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SILVER STATE HEALTH INSURANCE EXCHANGE  
EMERGENCY BOARD MEETING  
AND ADOPTION OF EMERGENCY REGULATIONS  
TUESDAY, MARCH 17, 2020, 9:08 A.M.

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MS. KORBULIC: Okay. We'll be starting in just a minute. Make sure you all have your phones on mute. And please do not put our call on hold.

All right. So why don't we call this meeting to order, if you would, Madam Vice Chair. And we can hand over the baton if our Chair joins. She's in Mexico. So, I think, she might be having a difficult time.

MS. CLARK: Okay. No worries. I can. I'm happy to help. Just tell me if I say the wrong thing.

So we'll call the meeting to order. This is Valerie Clark, Vice Chair of the Silver State Health Insurance Exchange. And this is our emergency Board meeting, March 17, 2020, and it's 9:08 a.m.

Do we do a roll call next?

MS. KORBULIC: Yes, we do.

MS. CLARK: Okay.

MS. KORBULIC: And, let's see. Dr. Florence

1 Jameson we know is not here.

2 Vice Chair Valerie Clark?

3 MS. CLARK: Present.

4 MS. KORBULIC: Ms. Lavonne Lewis?

5 MS. LEWIS: Present.

6 MS. KORBULIC: Thank you.

7 Dr. Cook?

8 DR. COOK: Present.

9 MS. KORBULIC: Jonathan Johnson?

10 MR. JOHNSON: Present.

11 MS. KORBULIC: Jose Melendrez?

12 MR. MELENDREZ: Present.

13 MS. KORBULIC: Quincy Branch?

14 MR. BRANCH: Present.

15 MS. KORBULIC: Thank you.

16 We have ex-officio member Suzanne Bierman has

17 messaged me that she is going to be unable to attend.

18 Commissioner Richardson, are you present?

19 COMMISSIONER RICHARDSON: I am. Thank you.

20 MS. KORBULIC: Thank you.

21 And, Lynnette Aaron, are you present?

22 Okay. We'll mark her as absent.

23 Okay. So, if you wouldn't mind, Madam

24 Vice Chair, I have a couple of housekeeping items that I

25 feel like I probably should say for the nineteenth time

1 this morning. Is that okay with you?

2 MS. CLARK: Absolutely. Thank you.

3 MS. KORBULIC: Okay. I appreciate everyone  
4 meeting with us on such an expedited and quick emergency  
5 meeting fashion. And Dennis, I know, will review some  
6 information about what we need to talk about as it  
7 relates to that. I just wanted to say that these are,  
8 obviously, unprecedented times, and they do call for  
9 forward-thinking and despite this leadership. So thank  
10 you for being present today to consider this very  
11 important initiative.

12 We are on a single line with the public. And  
13 so I'm asking to make sure everybody who has joined us  
14 from the public, make sure that you are in a mute mic  
15 and that you please do not put the call on hold. We do  
16 not want to enjoy your hold music.

17 So, with that, I will hand the baton back to  
18 you, Vice Chair, and assume that we may want to have  
19 Dennis handle item -- well, I guess, we should call for  
20 public comment. And I'll let you do that.

21 MS. CLARK: Okay. Thank you, Heather.

22 Is there any public comment in the south?

23 Okay. I'm not sure what amount of time needs  
24 to expire before I move forward.

25 MS. KORBULIC: You're good there. We don't

1 have a south location. We just have the Carson City  
2 open office.

3 MS. CLARK: Okay. All right. And so there's  
4 no, there's no public comment on the phone at all, then.  
5 And are we clear on that?

6 MS. KORBULIC: Correct. And so we can call for  
7 that now.

8 MS. CLARK: We're calling for public comment  
9 now?

10 MS. KORBULIC: M-hm (affirmative), yes.

11 MS. CLARK: Anybody on the phone would like to  
12 make a public comment?

13 Okay. Seeing no -- or hearing no public  
14 comment, we'll move on.

15 And I apologize, Heather. I did review the  
16 Board materials, but I don't have the agenda in front of  
17 me.

18 MS. KORBULIC: Sure. I have it. And I'm sure,  
19 Dennis, you have. If we could move to item three. And  
20 you can help us go through that.

21 MR. BELCOURT: I wasn't clear. Did we, we did  
22 call for public comment at the Carson City location?

23 MS. KORBULIC: Yes. Let's make sure we've  
24 completed that. Tiffany, is there anybody in Carson  
25 City who would like to make public comment?

