Health Insurance Exchange
Brokers, Agents and Navigators Advisory Committee
MEETING MINUTES

Location: Legislative Office Building
300 Capitol Avenue, Room 1E, Hartford, CT
Date: Tuesday, May 15, 2012
Time: 1:00 p.m.

Members in Attendance
Mickey Herbert (Co-Chair), Exchange Board Member; Mark Czarnecki (Co-Chair), Douglas Financial Services; Antonio Caporale, CT Insurance Department (CID); Barbara Saxton, Hub International, Inc.; David Guttchen, Office of Policy and Management; Ellen Andrews, CT Health Policy Project; Jay Festa, USI Insurance; Jeanette Ziegler, Mohegan Tribe of Indians of CT; John Calkins, CT Benefits Brokers & Chapt. NAHU; Matthew Fair, Pierson & Smith; Michael Nicastro, Central CT Chambers of Commerce; Phil Boyle, The Health Consultants / Connecticut Benefits Brokers; Stephen Glick, Chamber Insurance Trust

Members Absent
Ken Lalime, CT State Medical Society—IPA, Inc.,

Other Participants
Tia Cintron, CT Health Insurance Exchange (HIX); Bob Carey, RL Carey Consulting; Grant Porter, HIX; Julie Lyons, HIX; Roger Albritton, KPMG

Meeting Facilitator
Nellie O'Gara, Meeting Facilitator

I. Call to Order and Introductions

Co-Chair Mickey Herbert opened the meeting at 1:03 p.m. Committee members and staff introduced themselves. Mr. Herbert welcomed new Exchange Staff.

II. Committee Guiding Principles

Nellie O'Gara moved the meeting into the Committee Guiding Principles agenda item. Members were provided with a copy of the guiding principles for each of the four committees. Discussion ensued around the guiding principles specific to the committee. Antonio Caporale made a motion to adopt option B ((*The Navigator function, which is overseen by the Exchange, shall coordinate with other publicly-funded health care programs to ensure consumers are provided information 'and assistance' on their appropriate health coverage options*), with the addition of the words '*and assistance*' being added after the word '*information*'. Stephen Glick seconded the motion. All members present voted in favor of the first three guiding principles outlined in the presentation.

Discussion ensued around the fourth guiding principle (*The financing of the Navigator's program should be structured to enable the Exchange to sustain the program on an ongoing basis*). Bob Carey stated that the proposed HHS Final Rule prohibits Navigators from receiving compensation directly or indirectly from carriers for enrolling people in coverage. The expectation is that the Exchange will fund the Navigator Program. The committee is charged with providing a recommendation in regards to the Exchange's role in

the relationship between brokers and carriers for business sold through the exchange, but the law allows flexibility as to how the Exchange decides to approach this. Mr. Carey also noted that Exchange Establishment Grants are not to be used to fund the Navigator's program.

David Guttchen stated that he does not believe number four is really a principle; but rather a policy discussion. John Calkins made a motion to delete the fourth guiding principle. The motion was seconded. Motion passed with the following members voting nay: Antonio Caporale, Stephen Glick, Michael Nicastro.

Please view the transcripts of the meeting below for further information.

III. CID Summary of Producer Regulations and Requirements

Nellie moved the committee onto the CID Summary of Producer Regulations and Requirements agenda item. Antonio Caporale provided an overview of the CID current producer licensing requirements. Mr. Caporale explained that the law presently dictates that anyone in CT who sells, solicits, or negotiates insurance is required to have a producer's license. Individuals are required to abide by certain requirements. With regard to business entities, the only requirement is that there should be an individual, one who is responsible for the business, to be licensed and in good standing. A person is able to obtain a license once they have been found to be duly qualified. Appointments are required if the individual is acting on behalf of an insurance company. Discussion ensued around licensing fees versus appointment fees.

Ellen Andrews expressed interest in learning what the licensing training entails, specifically what is learned about public programs. Ms. Andrews also asked who conducts the training, and whether it is performed by the state or by companies. Mr. Caporale then described the various lines of insurance in which a producer can become licensed. Mr. Guttchen informed the members that none of the training is done by the State, with the exception of long-term care through the State's Partnership for Long-Term Care program. Phil Boyle noted that currently there is nothing that really teaches the Producers in the State on the public side, e.g. Medicaid. Discussion ensued.

Mr. Caporale spoke to the various types of insurance that a producer has to maintain in order to be a licensed Broker. Mr. Caporale explained that the State does not currently have a requirement that a producer must maintain an Errors and Omissions (E&O) policy or that the producer post a bond.

