

**SAN LUIS OBISPO COUNTY
HEALTH COMMISSION**

Minutes of Meeting

Monday, September 9, 2013 (County Board of Supervisors Chambers)

Members Present: Lynn Enns (Chair), Gill Blonsley, David Clous, Tracy Del Rio, James Pope, Anne Quinn, Jean Raymond, Mary Jean Sage, Scott Smith-Cooke, Susan Warren

Members Absent: Ed Guarena

Staff Present: Penny Borenstein, Jean White

Speakers: Pati Garcia (Department of Social Services); Ron Freeman (Susan Polk Insurance Agency, Inc.)

Agenda Item	Discussion	Action	Who/When
1. Call to Order	Meeting called to order by Chair Enns at 6:00 pm.	Call to order	Chair Enns
2. Approval of Minutes	Minutes of August 12, 2013 were approved as drafted.	August 2013 minutes approved.	All
3. Public Comment	Chair Enns opened the floor to public comment with no response.		
4. Presentation: Health Care Reform: Opportunities for Coverage	<p>Pati Garcia, Program Manager, Affordable Care Act Implementation, Department of Social Services (DSS), presented a Power Point overview titled “<i>Medi-Cal: The 2014 Newly Eligible Application Avenues</i>” and talked more in detail about some of the upcoming changes:</p> <ul style="list-style-type: none"> Beginning in January 2014, the Medi-Cal newly eligible expansion group will include childless adults, individuals 19 or older and under 65 who are not pregnant, are not entitled to or enrolled in Medicare benefits under Part A or B and are not otherwise eligible for or enrolled for mandatory coverage under a State’s Medicaid State plan. They must have a household income that is at or below 138 FPL for the applicable family size. Undocumented individuals are excluded from expanded Medi-Cal. Newly eligible also includes former foster youth under the age of 26 who were in foster care when they turned 18, who were enrolled in Medi-Cal while in foster care and children up through age 18 (Healthy Families transition children) will have 0 share of cost if they are at the 150% FPL or a \$13 premium between 151-250% FPL. Mental health and substance abuse coverage will now be available from January 1, 2014. Persons can phone in, walk in, mail in, or go online at www.mybenefitscalwin.org to enroll. DSS also takes referrals from Covered CA. When an applicant calls into Covered CA, the operator will ask a few basic questions to determine if they qualify for Modified Adjusted Gross Income (MAGI) Medi-Cal, Non MAGI Medi-Cal (aged or disabled in receipt of Medicare) or if they will qualify for advanced premium tax credit or cost sharing. Covered CA will then either keep the case or transfer it by phone via a “warm hand-off” to DSS call center. In person contacts will be asked if they want coverage now (current Medi-Cal rules - based on income, assets, includes retro eligibility) or later (new ACA rules - uses tax income for MAGI cases, regular Medi-Cal rules for non-MAGI cases, no asset test). If now, eligibility will remain until reported changes or annual review. If later, information is entered into CalHEERS to gather the Federal Hub information to determine what the client is eligible to – MAGI Medi-Cal or coverage through Covered CA. Workflows are currently being developed to capture all newly eligible adults. Open enrollment is Oct-Dec 2013 for eligibility in Jan 2014, and continues through March 2014. 		

Commissioner Questions/Discussion:

Commissioner Smith-Cooke asked for clarification on when the asset test will be used. *(Ms. Garcia explained that the ACA does not have an asset test. The only Medi-Cal programs that will have an asset test are the adult based programs for those over 65 or disabled and on Medicare. This is a huge change and will make it much easier to determine eligibility.)*

Commissioner Enns asked if DSS hired extra staff to assist with enrollment. *(Ms. Garcia advised that 11 new line staff will be coming on board Dec 3rd and will receive 3-6 months of training on two programs and systems – Medi-Cal & Cal Fresh.)*

Commissioner Warren noted that substance abuse and mental health services are one of the mandated benefits and asked if there was a network of Medi-Cal providers to see these patients. *(Dr. Borenstein advised that CenCal Health has been able to sustain a provider network to meet all of the required benefits of Medi-Cal beneficiaries and would be the responsible party for providing the network.)*

Commissioner Smith-Cooke asked if self-employed persons will need to project their income. *(Ms. Garcia answered “yes” for MAGI-Medi-Cal and Covered CA - the income used to determine which program you qualify for is “prospective.” If income changes during the year, the change can be reported to Covered CA and will be re-calculated.)*

Commissioner Blonsley advised that the Modified Adjusted Gross Income is Line 38 on your tax return, which may need to be adjusted to one’s current income. *(Ms. Garcia noted that there are a couple of add-backs such as foreign income, an interest add back, and untaxed social security.)*

Dr. Borenstein clarified that persons who apply for insurance after Dec 15 will have to wait until Feb 1 for coverage under Covered CA, but Medi-Cal is retroactive and will go back 3 months.

