

DELAWARE HEALTH CARE COMMISSION
MAY 6, 2010
DELDOT ADMINISTRATION BUILDING
FARMINGTON/FELTON CONFERENCE ROOM
DOVER

Action Item

MINUTES

Commission Members Present: John C. Carney, Jr., Chairman; Lisa C. Barkley, MD; Theodore W. Becker, Jr.; A. Richard Heffron; Rita Landgraf, Secretary, Delaware Health and Social Services; Janice E. Nevin, MD; and Dennis Rochford

Members Absent: Thomas J. Cook, Secretary of Finance; Vivian Rapposelli, Secretary, Services for Children, Youth and Their Families; and Karen Weldin Stewart, Insurance Commissioner, and Fred Townsend

Staff Attending: Paula Roy, Executive Director; Marlyn Marvel, Community Relations Officer; and Linda G. Johnson, Administrative Specialist

CALL TO ORDER

The meeting was called to order at 9:00 a.m. by John Carney, Chairman.

MEETING MINUTES OF APRIL 1, 2010

Ted Becker made a motion to accept the April 1, 2010, meeting minutes. Rich Heffron seconded the motion. There was a voice vote. Motion carried.

RESEARCH AND POLICY DEVELOPMENT

Presentation: Overview Federal Health Care Reform – Missy Wier, Director, Office of the Governor, Washington, DC

Ms Wier presented an overview of the National Healthcare Reform.

Key points in Ms. Wier's presentation include:

Reform Provisions Affecting States

- Medicaid Expansion
- Exchange
- Insurance Reforms
- Delivery System Reforms

Immediate Reforms

- High Risk Pool
- Web Portal
- Medicaid Maintenance of Effort (MOE)

Action

The minutes of the April 1, 2010 Commission meeting were approved.

Missy Wier, Director, Office of the Governor, Washington, DC, presented an overview of the National Health Care Reform

Implementation Timeline 2010

- Drug Rebate (increased from 15 to 23 percent)
- Medicaid MOE Requirement and Expansion Option
- High Risk Pool
- Re-insurance
- Web Portal
- State Exchange Standards and Grant Opportunities
- HHS Office of Coordinated Health Care
- Review of Unreasonable Increases in Health Insurance Premiums
- New Federal Insurance Rules
- State Waiver Regulations Released from HHS

Implementation Timeline 2011

- Potential One Percent FMAP Increase (federal medical assistance percentage)
- Medicaid to Cover Tobacco Cessation for Pregnant Women
- Medicaid Community-Based Services Option

Implementation Timeline 2012 and 2013

- CLASS Program (Community Living Assistance Services and Supports Act)
- Notification of State-Based Exchange Participation
- Health Choice Compacts

Implementation Timeline 2014

- Individual Mandate
- Employer Requirements
- Guaranteed Issue
- Adjusted Community Rating
- State-Based Exchanges become Operational
- Medicaid Expansion to 133 Percent Federal Poverty Level (FPL)
- Additional State Medicaid Plan Requirements
- Reduction in Disproportionate Share Hospital (DSH) Funding
- State Law or Regulation Required to Establish Reinsurance Entity

Implementation Timeline 2015-2019

- Annual Medicaid Enrollment Reporting
- Tax Credits for CHIP-Eligible Children to go into Exchange
- States with Waivers Being Operating Alternative Programs
- Large Employers in State Exchange

State Implementation Planning and Resources

- State Health Reform Working Group
- National Governors Association (NGA)-www.nga.org/healthreform
- Health and Human Services
- National Association of Insurance Commissioners (NAIC) and National Association of State Medicaid Directors (NASMD)

Discussion

Paula Roy asked Commissioners to keep in mind how the Commission will plan to conduct its meetings, as there will be a significant amount of policy discussion at upcoming meetings as the Health Care Reform unfolds over the years.

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Ms. Wier explained that, in terms of insurance reform, if the state wants to do more than is federally mandated in some of the provisions, there is the ability to do more.

