratulations to Secretary Schrader and thanked him for his efforts.

Next, Ms. Eberle discussed the March 2021 data report showing year over year increases in Medicaid and qualified health plan (QHP) enrollment, a decrease in the share of QHPs with financial assistance, and a marked increase in enrollment in dental plans. She attributed the 45% increase in dental enrollments to lower health insurance premium costs making the dental premium affordable.

Ms. Eberle then announced that the MHBE is the only exchange in the country that deployed all three components of the American Rescue Plan before April 1. These included expanded tax subsidies, automatic eligibility redetermination leading to premium reduction for 70,000 members, and enrollment availability for individuals on unemployment. Ms. Eberle explained that over 1,600 people have accessed the expanded tax credits since April 1 and that they will remain available throughout the special enrollment period (SEP), extended through August 15.

Next, Ms. Eberle described a recent meeting between the MHBE and the Farm Bureau Association. The Association had been interested in making use of association health plans, a type of insurance that never gained much traction in the legislature. MHBE staff worked with Association staff to demonstrate what those individuals and families would have to pay for insurance through Maryland Health Connection (MHC). In one case, the family would save roughly \$1,500 per month.

Ms. Eberle then discussed the COVID-19 SEP that has been open since January. She noted that over 50,000 people have enrolled under the SEP, with 58% going to Medicaid and 42% going to private insurance. Of those enrolled in private insurance under the SEP, 72% have financial assistance.

Next, Ms. Eberle shared the results of the tax-time SEP, the Maryland Easy Enrollment Program. While the total number of individuals eligible under this SEP is lower than last year, a greater proportion of those eligible enrolled in coverage this year.

Ms. Eberle then discussed the recently completed Maryland legislative session. She noted that the budget reconciliation finance act permanently reduced the MHBE budget of state funds by 10%. The agency has been working to reduce its spending, including by deploying the chat bot that handles

over 2,000 customer inquiries per day that would otherwise be directed to the call center at much higher cost. She added that \$100 million was removed from the MHBE's reinsurance funds for FY 2020 to 2021. She noted the passing of a bill to provide an additional subsidy to young adults, a bill to expand the Maryland Easy Enrollment Program to the Maryland Department of Labor, and an expansion of Medicaid eligibility for pregnant members for a full year after delivery. She explained that these are unfunded mandates the agency is working to implement with existing funds. Finally, Ms. Eberle noted the approval of 23 task order not-to-exceed (NTE) amounts in the Finance committee.

Ms. Eberle concluded her remarks by announcing that six small solicitations are available on the MHBE website, mostly for information technology (IT) support products.

MHBE Uninsured Analysis

Johanna Fabian-Marks, Director, Policy & Plan Management, MHBE

Ms. Fabian-Marks presented analysis of the uninsured population in Maryland. She explained the development of the analytic dashboard and the methodologies used to determine the uninsured rate, as well as the potential impact of COVID-19. She demonstrated the features of the dashboard, its visualizations, and how to find it on the MHBE website. Mr. Taneja asked for clarification of how the visualizations address undocumented people. Ms. Fabian-Marks replied that each visualization has two versions—with and without undocumented people.

Young Adult Premium Subsidy Proposed Parameters

Johanna Fabian-Marks, Director, Policy & Plan Management, MHBE

Ms. Fabian-Marks presented the proposed parameters of the young adult subsidy recently passed by the legislature. As background, she noted that the bill will become law if the Governor takes no action before June 1 and that the program is based on recommendations from the MHBE's report of December 1, 2020. She described the actions directed by the bill—to establish parameters, to implement regulations by January 1, 2022, and to consider designating reinsurance funds for the program.

Next, Ms. Fabian-Marks provided details of the demographics of Maryland's uninsured young adults, noting that they are the largest group of uninsured people in the state, and that more than half of them likely have qualifying household income. She added that Black and Hispanic young adults in Maryland are two to three times as likely as White young adults to be uninsured.

Ms. Fabian-Marks then presented the proposed parameters wherein young adults' expected contribution (EC), the share of their total income they are expected to be able to contribute toward their insurance coverage, is adjusted downward on a sliding scale with the largest reductions (-2.5%) for those aged 18 to 30 years old, increasing by half a percentage point each year after that until it reaches parity with the federal EC at age 35. She explained that the agency expects the program to cost \$17 Million in 2022 and to exert downward pressure on premiums by about 4.6%. She demonstrated a hypothetical subsidy example of a 28-year-old person in Baltimore City for whom the new subsidy would reduce premium costs by over 60%.

Next, Ms. Fabian-Marks described other subsidy structures the agency considered and pointed out that the proposed parameters are the most cost efficient of the options per new member.