1 MS. TIFFANY DAVIS: Tiffany Davis here. And,  
2 no, there is nobody here at the physical location in  
3 Carson City to make a public comment.

4 MS. KORBULIC: Thank you.

5 MS. CLARK: Okay. Thank you.

6 Okay. And the next agenda item, someone will  
7 have to queue me on because I don't have it in front of  
8 me.

9 MS. KORBULIC: I'm working on it. Sorry.

10 Dennis, will you read it out loud to us? I'm  
11 sorry. My computer is...

12 Are you there?

13 MR. BELCOURT: Sorry. I muted. I need to  
14 locate on my screen somewhere the agenda. But it  
15 concerns what the requirement -- okay. I'm there now.

16 Agenda item three concerns the assessment of  
17 whether, you know, there's an emergency justifying the  
18 shortened notice. And then, so the Board needs to make  
19 a determination that there is the requisite emergency.

20 Just as background, 241.020, NRS 241.020,  
21 that's part of the open meeting law, requires that  
22 except in an emergency, written notice of all meetings  
23 must be given at least three working days before the  
24 meeting.

25 Of course, here we are, less than 24 hours

1 after this meeting was noticed. The basis for this  
2 meeting can only be that there is an emergency.  
3 "Emergency" is defined in that same section as an  
4 unforeseen circumstance which requires immediate action  
5 and includes, but is not limited to, (a), disasters  
6 caused by fire, flood, earthquake or other natural  
7 causes; or, (b), any impairment of health and safety of  
8 the public.

9 So that's the first call that needs to be made  
10 is that there is an emergency justifying the shortened  
11 notice for calling this meeting.

12 MS. CLARK: And do we need to take -- do we  
13 need to have a motion on that?

14 MR. BELCOURT: In this agenda, there's an  
15 action item. You know, so I would recommend taking  
16 action, taking a vote on this one.

17 MS. CLARK: Okay. Would anyone like to make a  
18 motion?

19 MR. BRANCH: This is Quincy. So moved.

20 MS. CLARK: Do we hear a second?

21 MS. LEWIS: Lavonne Lewis. Second the motion.

22 MS. CLARK: Is there any discussion on this?

23 Okay. Hearing no discussion, all in favor,  
24 please say "aye."

25 (Board members said "aye.")

1 MS. CLARK: Do we need to have a roll call on  
2 those, Dennis, or are we okay with what you heard over  
3 the phone?

4 MR. BELCOURT: Sorry. Voice vote is fine. Too  
5 quick with the mutes.

6 MS. CLARK: A voice vote was fine. Okay.

7 Okay. So that action item has passed, that we  
8 are clear that this is an emergency meeting, and have  
9 voted to that effect.

10 Next agenda item, then?

11 MS. KORBULIC: Okay. The next item, and I'll  
12 read it for you, is the approval of emergency  
13 regulations to enable one-time, exceptional  
14 circumstance, special enrollment period related to  
15 coverage for COVID-19 testing.

16 Happy to go over some of that if the Board  
17 would like, or you can direct me as you wish.

18 MS. CLARK: So I just want to make sure I  
19 understand what the recommendation is. Is this to  
20 require testing, or is it to do an open enrollment for  
21 coverage?

22 MS. KORBULIC: Thank you, Madam Chair. So  
23 maybe it would be helpful if I run through basically  
24 what the emergency regs are that are to be our opening,  
25 explored and considered this morning.

1 MS. CLARK: Thank you.

2 MS. KORBULIC: As you are all aware, the  
3 Governor has called for a declaration of emergency from  
4 the State of Nevada, and President Trump has also  
5 declared a national emergency related to COVID-19.

6 The Silver State Health Insurance Exchange is  
7 asking, requesting the emergency regulations related to  
8 an exceptional circumstance, special enrollment period.  
9 In Nevada Revised Statutes Chapter 695I, the Board is  
10 allowed to call for such a revision aligned with the  
11 Code of Federal Regulations allocated, or for, excuse  
12 me, State Based Exchanges.

13 So we have all of the authority necessary. The  
14 Governor has issued intent to endorse emergency  
15 regulations and meaning our Board to sign off.

16 The emergency regulation is written and  
17 provided on our website for everyone here who's  
18 interested and basically allows a one-time exceptional  
19 circumstance SEP for qualified individuals who did not  
20 meet qualified health plan coverage during open  
21 enrollment for plan year 2020.