Mr. Carney said that legislation was introduced in the last session that would change Delaware's regulatory framework for the individual and small group market in terms of the fluctuation of premiums and the factors that could be taken into consideration. He asked if there is anything in the legislation that would prescribe those limits now, federally.

Rita Landgraf responded that they are just starting on insurance reform and there are weekly telephone conferences with Health and Human Services and the National Governors Association. Insurance reform is the next process - to identify those benchmarks and what they might be.

Delaware was one of 18 states which opted to utilize the Health and Human Services National High Risk Pool. Thirty four states already had a high risk pool.

Ms. Landgraf asked to have a standing item on the Health Care Commission's agenda that health care reform be discussed at each meeting so everyone can be updated.

INFORMATION AND TECHNOLOGY

Update: Delaware Health Information Network (DHIN) Progress

Chris Manning presented an update on the activities and progress of the Delaware Health Information Network (DHIN).

DHIN enrollment increased from 183 live practices on March 31, 2010 to 196 live practices as of April 30, 2010.

Twenty two practices are currently in the pipeline, with the enrollment form complete and awaiting set-up and training. The number of practices signed off increased by 5 to 42.

Practice Status by County is:

Practice Status	New Castle	Kent	Sussex	Total
Live	85	39	30	154
Signed Off	14	11	17	42
Total DHIN Practices	99	50	47	196

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DHIN enrollment increased from 183 live practices on March 31, 2010 to 196 live practices as of April 30, 2010.

Top Five DHIN Specialties	Number
Family Practice	38
Internal Medicine	35
Surgical Group	14
Clinic/Health Center	12
OB/GYN	12

Of the 196 total DHIN practices, 3 percent prefer the result delivery to be auto print; 12 percent search only; 18 percent EMR interface and 67 percent inbox.

Discussion

Chairman Carney asked for an update on the status of the DHIN legislation and audit.

Ms. Roy said there are two more Sunset Review Committee hearings scheduled for next Wednesday and the following Thursday. The President Pro Tem of the Senate has told the sponsors of the competing DHIN legislation that no action will be taken on DHIN legislation until the Sunset Review process is completed.

The DHIN audit is complete and the Health Care Commission's response to the auditor's questions was submitted last Friday. The auditors are editing the report to ensure it is ready for release (without making any changes to the Commission's responses), and plan to post it to their web site by the end of this week.

Mr. Carney asked that the audit report be shared with the DHIN Board of Directors. He believes it would be a huge mistake to wait another year for the DHIN legislation to be passed. When the Sunset Review and Audit are completed, efforts to get the legislation passed should be ramped up.

OTHER BUSINESS

Update: Delaware Health Care Commission Statute Review Workgroup Report

Chairman Carney said that the charge of the Health Care Commission can and should be redefined. It does not make sense to operate under the current statute, particularly in view of the Commission's role in overseeing implementation of federal health reform.

Fred Townsend chairs the Commission's Statute Review Committee but was unable to attend the Commission meeting. Dr. Lisa Barkley, a Workgroup member, said the group will meet again on May 24 and should be able to complete its work of outlining a new Health Care Commission statute.

Two more Sunset Review Committee hearings are scheduled for next Wednesday and the following Thursday. The President Pro Tem of the Senate has told the sponsors of the competing DHIN legislation that no action will be taken on DHIN legislation until the Sunset Review process is completed.

The Commission's Statute Review Committee Workgroup will meet again on May 24 and should be able to complete its charge of outlining a new Health Care Commission statute to be developed.

PUBLIC COMMENT

Dr. JoAnn Fields heard news from other parts of the country that Wellpoint and United Healthcare health insurance providers have decided to implement early the provision allowing adult children to stay on a family's policy until age 26. It is mandated to begin in September. She suggested that someone approach Blue Cross Blue Shield and Aetna in Delaware to encourage them to make insuring adult children a provision of their contracts during the May open enrollment period for Delaware state government employees.

Joann Hasse requested that Missy Wier's presentation on national healthcare reform be posted on the Health Care Commission's website.

