

**Florida Health Insurance Advisory Board
Board of Directors Meeting Minutes
Wednesday, November 30, 2022, 3:00 PM
Via Teleconference
Tallahassee, FL**

Board Members Present:

Alexis Bakofsky, Chair	Rick Wallace	Richard B. Weiss, CPA
Ken Stevenson, Vice Chair	Louisa McQueeney	Nathan Landsbaum
Eric Johnson, PhD, ASA	Christina Lake	Seth M. Phelps

Others Present:

- Jack McDermott, FHIAB Executive Director
- Anoush Brangaccio, General Counsel, Office of Insurance Regulation (OIR)

I. Call to Order

Alexis Bakofsky (Chief of Staff, Office of Insurance Regulation), as the Chair, called the meeting to order at 3:00 pm, indicating the meeting was properly noticed to the public in accordance with Florida Law.

II. Roll Call

Jack McDermott conducted a roll call of members, noting the presence of a quorum.

III. Antitrust Statement

Anoush Brangaccio was recognized to review the antitrust statement.

IV. Approval of Minutes, September 15, 2022

The Chair presented the minutes from the Board's September 15, 2022, meeting and asked for questions or comments. The Chair accepted a motion from Seth Phelps to approve the minutes, seconded by Louisa McQueeney. The minutes were approved without changes.

V. State of the Market Annual Report Approval

The Chair introduced the Executive Director to provide a brief overview of the State of the Market Annual Report. The Executive Director stated the format of the report follows prior formats and although this is the 2022 report, it is comprised of 2021 data and events – the exception being a CMS declaration about transitional policies (which were extended indefinitely).

Some highlights included observation of a gradual normalization of data following disruptions caused by COVID-19. Additionally, previously noted trends of Floridians shifting from group plans to individual plans has continued. Finally, although the small group and large group markets continue to contract in Florida – this decline was smaller than during the data from the prior year's report.

The Chair asked for questions from the Board. Hearing none, the Chair asked for a vote for the approval of the 2022 State of the Market Annual Report. The Chair accepted a motion from Eric Johnson to approve the report, seconded by Richard Weiss. The report was approved without changes.

VI. Executive Director's Report

The Chair recognized the Executive Director for the Executive Director's Report. The Executive Director discussed the latest financial statements, including the Board's balance sheet and income statement. The Executive Director also reported the 2020 Audits were finalized (signed and auditor issued final compensation).

The Executive Director then discussed the 2022-2023 Budget. The Chair asked if there were questions about the 2022-2023 Budget. Hearing none, the Chair asked for a vote for the approval of the 2022-2023 Budget. The Chair accepted a motion from Nathan Landsbaum to approve the budget, seconded by Ken Stevenson. The budget was approved without changes.

The Executive Director continued by discussing the 2023 Assessments that were based on the 2022-2023 budget. This included an overall assessment of \$100,000 -- \$74,700 apportioned to the small employer group plan and \$25,300 apportioned to the individual plans based on the Board's Plan of Operations. The Chair asked if there were questions about the 2023 Assessments. Hearing none, the Chair asked for a vote for the approval of the 2023 Assessments. The Chair accepted a motion from Louisa McQueeney to approve the assessments, seconded by Seth Phelps. The assessments were approved without changes.

The Executive Director then made a recommendation for the Board to adopt the State Retention schedule as the document retention schedule for the Board. The Board currently does not have a retention schedule within its Plan of Operation. The Chair asked if there were questions about the retention schedule. Louisa McQueeney asked whether this was included in the packet. The Executive Director responded that due to its length – it was not, but a link to the schedule was included in the prior Board Meeting packet. The Chair asked for a vote for the approval of the retention schedule. The Chair accepted a motion from Richard Weiss to approve the report, seconded by Christina Lake. The retention schedule was approved effective immediately with the understanding that it would be officially incorporated into the Plan of Operation the next time the Plan of Operation is revised.

The Executive Director segued into requesting that any Board member interested in assisting in the revision of the Board's Plan of Operation to contact him. The goal was to put together a Plan of Operation Committee to recommend potential changes to the full Board for adoption.

The Executive Director reported that a P.O. Box had been obtained for the Board which has been posted on the FHIAB website. The new address which will be used for the assessments is: FHIAB, c/o Jack McDermott, 3122 Mahan Drive, Suite 801-152, Tallahassee, FL, 32308.

