



The Delaware Health Care Commission (DHCC) Meeting

May 6, 2021

9:00 a.m. to 11:00 a.m.

Meeting Attendance and Minutes

Commission Members Present: Theodore W. Becker (Mayor of Lewes), Cabinet Secretary Rick Geisenberger (DOF), Dr. Roger Harrison (Nemours), Richard Heffron, Melissa Jones, Dr. Jan Lee (DHIN), Cabinet Secretary Molly Magarik (DHSS), Dr. Richard Margolis (DSCYF), Nick Moriello (Highmark), and Insurance Commissioner Trinidad Navarro (DOI)

Meeting Facilitator: Dr. Nancy Fan (Chair)

Commission Members Absent: none

Health Care Commission Staff: Elisabeth Massa (Executive Director), Ayanna Harrison (Public Health Administrator I), Eschalla Clarke (Social Services Senior Administrator), and Latoya Wright (Manager Statistics and Research)

CALL TO ORDER

Dr. Fan called the meeting to order at approximately 9:04 a.m. via WebEx video and phone conference. It was determined a quorum was present. Dr. Fan asked public attendees to virtually sign-in by placing their name and affiliation in the chat box or by sending their name and contact information to the DHCC Resource Account (dhcc@delaware.gov). Dr. Fan shared a brief update about My Healthy Community data on COVID which included an update on the State's positivity rate and vaccination numbers. Jill Fredel shared in the WebEx chat box, Find COVID-19 testing sites: de.gov/gettested.

BOARD BUSINESS

ACTION ITEM: Approve April 1, 2021 meeting minutes

Dr. Fan asked the commissioners to review the draft April 1, 2021 meeting minutes. There were no comments or changes. Dr. Lee made a motion to approve. Ted Becker seconded. The motion to approve was unanimously accepted by all commissioners present. The approved minutes are available on the [DHCC website](https://www.dhcc.delaware.gov).

POLICY DEVELOPMENT

Legislative Items

Dr. Fan shared that the month of May on the [DHCC Seasonal Calendar](#) is the month the Commission provides an update on legislative initiatives and health care policy. Dr. Fan provided an update on three bills:

- HB 48 w/ HA 1: Establishes a Health Care Provider Loan Repayment Program for new primary care providers to be administered by the DHCC.
- HB 160 w/ HA 1: Telehealth Access Preservation and Modernization Act of 2021 continues and enhances Delawareans' access to telehealth and telemedicine services. The bill would make it easier for practitioners to practice across state lines. Chris Hass with the Department of Insurance shared via the WebEx Chat Box that the bill has passed the House and is assigned to committee in the Senate.
- SB 120: Recommends strengthening the primary care system in the State. The bill includes primary care targets, DHCC will be charged with monitoring compliance, requires an insurance carrier to spend a certain percentage of its total cost on primary care over the next 4 years, and requires the Office of Value-Based Health Care Delivery to establish mandatory minimums for payment innovations. The bill is currently assigned to the Senate Finance Committee because a fiscal bill is attached. Melissa Jones shared dentistry was added to the bill and the dental community would like to be removed because dental metrics are completely different. The dentists were not included in the primary care legislation discussion. Ms. Jones asked how dentists were added. Dr. Fan answered she did not know and that would be a question for the legislators. Nick Moriello shared the bill was well intended with focus on access and primary care as an essential cog and inclusive of other things in the primary care circle – perhaps that is how dental was inserted. Wearing his Highmark hat, Mr. Moriello shared Highmark provided public comment around the concerns of the bill. Commissioner Navarro shared the bill has been evolving. The Department of Insurance had several concerns that have now been addressed.

Dr. Lee provided an update on five bills that came out of DHIN's Sunset review in 2019:

- SB 87: Specifies that the state's designated organ procurement organization, Gift of Life, is allowed access to DHIN data for purposes consistent with the Anatomical Gifts Act. DHIN is support of the bill.
- SB 88: Brings Delaware PHI privacy law into harmony with recently enacted federal legislation and rulemaking.
- SB 118: Requires long-term care facilities to enroll in and provide summaries of care to DHIN to improve quality and care coordination in the state. The fiscal note at this time incomplete.
- SB 119: Pertains to health insurers and adds that dental insurers must add claims data to the claims database.
- SB 121: Requires Department of Corrections or any contracted provider of healthcare on behalf of the Department of Corrections to enroll in DHIN and provide both clinical and cost data to DHIN. A fiscal note is incomplete at this time.

