



ACA State Innovation Waiver Task Force

August 6, 2015

2:00 p.m.

DCCA, Queen Liliuokalani Meeting Room



CALL TO ORDER/ROLL CALL

Roll Call

Beth Giesting, Healthcare Trans. Coord., Chair

Bryan FitzGerald, OIMT/State CIO

Lorrin Kim, Dept. of Health

Royden Koito, Dept. of Labor & Ind. Relations

Leslie Tawata, MedQUEST Division

Carole Richelieu, Insurance Division

Daniel Jacob, Office of the AG

Derek Mizuno, EUTF

Jeff Kissel, Hawaii Health Connector

Christine Sakuda, HI Health Info. Exch.

Pono Chong, Chamber of Commerce of Hawaii

Paul Young, Healthcare Assoc. of Hawaii

Robert Hirokawa, Hawaii Primary Care Assoc.

Joan Danieleley, Senate Health Care Appointee

Jennifer Diesman, HMSA

Paula Yoshioka, Queen's Health System

David Hong, House Appointee for Small Business

PUBLIC COMMENT

Reminder: all materials available at

<http://governor.hawaii.gov/reports/healthcare-transformation/>

MINUTES

Minutes of July 23, 2015

Public Comment

Task Force Action

Proposed motion: Accept minutes of 7/23/15 as circulated/as amended

CREATION OF PERMITTED INTERACTION GROUPS

Proposed motion: TF authorizes Waiver/Modification “Next Steps” PIG to identify and contribute information and materials needed to develop waiver and report back to this TF.

Members: **Chong, Danieleley, Diesman, FitzGerald, Giesting, Hirokawa, Jacob, Koito, Richelieu, Young**

Public Comment

STATE, FEDERAL LEGISLATIVE UPDATES

ACA and Waiver Updates and Issues

PERMITTED INTERACTION GROUP REPORTS

Sunshine law requirements

- **Meeting 1: Report is delivered. TF may ask clarifying questions.**
- **Meeting 2: TF may discuss report in detail.**
- **Meeting 3: TF may vote on recommendations or actions proposed in report.**

PERMITTED INTERACTION GROUP REPORT

PIG Report Decision-Making– Waiver/Modification “Next Steps”

Purpose: Identify next steps needed to develop waiver and report back to this TF.

Members: Chong, Danieleley, Diesman, FitzGerald, Giesting, Hirokawa, Jacob, Koito, Richelieu, Young

PERMITTED INTERACTION GROUP REPORT

PIG Report – Waiver Next Steps: Decision-making

Waivable ACA Section	Hawaii Proposal
<p>§1301 QUALIFIED HEALTH PLAN</p> <ul style="list-style-type: none">• Definition and certification of QHP• Co-ops and multi-state plans• Qualified direct primary care medical home plans• Variation based on rating area• Self-insured and MEWAS (multiple employer welfare arrangements)	<ul style="list-style-type: none">• Variation based on rating area – doesn't need a waiver. Is State's decision.

PERMITTED INTERACTION GROUP REPORT

PIG Report – Waiver Next Steps: Decision-making

Waivable ACA Section	Hawaii Proposal
<p>§1302 ESSENTIAL HEALTH BENEFITS</p> <ul style="list-style-type: none">• Definition and establishment of EHB• Limitation on cost-sharing• Limitation on deductibles• Metal levels actuarial value• Catastrophic plans• Enrollment eligibility• Child-only plans	<ul style="list-style-type: none">• Retain EHB• In request to waive SHOP benefit levels will be defined as 7A/7B, per Prepaid

PERMITTED INTERACTION GROUP REPORT

PIG Report – Waiver Next Steps: Decision-making

Waivable ACA Section	Hawaii Proposal
<p>§1303 SPECIAL RULES</p> <ul style="list-style-type: none">• Definition and rules on abortion services	

PERMITTED INTERACTION GROUP REPORT

PIG Report – Waiver Next Steps: Decision-making

Waivable ACA Section	Hawaii Proposal
<p>§1304 DEFINING LARGE AND SMALL EMPLOYERS</p> <ul style="list-style-type: none">• Hawaii currently defines “small” as 50 or fewer• ACA says “small” will be up to 100 January 2016• Aggregation rules (treatment of single employer)• Defining “large” or “small” for employer not in existence in preceding year.• Predecessor employers• Continue participation as a growing small employer	<ul style="list-style-type: none">• Waive increase to 100 and keep definition of “small employer” as 50 or fewer – BUT only if the increase to 100 has not gone into effect before waiver in January 2017 (may be moot by 2016)• Waive “growing small employer” issue