Ms. Fabian-Marks then discussed next steps in the process, including a Board vote, a brief public comment period, and final Board vote in May. Regarding the brevity of the comment period, she explained that only two weeks are possible given the IT timelines within which the program must be deployed, adding that the public had a comment period on this same set of parameters last year.

Mr. Taneja asked whether the two-week comment period is sufficient. Ms. Fabian-Marks replied in the affirmative, given the volume of public input on the previous comment period.

Mr. McCann asked whether the program presents any legal issues. Sharon Merriweather, Principal Counsel, Office of the Attorney General, replied in the negative.

Ms. Weckesser asked that the public be informed of the comment period without delay. Ms. Fabian-Marks agreed.

Mr. McCann moved to approve the proposed young adult premium subsidy parameters for plan year 2022 as presented. Ms. Herron seconded. The motion was carried unanimously.

Budget Reallocation

Anthony Armiger, Chief Financial Officer, MHBE

Venkat Koshanam, Chief Information Officer, MHBE

Betsy Plunkett, Director, Marketing & Web Strategies, MHBE

Heather Forsyth, Director, Consumer Assistance, Eligibility & Business Integration, MHBE

Raelene Glasgow, Procurement Manager, MHBE

Mr. Armiger announced that, due to ongoing efforts by senior management to monitor potential budget shortfalls, the agency has identified two needs for additional funding to accomplish the MHBE's mission along with two sources of those funds within the existing budget. He explained that the Board would hear explanations of each and would be asked to approve the reallocation.

Ms. Plunkett described the requested increase in the NTE amount for marketing. She explained that, in order to increase outreach in the coming months to the uninsured and newly eligible under the American Rescue Plan Act, the agency proposes to increase the NTE amount of the marketing contract with GMMB by \$673,000 for fiscal year (FY) 2021. The additional spending will allow Maryland to align with the federal marketplace's American Rescue Plan Act communications, she noted, and will allow targeted messages to those who are likely to be able to get very affordable coverage.

Ms. Glasgow asked the Board to approve NTE increase of \$673,000 in marketing contract with GMMB to \$4,043,000.

Commissioner Birrane asked the source of the additional funds. Mr. Armiger replied that the funds would come from the call center and fulfillment center operations, both of which are under budget.

Mr. McCann moved to approve the increase. Mr. Taneja seconded.

Mr. McCann asked how the agency plans to target the newly eligible in the D.C. area, given they do not advertise in that market. Ms. Plunkett replied that the MHBE does advertise in the area, just not on broadcast television. Instead, they focus their efforts on YouTube, Hulu, Telemundo, and radio in D.C.

Secretary Schrader asked whether the additional outreach will be targeted to the uninsured referenced earlier in the meeting. Ms. Plunkett replied in the affirmative.

Commissioner Birrane asked how much traffic comes to MHC from the federal website. Ms. Plunkett responded that she would provide that information to the Board. Commissioner Birrane, noting that the MHBE must work on its offerings in the small group market, expressed concern about spending wisely.

The motion was carried unanimously.

Ms. Forsyth presented a request for an additional budget reallocation for a “Live Chat” upgrade to the Flora chatbot on MHC. She explained that the new functionality would seamlessly connect chatbot users to live customer service agents to help with requests that cannot be automated. Mr. Koshanam described some of the technical considerations, including security and privacy, and presented the project budget totaling \$425,000, of which \$88,400 are state funds. He explained that the federal portion of the budget is already available and would be secured by the state reallocation.

Ms. Weckesser asked whether chatbot users will be able to print the entire discussion should they so choose. Mr. Koshanam answered that the chatbot offers that functionality today, adding that the MHBE intends to attach a copy of the chat log to the support ticket that results from connecting to a live agent.

Mr. McCann asked whether members of the public would be able to reach a chat live agent directly rather than first working through the AI chatbot. Mr. Koshanam replied that both live agents and the chatbot are part of the same interface, and that users can immediately request a live agent.

Mr. McCann asked whether the MHBE has data on the effectiveness of the “Flora” chatbot. Mr. Koshanam answered in the negative, adding that part of the new effort under the proposed reallocation will be to implement the feedback tools necessary to gather such data.

Mr. McCann asked how many additional call center staff will be necessary to support users of the new system. Mr. Koshanam replied that the project will not incur any additional costs other than ongoing maintenance and operations alongside other IT systems. Ms. Forsyth added that the call center expects the system to be more efficient, enabling support agents to handle more than one ticket at a time.