Rich Heffron shared an update on a bill that he has heard is of interest to members in network:

- HB 39: Known as the "surprise billing" legislation, the bill requires that inadvertent out-of-network services be included in individual and group health insurance policies as well as group

and blank health insurance policies. Commissioner Navarro added the Department of Insurance is working with the Federal government on the No Surprise Act.

Kiki Evinger, Chief Policy Advisor with DHSS, provided an update on several bills related to the pandemic, health care access, and the opioid crisis:

- HB 33 w/ HA 1 & SA 1: Relating to physician assistants
- SB 60 w/ SA 1: Allows nurse practitioners and physician assistants to recommend medical marijuana for adult patients
- SB 73 w/SA 1: Authorizes a dentist to practice for DPH under a provisional license
- SB 76: Authorizes the distribution of fentanyl testing strips
- SB 77: Protects a lay individual from civil liability who administers naloxone under the Community-Based Naloxone Access Program
- SB 105: Allows pharmacists to administer/dispense contraceptives under a standing order from DPH

Secretary Magarik thanked Ms. Evinger for her efforts behind the scenes and presenting on behalf of the Department.

From the WebEx Chat Box:

- Lolita Lopez: Thank you for the Legislative update. Very helpful.

Health Metrics

Dr. Fan presented on health metrics – where Delaware measures as a state on very specific metrics regarding health outcomes, costs, and workforce sustainability. There are many reports generated on a regular basis with this kind of information. Some reports are very granular, while others are high-level. Dr. Fan’s presentation examined two recent high-level reports (U.S. News and World Report Best States 2021 and Medscape Physician Compensation Report 2021). Dr. Lee commented we have excellent health care in Delaware and yet in aggregate, around access and population health, Delaware does not do as well. As a system and state, Delaware doesn’t get better in individual silos. Dr. Lee also mentioned we do not have a high retention rate of Delaware students coming back to Delaware to practice. Nick Moriello commented it requires a cumulative effort around the State. Secretary Magarik commented we need to look at what we are doing as a state for people to live their healthiest and best life – we need to be making meaningful investments throughout the State. Dr. Harrison shared information about the AHRQ 2019 Health and Disparities report.

Dr. Fan’s presentation is available on the [DHCC website](#).

From the WebEx Chat Box:

- Dr. Roger Harrison: Looks like MD has low cost and poor access.
- Dr. Nancy Fan: This update is so that we stay aware as an organization and speak to anything that is missing or extremely harmful to healthcare policy
- Dr. Nancy Fan: We are suppose to be policy making, non partisan organization and cannot introduce legislation
- Dr. Liz Brown: Also the Nemours pediatric residency

- Dr. Nancy Fan: Yes MD has low cost and not great access but is that because of the metrics they used under each one - do they not have a lot of community health clinics; less providers, etc. Digging deeper into those factors for our state would be useful for us
- Chris Otto: Thank you Dr. Harrison!
- Lolita Lopez: Community health centers could do a lot more to address disparities if we could be competitive in recruitment of qualified providers regarding salaries and availability.

UPDATES

DIDER

DHCC Commissioner Ted Becker provided an update on the recent DIDER board meeting that was held on April 14. Mr. Becker shared that despite the pandemic, dental and hygienist exams were held in September 2020. Currently, there are 24 Delaware students enrolled at Temple, and the incoming first year class had 29 Delaware applicants (9 accepted). Delaware's agreement with Temple is for 5 students. One of the primary focus areas of the DIDER board members has been student debt and loan repayment. The dental community is not included in the current loan repayment bill in the legislature (HB 48). Dentists would very much like to be included and believe loan repayment would help with recruitment and retention of dental practitioners. Dr. Nick Conte, with the Division of Public Health and a DIDER board member, provided additional comments as well. Dr. Roger Harrison asked if there were demographics available on the DIDER Temple students. Mr. Becker shared he there is information available on gender, not ethnicity.

