

FLORIDA HEALTH INSURANCE ADVISORY BOARD
Board of Directors Meeting Minutes
Thursday, December 13, 2018, 2:00 PM
Via Teleconference
Tallahassee, Florida

Board Members Present:

David Altmaier, Chair	Ken Stevenson	Richard B. Weiss
Molly McKinstry	William “Bill” Herrle	Robert Muszynski
Louisa McQueeney	Brad Bentley	Chris Paterson
Seth Phelps (<i>for Mark McGowan</i>)		

Others Present:

- Amy Hardee, Administrative Assistant II to the Deputy Commissioner – Life & Health, Office of Insurance Regulation (OIR)
- Shannon Doheny, Senior Attorney, Legal Services Office, OIR
- Craig Wright, Chief Actuary & Deputy Commissioner - Life & Health, OIR
- Chris Struk, Life & Health Policy Advisor, OIR
- Mike Yaworsky, Chief of Staff, OIR
- Warren Mills, Director, Life & Health Product Review, OIR
- Anoush Brangaccio, General Counsel, OIR
- Jon Moore, Communications Director, OIR

I. Call to Order

Commissioner and Chair David Altmaier called the meeting to order at 2:00 PM indicating the meeting was properly noticed to the public in accordance with Florida Law.

II. Roll Call

Amy Hardee conducted a roll call, noting the presence of a quorum.

III. Antitrust Statement

Shannon Doheny was recognized to review the antitrust statement.

IV. Chair’s Opening Remarks

The Chair briefly advised that he would need to leave at 2:30 PM due to another commitment and, if the meeting was still progressing, Mike Yaworsky with the Office would take over Chairing the meeting in his stead.

V. Approval of Minutes – November 5, 2018

The Chair presented the minutes from the November 5, 2018, meeting for adoption, noting that members had been provided with advance copies. Molly McKinstry moved to adopt the minutes as written, with a second by Brad Bentley, and the minutes were adopted without objection.

VI. Legislative Proposals for 2019

The Chair noted that the purpose of today's call was to vote on the eight 2019 legislative proposals discussed during the November 5 meeting. He reminded the Board that only proposals receiving unanimous consent of the Board, and not opposed by any Board member, will be forwarded to the Florida Legislature. However, Board members are certainly welcome to pursue legislative proposals on their own, whether or not they are accepted by the Board.

Recommendation #1: Provide a clear legislative directive whereby small group employers be specifically allowed the option to offer "employee/dependent(s)" coverage in the open market, where dependent(s) are dependent children only.

Louisa McQueeney moved that the Board make this recommendation, with a second by Robert Muszynski. The motion passed unanimously.

Recommendation #2: Allow consumers a Deductible Health Credit Transfer to the new policy equal to the deductible paid by the consumer.

Louisa McQueeney moved that the Board make this recommendation, with a second by Bill Herrle. The motion passed unanimously.

Recommendation #3: Provide consumer with one free copy of their medical record, to be provided to consumer by mail or electronic mail, at the time of payment request for services provided.

Louisa McQueeney moved that the Board make this recommendation, with a second by Bill Herrle. The motion passed unanimously.

Recommendation #4: Prohibit insurance carriers from amending or removing a covered prescription drug during the policy year. This will not preclude the insurance carrier from expanding the formulary and lowering prices throughout the policy year.

Molly McKinstry noted that Medicaid is adjusted four times a year so without Medicaid being excluded from the proposal, she would object. No vote was taken.

Recommendation #5: In inadequate narrow networks, treat out-of-network care as in-network care and/or, at a minimum, apply the cost of the care to the accumulators, such as the deductible. Improve network adequacy.

Rich Weiss objected because he noted that insurers are purposely building narrow network products to lower the cost of care. If this option is taken away, there will be fewer options for lowering costs of care. Unfortunately, some people who buy narrow network products don't understand what they are buying but the purpose of a narrow network is to reduce costs. No vote was taken.

Recommendation #6: Apply the balance billing rules under HB221, signed into law by Governor Scott in April 2016, to include emergency transportation.

Bill Herrle moved that the Board make this recommendation, with a second by Robert Muszynski. The motion passed unanimously.

Recommendation #7: Establish a process for creating a standardized prior authorization form to be used by providers and insurance plans in the state. Allow for electronic submissions of prior authorization forms.

Seth Phelps voiced some concerns from the standpoint of what the details are, especially with regard to the fact that there is already a process for electronic submission and an approved standardized form. No vote was taken.

Recommendation #8: Establish clear, meaningful, and accessible procedures for prescribers to override the process by requesting an exemption and prohibit insurers from requiring insured patients to fail a drug more than once.

Richard Weiss objected on that basis that there are certain pharmaceutical benefit plans that insurers use to lower the costs of pharmacy care by introducing step therapy. If those options are taken away, the costs of certain products will increase. No vote was taken.

VII. Other Business

The Chair asked if there was any other business to be brought before the Board. There being none, the Commissioner moved to the next agenda item.

VIII. Public Comment

The Chair asked if there were any members of the public who would like to comment. There being none, the Commissioner moved to the next agenda item.

IX. Adjourn

The Commissioner thanked everyone for participating. Having no further business, the meeting was adjourned at 2:18 PM.


David Altmaier, Chair


Date