Ms. Hasse asked how involved the Department of Insurance has been with the national healthcare reform. Ms. Landgraf assured her that representatives from the Insurance Commissioner's office have been actively involved in health care reform discussions and workgroups.

Ms. Hasse suggested that it would be helpful for them to be more publicly engaged. She expressed her disappointment with the lack of attendance at Commission meetings by some cabinet secretaries.

Dr. Robert Frelick believes when the Commission's statute is re-written, the members of the Medical Society of Delaware should be involved as commissioners.

Chairman Carney pointed out that two of the Commission's members are physicians; however, it is difficult for physicians to serve because they see patients during the day.

UNINSURED ACTION PLAN

Health Leadership Council Event

Ms. Roy reported that the Health Leadership Council is a member based organization in Washington D.C. that focuses on health policy issues. Members are generally private sector firms whose business involves some aspect of health. For the past few years, the Council has been doing work in Delaware in conjunction with the Healthy Delawareans Today and Tomorrow effort. Astra Zeneca, which is very instrumental in Healthy Delawareans, is a member of the Council. The Health Leadership Council activities in Delaware focused on efforts to enroll eligible people for Medicaid and S-CHIP, worked with small business owners to provide information on insurance options and why it is important for young adults to have health care coverage.

Astra Zeneca held a recognition event on April 20. The recognition event involved issuing awards to the Central Delaware Chamber of Commerce, the United Way and to Secretary Landgraf for efforts regarding Delaware's S-CHIP Program.

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Update: Community Healthcare Access Program

All of the site visits to CHAP providers have been completed.

The Requests for Proposals (RFPs) for the CHAP Health Home/Provider Network Services and Program Management have been released and responses are due on Monday, May 10.

Executive Session

Dr. Janice Nevin made a motion for the Commissioners to enter in an executive session in accordance with 29 Del. Code Chapter 100 for the discussion of the content of documents excluded from the definition of public record. Dennis Rochford seconded the motion. There was a voice vote. Motion carried.

Mr. Rochford made a motion that the Commission come out of executive session. Dr. Nevin seconded the motion. There was a voice vote. Motion carried.

Ted Becker made a motion that the Commission proceed with the CHAP program as discussed during the executive session. Rich Heffron seconded the motion. There was a voice vote. Motion carried.

NEXT MEETING

The next meeting of the Delaware Health Care Commission will be held on Thursday, June 3, at 9:00 a.m. at the DeIDOT Administration Building in the Farmington/Felton Conference Room, 800 Bay Road, Dover.

ADJOURN

The meeting adjourned at 11:00 a.m.

The Requests for Proposals (RFPs) for the CHAP Health Home/Provider Network Services and Program Management have been released and responses are due on Monday, May 10.

Action

The Commission entered an executive session in accordance with 29 Del. Code Chapter 100 for the discussion of the content of documents excluded from the definition of public record.

Action

The Commission will proceed with the CHAP program as discussed during the executive session.

Next Meeting

The next meeting of the Delaware Health Care Commission will be held on Thursday, June 3, 2010, at 9:00 a.m. at the DeIDOT Administration Building in the Farmington/Felton Room, 800 Bay Road, Dover.

GUESTS

Anthony J. Brazen, III, D.O.	Division of Medicaid and Medical Assistance
Shannon Backus	Delmarva Rural Ministries
Tami Brown	Merck
Judith Chaconas	DHSS/Division of Public Health/Bureau of Health Planning Management
Barbara DeBastiani	Wheeler and Associates
Dr. JoAnn Fields	Family Practice Physician
Dr. Robert Frelich	Medical Society of Delaware
Joann Hasse	League of Women Voters
Barbara Jackson	Hewlett Packard
Lolita Lopez	Westside Family Healthcare Center
Chris Manning	Advances in Management
Sheila Nutter	Hewlett Packard
Brian Olson	LaRed Health Center
Brian Posey	American Association of Retired Persons
Wayne Smith	Delaware Healthcare Association
Betsy Wheeler	Wheeler and Associates/CHAP