From the WebEx Chat Box:

- Jill Fredel: Adult dental care through Medicaid also began Oct. 1, 2020
- Dr. Roger Harrison: We know that specifically Black and Hispanic students don't have equal access. We have a great opportunity to diversify our professional workforce with some intentionality.
- Dr. Roger Harrison: Is that something we can collect locally through DIMER and DIDER?
- Dr. Roger Harrison: That is correct.
- Lolita Lopez: Dr. Harrison, thank you for your comments.
- Dr. Liz Brown: Can't we ask applicants why they apply? If we are funding this program, it seems like we should be able to ask.
- Dr. Roger Harrison: Agree Dr. Brown
- Dr. Liz Brown: Typo: *when, not why
- Dr. Roger Harrison: If we had information on the demographics of the applicants and the demographics of those accepted, we could craft outreach procedures or correct disparities.
- Eschalla Clarke: Thank you for highlighting this issue Dr. Harrison. We will work to provide some answers at future meetings.

Health Workforce Subcommittee

Nick Moriello (Subcommittee co-chair) provided an update on the most recent Health Workforce Subcommittee meeting that was held on April 13. At the meeting, there was a presentation by Katie Macklin, Senior Director of Advocacy with the Alzheimer's Association, Delaware Valley Chapter,

presented an overview of the State's workforce shortages in geriatrics. Similar to other meetings, this presentation highlighted a field within the health care workforce. The Subcommittee is working on a recommendation for a data analysis and creating a database with the support of the Delaware Academy of Medicine / Delaware Public Health Association (DAM/DPHA) under governance of Delaware Health Science Alliance. Once finalized, the recommendation will be taken to the Commission for review and approval. Dr. Fan asked if the Alzheimer's Association or other organizations have proposed how to address the workforce shortage needs. Mr. Moriello shared most organizations provide information about the shortage needs.

Health Resources Board

Dr. Fan shared an update on the ongoing Sunset review of the Health Resources Board. The review started in 2019. On March 18 and March 25, the Joint Legislative Oversight & Sunset Committee (JLOSC) held Committee Recommendation meetings. During these meetings, the JLOSC analyst presented staff findings and recommendations using information and research presented in prior JLOSC reports. The JLOSC Staff Findings and Recommendations report is available on the Committee's website. On April 27, the JLOSC met to review five revised recommendations. Details on the recommendations and if the JLOSC adopted the recommendation are available on the [DHCC website](#).

ADJOURN

Dr. Fan asked if there was any public comment. She shared public comment that is added to the WebEx chat box will be incorporated into the minutes.

The next DHCC meeting will be held on June 3, 2021 from 9 a.m. – 11 a.m.

Public Meeting Attendees

May 6, 2021

Lori Ann Rhoads	Medical Society of Delaware
Devona Williams	Goeins Williams Associates/MAACHC
Kate Cowperthwait	The Sterling Group, DE, & NHDassociation
Lolita Lopez	Westside Family Healthcare.
Kathy Collison	DPH
Leslie Ledogar	Department of Insurance Dept. of Insurance.
Pamela Gardner	Delaware Health Sciences Alliance
Nick Conte	DPH
Ruth Lytle-Barnaby	Planned Parenthood of Delaware
Anthony Onugu	United Medical ACO
Brian Olson	La Red Health Center
Lauren Graves	AmeriHealth Caritas
Claudia Kane	DCHI
Deborah Parker	Henrietta Johnson Medical Center
Chris Haas	Department of Insurance
Janet Brunory	Department of Insurance

Pat Redmond
Christine Schiltz
Pam Price
Kiki Evinger
Elizabeth Brown
Jill Fredel
Steven Costantino
Jules Villecco
Richard Holaday
Bryan Gordan
Carrie Cole
Lincoln Willis
Chris Otto
Joanne Haase
Paula Roy
Randil Muson
Susan Jennette

Nemours
Parkowski, Guerke & Swayze
Highmark Delaware
Delaware Health and Social Services

Medical Society of Delaware
Delaware Nurses Association
League of Women Voters of Delaware