22 This year is not a special enrollment period  
23 for individuals who are currently enrolled. Anybody who  
24 is currently enrolled will be able to use the existing  
25 special enrollment period or qualified life events that



1 could generate a special enrollment period. This is  
2 specifically for individuals who did not get enrolled  
3 during the open enrollment period.

4 To answer your question, Madam Vice Chair, it  
5 is not just for COVID-19. It's precipitated by the  
6 emergency created by COVID-19. However, it is for any  
7 individual, and it covers all of the benefit package  
8 that are covered by all of our plans.

9 So to get to some more information for  
10 everybody, we are hoping to begin the SEP today, the  
11 special enrollment period today, March 17th, and have it  
12 run through April 15th. Qualified individuals who  
13 complete their enrollment between today, March 17th,  
14 2020, and April 1st, 2020 will have a coverage effective  
15 date of April 1 of this year. Qualified individuals who  
16 complete their enrollment between April 2nd and  
17 April 15th of 2020 will have coverage effective May 1st.

18 I'm happy to answer any other questions that  
19 the Board might have.

20 DR. JAMESON: Heather, can you hear me?

21 MS. KORBULIC: I can. Thank you. Hi,  
22 Dr. Jameson. I'll mark that you are present.

23 DR. JAMESON: Yes. I'm now on the call. And  
24 I'll be voting. Thank you.

25 MS. KORBULIC: Thank you.

1 Did any of the Board have any more questions?

2 MS. CLARK: So --

3 DR. COOK: This is Daniel Cook.

4 MS. CLARK: So, who?

5 DR. COOK: Oh, hi. Who? Are we all talking at  
6 once?

7 MS. KORBULIC: Go ahead, Dan.

8 DR. COOK: Oh, thank you. Oh, I have a  
9 question, and I trust your judgment, but just wondering.  
10 Like some officials seem to think the emergency will  
11 last through May or at least May 1st. So you've picked,  
12 you seem to have picked this end date for now. Do you  
13 have more information on the April 15th?

14 MS. KORBULIC: Yeah. So thank you, Dan. And  
15 thank you, Dr. Cook. For the record, this is Heather  
16 Korbulic, Executive Director.

17 The Exchange basically modeled our special  
18 enrollment period based on other states that have gone  
19 ahead and used their authority as State Based Exchanges  
20 to open a special reenrollment period. And we're  
21 modeling that as a 30-day SEP to basically allow all of  
22 those uninsured Nevadans to get access now.

23 That doesn't limit individuals who are going to  
24 be eligible for special enrollment periods, for  
25 instance, for reasons like losing their minimum

1 essential coverage.

2 Our call center and our staff are bracing for  
3 the impact of many individuals in our state losing their  
4 jobs and, therefore, their special, or their minimum  
5 essential coverage. And they will be able to access the  
6 SEP that results from that at any time year after year,  
7 as is normal. This is a specific special enrollment  
8 period for currently uninsured Nevadans.

9 MS. CLARK: This is Valerie Clark. I think  
10 that's an excellent idea.

11 And do we have any other questions, or do we  
12 want to make a motion?

13 COMMISSIONER RICHARDSON: So this is Barbara  
14 Richardson. And I'm an ex-officio member.

15 I just wanted, Heather, if you could just  
16 instruct the possibility of folks qualifying for  
17 subsidies. Should they come in during this particular  
18 open enrollment?

19 MS. KORBULIC: Yes, thank you, Commissioner  
20 Richardson. This is Heather Korbulich, for the record.

21 The same subsidies that are applied on every  
22 one of our Exchange plans related and contingent upon  
23 eligibility and your qualification for eligibility apply  
24 to this special reenrollment period.

25 We understand that probably individuals who are

1 likely to be enrolling right now are going to be  
2 eligible for those subsidies. And some of them are so  
3 generous that we see some zero-dollar plans. We also  
4 know that about 80-plus percent of our makeup of our  
5 enrollment currently are receiving subsidized health  
6 plans and that those are extremely affordable.

7           And so I would just, if there is anybody  
8 listening that can help us get the word out about that,  
9 subsidies do apply. And we are hoping to get people  
10 into these affordable plans as soon as possible.

11           DR. JAMESON: I would like to have who is  
12 acting Chair to just continue and take the vote, if  
13 they'd like to.