The Executive Director ended his report by stating the Fictitious Name, "Florida Health Insurance Advisory Board", has been renewed for five years at a cost of \$50. This fictitious name is officially registered with the State of Florida's Division of Corporations and was set to expire December 31, 2022. It has been renewed through December 31, 2027.

VII. Discussion/Approval of Legislative Proposals for 2023

The Chair started with an overview of the Board's approval process for its legislative proposals. All eight proposals originally discussed during the September 15, 2022, Board Meeting were on the agenda without alterations. All approved legislative proposals will be forwarded to the Insurance Commissioner, Speaker of the Florida House of Representatives and President of the Florida Senate.

The Chair introduced **Proposal # 1: Deductible Health Credit Transfer**

The Chair asked if any Board members have questions, concerns, or recommend changes. Hearing none, the Chair accepted a motion to approve this proposal, which was made by Louisa McQueeney, which was seconded by Rick Wallace. The Chair then requested a vote. The vote was unanimous, and the proposal was adopted.

The Chair introduced **Proposal # 2: Provide Health Care Consumers with One Free Copy of their Own Medical Records**

The Chair asked if any Board members have questions, concerns, or recommend changes. Hearing none, the Chair accepted a motion to approve this proposal, which was made by Louisa McQueeney, which was seconded by Christina Lake. The Chair then requested a vote. The vote was unanimous, and the proposal was adopted.

The Chair introduced **Proposal # 3: Protect Consumers from Prescription Drug Formulary Changes During a Policy Year**

The Chair asked if any Board members have questions, concerns, or recommend changes. Hearing none, the Chair accepted a motion to approve this proposal, which was made by Rick Wallace, which was seconded by Louisa McQueeney. The Chair then requested a vote. The vote was unanimous, and the proposal was adopted.

The Chair introduced **Proposal # 4: Cap the Cost of Insulin at \$35 a Month**

The Chair asked if any Board members have questions, concerns, or recommend changes. Hearing none, the Chair accepted a motion to approve this proposal, which was made by Louisa McQueeney, which was seconded by Rick Wallace. The Chair then requested a vote. The vote was unanimous, and the proposal was adopted.

The Chair introduced **Proposal # 5: Prohibit Balance Billing for Ground Emergency Medical Transportation**

The Chair asked if any Board members have questions, concerns, or recommend changes. Hearing none, the Chair accepted a motion to approve this proposal, which was made by Christina Lake, which was seconded by Louisa McQueeney. The Chair then requested a vote. The vote was unanimous, and the proposal was adopted.

The Chair introduced **Proposal # 6: Include Applied Behavioral Analysis as a Covered Benefit in all Insurance Plans**

The Chair asked if any Board members have questions, concerns, or recommend changes. Hearing none, the Chair accepted a motion to approve this proposal, which was made by Rick Wallace, which was seconded by Louisa McQueeney. The Chair then requested a vote. The vote was unanimous, and the proposal was adopted.

The Chair introduced **Proposal # 7: Add Fetal Alcohol Spectrum Disorder (FASD) to Include the Definition of the Term Developmental Disabilities**

The Chair asked if any Board members have questions, concerns, or recommend changes. Hearing none, the Chair accepted a motion to approve this proposal, which was made by Louisa McQueeney, which was seconded by Rick Wallace. The Chair then requested a vote. The vote was unanimous, and the proposal was adopted.

The Chair introduced **Proposal # 8: Apply Payments by, or on Behalf of, a Beneficiary to Count Toward the Out-of-Pocket Cost Sharing Calculations**

The Chair asked if any Board members have questions, concerns, or recommend changes. Hearing none, the Chair accepted a motion to approve this proposal, which was made by Louisa McQueeney, which was seconded by Ken Stevenson. The Chair then requested a vote. The vote was unanimous, and the proposal was adopted.

VIII. Other Business

The Chair asked if any Board members had other business. Hearing none, the Chair moved to the next agenda item.

IX. Public Comment

The Chair asked if any member of the public wanted to comment. Hearing none, the Chair moved to the next agenda item.

X. Adjourn

The Chair thanked the Board members for their participation and the public for listening to the discussion. Having completed the agenda, the Chair adjourned the meeting.

Jack McDermott

September 28, 2023

Prepared by: Jack McDermott, Executive Director

Approved by Board