Commissioner Quinn asked for the Call Center phone number and about bilingual staffing. *(Ms. Garcia advised there is an “800” Covered CA number for the State of California. DSS is hiring 11 new line staff /eligibility workers; w/3 bilingual. Call Center hours of operation will be 8am-8pm (M-F) and 8am-5pm (Sat) during open enrollment.)*

Commissioner Raymond asked what happens if someone doesn’t sign up for insurance and ends up in the emergency room. *(Mr. Garcia advised that there is no retroactive for Covered CA. If you apply between the 1st and 15th of the month, eligibility is for the following month.)*

Commissioner Clous asked what type of volume was projected. *(Dr. Borenstein advised it is projected the total number of newly eligible for MAGI Medi-Cal (based on census data) is somewhere between 12,000 and 19,000 individuals, UC Berkeley did a study that said it would take 3 years before 50% were enrolled. Projections are not certain).*

Commissioner Enns reiterated that persons can call the Covered CA 800 number, go to the Covered CA website, go to an insurance company, or in person to DSS to find out what they are eligible for.

Ron Freeman, Susan Polk Insurance Agency, Inc., provided an overview of Covered CA choices, benefits and financial assistance:

- Modified Adjusted Gross Income (MAGI) is used by the IRS to determine eligibility for premium assistance. Mr. Freeman explained that MAGI is a variant of the adjusted gross income found on the 1040 IRS forms. They are waiting for the State of California to release their official MAGI calculation worksheet, but Mr. Freeman provided a MAGI calculation worksheet based off the current federal guidelines for calculating MAGI. The worksheet also included “qualifying income

guidelines, that can be used once MAGI has been determined. CalHEERS is the back end system for the Covered CA application process that takes your social security number and checks it against the IRS database. Income is based on the most recent tax return (2012), but if you believe you are going to make a different amount in 2014, you can self-attest that amount.

- There are four types of plans: Platinum, Gold, Silver and Bronze. There are also two other types: the Bronze HSA (a health savings account, a high deductible plan, but you are able to open up a savings account, pretax) and the Enhanced Silver (for those between 139-250% FPL, which is a better plan than the Platinum plan for those who qualify). If you are in poor health, your premium will be the same amount as someone with good health. Smoking is not a factor in CA, but in some states, it is.
- The ACA mandates two major areas of coverage for all individual and family plans: Essential Health Benefits (EHB) and Preventative Services. California also specified that additional benefits be included in these plans. Mr. Freeman referred to his handout for a list of all of the EHB, preventative and other services that are included in the individual and family plans.
- Policies must be purchased between Oct 1 and Dec 15 to be effective January 1st. Policies can be purchased through an insurance agent or directly through Covered CA. An insurance agent is not allowed to provide customer support to a person who purchased a plan directly through Covered CA. There is no difference in cost between buying through an agency or direct from Covered CA.
- Mr. Freeman referred to their website at susanpolk.com for more information, including phone number and email address. They are happy to answer questions.

Commissioner Questions/Discussion:

Commissioner Blonsley referred to persons who are self-employed whose income will be based on their 2012 tax return and later reconciled with their 2014 tax return. He suggested most self-employed persons file estimated quarterly tax returns and the IRS would have that updated information in their database.

(Mr. Freeman explained that these persons can self-attest that their income will be more and choose not to take all of the subsidies. He also advised that by law you are supposed to inform Covered CA within 30 days of a change in income, but the exact mechanism for that is unknown at this time.)

Dr. Borenstein asked if private plans (Cigna, Health Net) are still required to have the same 10 essential benefits that are part of the health insurance mandate. *(Mr. Freeman answered, yes, they are also required to not take pre-existing conditions into account and plans have to meet the actuarial values of the plans available inside of Covered CA.)*

Commissioner Smith-Cooke asked if a person who is living solely off of social security, but has a large IRA account they are not drawing off of, would have to include that IRA account in calculating what they qualify for. *(Ms. Freeman advised that an IRA is only relevant when someone starts drawing out of the account.)*

Commissioner Smith-Cooke asked if a person who is uninsured and turning 65 mid-year next year should apply for Covered CA to avoid the penalty. *(Mr. Freeman reiterated the importance of health insurance and that they absolutely should purchase coverage until they reach age 65.)*

Commissioner Smith-Cooke asked if persons who refuse to get health insurance for year 1 will be penalized for the entire year. *(Mr. Freeman advised that coverage has to be for the entire year, however open enrollment for year 1 does not end until March 31, which is 9 months; so some uncertainty how*