14           MR. JOHNSON: This is Jonathan Johnson. I have  
15 a question. And it has to do with if there are layoffs,  
16 people that had coverage prior to, that's still going to  
17 be considered a qualifying event throughout the year,  
18 even after this special enrollment closes. Is that  
19 correct?

20           MS. KORBULIC: That is correct.

21           MR. JOHNSON: And they would --

22           MS. KORBULIC: I'll wait till --

23           MR. JOHNSON: Yeah, and they would be eligible  
24 for subsidized coverage?

25           MS. KORBULIC: Absolutely.

1 MR. JOHNSON: I think that's another important  
2 message to get out and convey to our communities.

3 MS. CLARK: And I think we --

4 MS. KORBULIC: Yeah, go ahead, Valerie.

5 MS. CLARK: This is Valerie Clark.

6 Jonathan, I was just going to say, and we need  
7 to make sure they understand that if we're using, you  
8 know, a qualifying event, if they use that as a  
9 qualifying event, they do have a 30-day window that we  
10 need to -- that they'll probably need to stick with.  
11 Just a reminder.

12 MS. KORBULIC: So this is Heather Korbulic.

13 And I would just say that we have an entire ad  
14 campaign, outreach campaign, and our website devoted to  
15 all of the qualifying life events on the Exchange. If  
16 the Board does move to accept this special enrollment  
17 period, information will also be added on this.

18 So we are going to be continuing to spread the  
19 message about what qualifies individuals for a special  
20 enrollment period, including the loss of their minimum  
21 essential coverage through their employer and other life  
22 events such as having a baby or a decrease in their  
23 income, et cetera, et cetera.

24 So that webpage is [NevadaHealthLink.com/SEP](http://NevadaHealthLink.com/SEP).

25 DR. JAMESON: All right. This is Florence

1 Jameson. Excellent.

2 MS. CLARK: Yes, thanks, Heather. That's very  
3 good news. And as a broker, I know I will be referring  
4 any layoffs that come my way towards that website.

5 Is there any other -- and, Madam Chair, this is  
6 Valerie Clark. I was running the meeting, and I'm happy  
7 to continue, unless you would prefer to.

8 DR. JAMESON: Oh, I figured I would just go  
9 ahead and defer to you to go ahead and continue.

10 MS. CLARK: Okay. If there's any other  
11 questions, let's -- we'd like to take those now. Or if  
12 someone would like to make a motion, we're happy to do  
13 that as well.

14 DR. JAMESON: I'll make a motion we accept the  
15 special -- that we approve the emergency regulation to  
16 enable one-time, exceptional circumstance, special  
17 enrollment period related to the coverage for the  
18 COVID-19 testing.

19 MS. CLARK: Do we have a second?

20 MS. LEWIS: This is Lavonne Lewis.

21 MR. MELENDREZ: Second. This is Jose.

22 MS. LEWIS: I second the motion.

23 MS. CLARK: Thank you.

24 Is there any further discussion?

25 Okay. All in favor, please say "aye."

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(Board members said "aye.")

MS. CLARK: Is there any opposed?

Okay. Motion carries. Thank you.

What are the next steps, Dennis or Heather?

MS. KORBULIC: The next, the next agenda item, Madam Vice Chair, is public comment. So we need to call again for our Carson City office public comment and on the phone.

MS. CLARK: Okay. Is there any public comment in the Carson City office?

MS. TIFFANY DAVIS: And this is Tiffany Davis. No, there is no public comment from the Carson City office.

MS. CLARK: Okay. Is there any public comment on the telephone?

Okay. I'm not hearing any public comment.

With that being said, are we -- would you like to make a motion to adjourn the meeting? Or is there anything else I need to do before we adjourn?

MS. KORBULIC: No. No, there is not.

DR. JAMESON: Motion to adjourn.

MS. CLARK: Okay. Do I have a second?

MS. LEWIS: Second.

MR. MELENDREZ: Second.

MS. CLARK: Great. All in favor, please say

1 "aye."

2 (Board members said "aye.")

3 DR. JAMESON: That's good enough.

4 MS. CLARK: All right. I think, we've  
5 accomplished our goal. Thank you very much.

6 MS. KORBULIC: Thank you all very much. Have a  
7 good afternoon.

8 MR. BELCOURT: Thank you.

9 MR. MELENDREZ: Goodbye, everybody.

10 MS. CLARK: Bye-bye.

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