PERMITTED INTERACTION GROUP REPORT

PIG Report – Waiver Next Steps: Decision-making

Waivable ACA Section	Hawaii Proposal
<p data-bbox="132 748 1149 843">§1311 AFFORDABLE CHOICES OF HEALTH BENEFIT PLANS</p> <ul data-bbox="132 921 1230 1190" style="list-style-type: none"><li data-bbox="132 921 889 962">• Individual health insurance exchange<li data-bbox="132 976 1136 1075">• Small Business Health Options Program (SHOP) exchange<li data-bbox="132 1089 1230 1190">• Identifies eligible entities in state authorized to carry out exchange activities	<ul data-bbox="1281 921 2379 1133" style="list-style-type: none"><li data-bbox="1281 921 1589 962">• Waive SHOP<li data-bbox="1281 1033 2379 1133">• Waive specification of eligible entities to give state more flexibility in carrying out SSBM responsibilities

PERMITTED INTERACTION GROUP REPORT

PIG Report – Waiver Next Steps: Decision-making

Waivable ACA Section	Hawaii Proposal
<p data-bbox="132 748 677 791">§1312 CONSUMER CHOICE</p> <ul data-bbox="132 862 1187 1248" style="list-style-type: none"><li data-bbox="132 862 1187 962">• Qualified employers may allow employees choice among plans in SHOP exchange<li data-bbox="132 976 1187 1076">• Single risk pool – individual, small group, merged markets<li data-bbox="132 1090 1187 1133">• Continued operation of market outside exchange<li data-bbox="132 1148 1187 1190">• Continued state benefits requirements.<li data-bbox="132 1205 1187 1248">• Voluntary enrollment in exchange	<ul data-bbox="1276 862 2372 1133" style="list-style-type: none"><li data-bbox="1276 862 2372 1133">• Waive requirement for SHOP/small businesses. (Employers may allow employees choice under Prepaid. Trade-off is that Hawaii small businesses coverage meets a higher standard than required by ACA.)

PERMITTED INTERACTION GROUP REPORT

PIG Report – Waiver Next Steps: Decision-making

Waivable ACA Section	Hawaii Proposal
<p>§1312 CONSUMER CHOICE</p> <ul style="list-style-type: none">• Individuals allowed to enroll in any plan• Members of Congress/staff in exchange• No penalty for transferring coverage out of exchange• Enrollment through agents or brokers• Access limited to citizens and lawful residents• Incarcerated individual excluded• Qualified employer offering coverage on exchange• Access limited to lawful residents	<ul style="list-style-type: none">• Waive qualified employer offering coverage on exchange

PERMITTED INTERACTION GROUP REPORT

PIG Report – Waiver Next Steps: Decision-making

Waivable ACA Section	Hawaii Proposal
<p>§1313 FINANCIAL INTEGRITY</p> <ul style="list-style-type: none">• Describes financial management and oversight for exchange	

PERMITTED INTERACTION GROUP REPORT

PIG Report – Waiver Next Steps: Decision-making

Waivable ACA Section	Hawaii Proposal
<p data-bbox="132 748 1105 901">§1402/36B REDUCED COST-SHARING FOR INDIVIDUALS ENROLLING IN QUALIFIED HEALTH PLANS</p> <ul data-bbox="132 976 1105 1019" style="list-style-type: none"><li data-bbox="132 976 1105 1019">• Defines eligibility and determination of benefits	<ul data-bbox="1284 919 2323 1076" style="list-style-type: none"><li data-bbox="1284 919 2323 1076">• Request funds in lieu of small business tax credit. Such funds to be used for premium relief for qualified small businesses.

PERMITTED INTERACTION GROUP REPORT

PIG Report – Waiver Next Steps: Decision-making

Waivable ACA Section	Hawaii Proposal
<p>§1501 MAINTAIN MINIMUM COVERAGE</p> <ul style="list-style-type: none">• Describes individual mandate and amendment to IRC Section 5000	

PERMITTED INTERACTION GROUP REPORT

PIG Report – Waiver Next Steps: Decision-making

Waivable ACA Section	Hawaii Proposal
<p data-bbox="132 748 1090 842">IRS Code §4980H SHARED RESPONSIBILITY FOR EMPLOYERS REGARDING HEALTH COVERAGE</p> <ul data-bbox="132 921 1065 1021" style="list-style-type: none"><li data-bbox="132 921 1065 1021">• Defines responsibilities for coverage for large employers	

PERMITTED INTERACTION GROUP REPORT

PIG Report – Waiver Next Steps: Decision-making

Public Comment

REPORT TO LEGISLATURE

- **Any corrections or other edits?**

Proposed motion: TF approves report to legislature as circulated/amended.

Public Comment



NEXT MEETINGS

As needed

| Mahalo nui
loa to all Task
Force
members and
support staff!





ADJOURNMENT