

**Florida Health Insurance Advisory Board  
Board of Directors Meeting Minutes  
Friday, December 15, 2023, 9:00 AM  
Via Teleconference  
Tallahassee, FL**

**Board Members Present:**

Alexis Bakofsky, Chair	Christina Lake	Rick Wallace
Stefan Grow	Nathan Landsbaum	Richard Weiss
Bill Herrle	Louisa McQueeney	Seth Phelps
Eric Johnson	Robert Muszynski	

**Others Present:**

- Jack McDermott, FHIAB Executive Director
- Christina Jackson, Deputy Director of Legal Affairs, Life & Health Product Review, 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 9:00 am, indicating the meeting was properly noticed to the public in accordance with Florida Law. The Chair thanked the members for their attendance.

**II. Roll Call**

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

**III. Antitrust Statement**

Christina Jackson was recognized to review the antitrust statement.

**IV. Approval of Minutes, November 17, 2023**

The Chair presented the minutes from the Board's November 17, 2023, meeting and asked for questions or comments. The Chair accepted a motion from Nathan Landsbaum 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 Executive Director Jack McDermott to provide a brief overview of the 2023 State of the Market Annual Report based on 2022 data. Mr. McDermott noted a continued normalization of data following COVID and the continued trend of a shifting from the group market to the individual market. Viewing the commercial market as a whole – 62% of Floridians obtain insurance through the individual market relative to 38% of Floridians obtaining insurance through the group market. Additionally, there are still some “grandfathered” plans that existed prior to the implementation of the Affordable Care Act, but the number of these policies is declining. There were no questions regarding

the report. The Chair accepted a motion from Rick Wallace to approve the report, seconded by Seth Phelps. The report was approved without changes.

## **VI. Executive Director's Report**

The Chair recognized Jack McDermott to present the executive director's report.

### Review of Plan of Operation

Mr. McDermott reminded the Board of the requirement to annually review the plan of operation. It was included in the materials. He did not have any recommendations to change it at this time but would accept any suggestions from the Board. Hearing no comments, it was assumed this obligation for annual review was met.

### Financial Update

Mr. McDermott presented the latest financial statements from November 30, 2023, and noted the Board has roughly \$63,000 in net assets, which is enough to sustain the Board until the next round of assessments. He also noted that Purvis Gray is in the final stages of completing the 2022 financial audit.

### 2024 Budget and Assessments

Mr. McDermott explained the budgeting process and the budget itself and noted a significant amount of carry-over dollars from the prior year. The needed assessment was \$50,000 (\$35,000 apportioned to small group, and \$15,000 apportioned to the individual market) which was half of the prior year.

Louisa McQueeney asked about the \$5,000 budget for legal expenses. Mr. McDermott explained this was a contingency amount in case the need for legal expenses arises, and if this money is not used, it will be carried forward to the next year. Ms. McQueeney also asked about the \$0 budgeted for travel expenses. The Chair responded the most recent meetings have been done via teleconference although if the Board is interested, covering travel expenses to Tallahassee for a meeting could be considered; she noted there is enough money set aside as a reserve in the budget if travel to a meeting were needed.

The Chair accepted a motion from Richard Weiss to approve the 2024 budget and assessments, seconded by Nathan Landsbaum. The budget and assessments were approved without changes.

## **VII. Discussion/Approval of Legislative Proposals for 2024**

The Chair started with an overview of the Board's approval process for its legislative proposals. All eight proposals originally discussed during the November 17, 2023, Board Meeting were on the agenda without alterations.

### 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 Nathan Landsbaum. 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 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 # 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 Louisa McQueeney, which was seconded by Nathan Landsbaum. 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. A board member asked whether anyone from KidCare had provided feedback. They did not.

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 # 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 Nathan Landsbaum. 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 Christina Lake. The Chair then requested a vote. The vote was unanimous, and the proposal was adopted.

The Chair directed the Executive Director to ensure that a letter is prepared with all FHIAB approved legislative proposals, and this letter be forwarded to the Insurance Commissioner, Speaker of the Florida House of Representatives, and President of the Florida Senate.

**VIII. Other Business**

The Chair asked if any Board members had other business. Louisa McQueeney asked the Executive Director when the legislative recommendation letters will be mailed. Mr. McDermott replied that they could probably go out early next week.

**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 everyone who participated and wished everyone a happy holiday. Having completed the agenda, the Chair adjourned the meeting.

*Jack McDermott*

Prepared by: Jack McDermott, Executive Director

September 11, 2024

Approved by Board