Ms. Glasgow asked the Board to approve an increase in the Not-to-exceed (NTE) amount of the IT Consulting and Technical Support Services IDIQ (Indefinite Delivery Indefinite Quantity) contracts for the Fiscal Year 2021 by \$425,000 to a new NTE amount of \$25,156,500. Mr. McCann moved to approve the increase as presented. Mr. Taneja seconded. The motion was carried unanimously.

IT Procurement

Venkat Koshanam, Chief Information Officer, MHBE

Raelene Glasgow, Procurement Manager, MHBE

Mr. Koshanam presented the Board with information on upcoming IT procurements they would be asked to vote on at the next meeting. He began with the Akamai license renewal, a fundamental technology component of MHC for security, performance, and monitoring. Ms. Glasgow explained the details of the renewal, including its term, cost, and procurement status.

Secretary Schrader, noting the high cost of the procurement, asked that the Board be provided with relevant comparisons as to how much other organizations working with so much highly sensitive data pay for cybersecurity. Mr. Koshanam agreed. Mr. Taneja added to Secretary Schrader's request that the Board should be provided comparisons on a per-member-per-month basis. Commissioner Birrane supported this request, adding that her agency's benchmarking resources can be made available to help.

Mr. McCann noted that the Akamai product is quite central to MHBE's operations and asked whether the agency will ever search for an alternative solution. Mr. Koshanam replied that they explored other options a few years previously and were convinced at that time to stay with Akamai. He added that the MHBE continues to monitor emerging technologies and that the Board will be informed if a better solution arises.

Ms. Glasgow then gave an overview of the IDIQ master contract currently in effect, now in the third of its five-year duration. She explained that, under the master contract, task orders have been issued to 31 out of the 98 master vendors and described the 10 functional areas within which vendors compete for task orders.

Next, Mr. Koshanam broke down the task orders by IT function—the Project Management Office (PMO), enhancements, system support, and maintenance. He then presented the change in costs from FY 2021 to FY 2022 under the master contract, increasing by approximately \$2.5 million in FY 2022. He provided the total budget for both FY 2021 and 2022 by federal and state participation and by work category, noting that the 2022 budget includes additional spending in areas that have less federal participation, particularly for the Small Business Health Options Program (SHOP) that is entirely state-funded.

Mr. McCann asked whether leftover monies at the end of the fiscal year can be put toward SHOP. Mr. Armiger replied that the agency's current budget makes that unfeasible. Mr. Koshanam added that, even if the funds were available, the technicians and programmers are fully booked and would not be able to address SHOP at this time.

Mr. Taneja asked whether funds earmarked to a certain project that fails to meet its delivery date are then rolled over into the next year. Mr. Armiger replied that such leftover funds are reverted to the state's general fund, even in the middle of a project. Commissioner Birrane noted that her agency can encumber funds to avoid such problems. Mr. Armiger answered that, while the MHBE has encumbered funds before, it was never for a project. Commissioner Birrane stated that the Maryland Insurance Administration has been able to encumber project funds, such as for COVID-19.

FY 21 Q3 Compliance Update

Caterina Pañgilinan, Chief Compliance Officer, MHBE

Ms. Pañgilinan gave the Board an update on the MHBE's compliance programs, including Constituent Services, the Compliance Hotline, and the Civil Rights Coordinator. Three allegations of fraud, waste, and abuse received during the quarter were not founded. She discussed efforts to bolster access and utilization of the compliance hotline.

Next, Ms. Pañgilinan outlined the progress of a number of audits, with seven separate audits taking place simultaneously during the quarter. She announced that all open findings from the previous year's audits will be cleared within the week.

Ms. Pañgilinan then described the status of current open findings from external audits, as well as internal reviews during the quarter. She described each issue and the steps taken to mitigate them and listed the new and forthcoming official policies as a result.

Next, Ms. Pañgilinan discussed privacy program activities during the quarter, noting significant progress in the execution of critical memoranda of understanding (MOUs), data use agreements (DUAs), and other vital vehicles. She noted that non-producer privacy incidents continue their downward trend of the last three fiscal years and that the incidence of privacy errors at the call center has fallen dramatically. She explained that the large uptick in document misload incidents include the effects of two high-impact incidents.

Ms. Pañgilinan concluded her remarks by describing the MHBE's efforts to make its systems 508 compliant. She explained that the agency anticipates procuring a plug-in compliance solution for the MHC consumer portal by August 2021.

Ms. Weckesser asked for clarification of the term "misload." Ms. Pañgilinan replied that the term applies to incidents of user error by caseworkers.

Closing

Ms. Eberle announced that the MHBE has replaced a fixed price contract with 7 new NTEs and 23 NTE increases on the IDIQ master contract.

Adjournment

The meeting was adjourned.