Discussion developed around whether the Exchange would certify or license Navigators.

Mr. Carey stated that in the Final Rule is the expectation that the Exchange would certify, license or in some way recognize brokers who are able to sell or assist people to enroll in coverage through the Exchange. Mr. Carey suggested building on the existing licensing requirements which the CID presently oversees, seeing as the Final Rule directs Exchanges to work with existing oversight and regulatory authorities that have responsibility for producers.

Mr. Carey also noted that the Final Rule clearly states that Exchanges cannot hold Navigators to the same licensing standards that the State would hold producers. Mr. Guttchen noted that according to the statute that was passed last year for the Exchange, there exists a requirement that Exchange enrollers have to become licensed as producers within 18 months of employment. Mr. Guttchen noted that this was put in statute because people were concerned about having an even playing field between producer

requirements and enrollers, but it was never discussed that the Exchange would play the role of a licensing entity.

Please view the transcripts of the meeting below for further information.

IV. Summary Brief on Final Rules for Navigators and Brokers

Mr. Carey stated that the HHS Final Rule on Navigators and Brokers had been discussed in the last meeting. Mr. Carey prepared a summary brief on the Rule for the members, which was provided in advance of the meeting. Discussion took place regarding compensation for brokers versus agents.

V. Summary Brief on other State's Navigator Programs

Mr. Carey moved the committee into the next agenda item. Members were provided with materials in advance of the meeting related to other State's Navigator Programs. Information from the following states had been disseminated: Maryland, Minnesota, Washington, and Arkansas. Mr. Calkins asked why the Illinois model which he had sent to Staff was not forwarded on to the members. Mr. Carey announced that Staff will distribute the IL report. Mr. Carey noted that the documentation was prepared prior to the Final Rule being issued, as to suggest to members that they be cognizant of certain conflicts.

Chairman Czarnecki raised the concern that he was not in receipt of the materials. Other members agreed that they too did not receive materials prior to meeting. Tia informed the members that Staff will resend the materials following the meeting.

VI. Overview of MA Outreach and Education Program

Mr. Carey provided a comprehensive discussion on the Massachusetts model and how the State established a Navigator-like program. Mr. Carey stated that like Connecticut, there is a rich history and tradition in Massachusetts of active involvement by community and faith-based organizations in all sorts of public programs. The Massachusetts Connector focused most of its efforts on the subsidized population—individuals who are 300 percent or less of federal poverty level, which as is the case with every state, is where the majority of the uninsured population lies. The Connector compensated their Brokers for business that was sold through the Connector.

Mr. Carey explained that there were two imperatives for Massachusetts's outreach and education program. One was to build on existing functions, systems, and resources to the greatest extent possible, while the other was to identify and utilize all available channels in reaching eligible individuals and families.

Mr. Carey further explained that there were two grants types that were offered initially by the Connector in cooperation with Mass Health; these were issued through and managed by UMass. The largest grants were multi-year direct service grants, whereas the second, referred to as Network Grants, were to larger entities. The funding levels for the program were 3.5 million dollars appropriated each fiscal year: FY07, FY08, FY09; and 2.5 million in FY10 and FY11, with no funding provided in FY12.

Please view the transcripts of the meeting below for further information.

VII. KPMG Review of CT Consumer Assistance Programs

Roger Albritton provided an update on the technical advisor's analysis of the current state blueprint of the consumer assistance systems, call centers, and web portal functionality that the State currently has available. Major state agencies interviewed for this assessment include CID, OHA, and DSS. The firm

focused on reuse within the state. Concerns were raised by members regarding the methodology behind determining which models to assess.

Please view the transcripts of the meeting below for further information.

VIII. Next Steps

Mr. Carey announced that the next meeting will be to discuss the options around the role of the Navigators, Agents, and Brokers, and then to consider the funding. Discussion will also take place around whether there is a role for the Exchange, and if there is a role for the Exchange, what is that role with regard to Broker and Agent compensation. Mr. Carey stated that staff will put together a white paper about the different options and considerations around how to structure the Navigator program, in addition to what the potential funding sources might be for Navigators, as well as for the Brokers and Agents.

The next meeting is to be held on June 12th or 13th.

IX. Public Comment

Claudia Epright provided a public comment. Ms. Epright is a member of the Consumer Marketing and Outreach Advisory Committee.

X. Adjournment

John Calkins made a motion to adjourn the meeting. Mickey Herbert seconded the motion. **Motion passed unanimously**. The meeting was adjourned at 3:02 p.m.

Resources:
Presentation
Transcripts