	<p><i>penalties will be applied.)</i></p> <p>Commissioner Blonsley asked about the catastrophic plan for persons under 30. <i>(Mr. Freeman and Ms. Garcia have heard of the plan, but have not seen it yet.)</i></p> <p>Commissioner Quinn asked if hearing devices would be covered. <i>(Mr. Freeman uncertain.)</i></p> <p>Commissioner Smith-Cooke asked about the differences in employer plans. <i>(Mr. Freeman advised that employer plans are different from individual/family plans. Additional benefits may be offered in these plans. The main benefits will be identical, but formularies, physician provider networks, and a few other items will not be.)</i></p> <p>Commissioner Quinn asked if you can buy insurance through Covered CA if you are offered insurance through your employer. <i>(Mr. Freeman explained that if an employer offers health insurance to an employee and their dependents, the dependents would not qualify for a subsidy under Covered CA, unless the insurance does not meet the affordability test (the cost of the insurance for the employee has to be less than 9.5% of the employee’s W2 income.)</i></p> <p>Commissioner Blonsley asked about group plans with multi-county employees. <i>(Mr. Freeman explained that there are 19 rating regions for the state. Ventura, Santa Barbara and SLO Counties are in region 12 and there are only 3 insurers available in those counties – Anthem Blue Cross, Blue Shield of California and Kaiser. Kaiser doesn’t have a presence in SLO and Blue Cross opted out of the “Shop plan for small businesses,” but Blue Shield may be available in all of the rating regions, so you could purchase that. If you have employees in different states, you would need to purchase insurance through those different exchanges, because insurance is regulated on a state-by-state basis.)</i></p> <p>Commissioner Enns asked how penalties will be applied <i>(Mr. Freeman explained you will be fined on your taxes. He has heard two different ways this might be done – one, you will receive paperwork from your insurance company to submit with your tax returns; another, that it will be electronic through the IRS. The penalty is \$95.00 or 1 percent of your income in year 1; 2% of your income in year 2 and 2.5 percent of your income in year 3.)</i></p> <p>Commissioner Clous asked if seniors with Medicare and supplemental plans need to do anything under the ACA. <i>(Mr. Freeman advised that they do not.)</i></p> <p>Commissioner Raymond asked about persons who are “Medi-Medi” <i>(Ms. Garcia advised that in the adult based Medi-Cal, you can have both Medi-Cal and Medicare. Non-filers are probably the only persons who won’t be penalized because there is no method to penalize them.)</i></p> <p>Commissioner Smith-Cooke asked where people can be directed for assistance. <i>(Mr. Freeman advised CoveredCA.com has a calculator where you can enter your income, zip code and look at all of the plans. You can see what the premiums are and what your advanced premium tax credit will be. You can also call your insurance agent or Susan Polk Insurance.)</i></p> <p>Commissioner Raymond advised that there is no penalty if your application doesn’t get in until March, which means potentially that your first eligible month is May.</p>		
<p>5. Health Agency / Public Health Report</p>	<p>Dr. Penny Borenstein, Health Officer, reported on the following:</p> <ul style="list-style-type: none"> • The Public Health Department (PHD) is looking into becoming a certified enrollment entity for Covered CA to allow PHD to process health insurance enrollment applications for medically indigent clients. • The WIC Program recently received an award from CSAC (California State Association of Counties) for their WIC Dental Days. 		

	<ul style="list-style-type: none"> PHD is making some headway into electronic health care reporting – communicable diseases can now be reported electronically by providers who participate in the electronic portal and the State database is now able to accept electronic lab reports, with a number of large laboratories using that system. Public Health can now access that database to get lab results on communicable disease reports. 		
6. Health Commissioner Updates	<p>Chair Enns: No report. Commissioner Smith-Cooke: No report. Commissioner Pope: No report. Commissioner Quinn: No report. Commissioner Clous: No report. Commissioner Raymond: No report. Commissioner Warren: No report. Commissioner Del Rio: Announced that the 10th anniversary open house celebration for Tolosa’s Children’s Dental Center will be held on Sept. 12, 2013, 8-10am, 717 Walnut Street, Paso Robles. Assemblyman Katcho Achadjian and Dr. Jac Pederson will be honored at the open house. Commissioner Sage: Distributed a flyer with information on the upcoming Domestic Violence educational forum on Oct. 10, 2013, 8:00-12:30pm at the Vets Hall. The focus is on trauma and mental health issues. Anyone interested is encouraged to attend. Registration is required. Commissioner Blonsley: No report.</p>		
7. Committee Reports	<p>Commissioner Raymond, Chair of the Community Education Committee, reported that the Community Education Committee met on Sept. 6th to discuss the program that was tentatively scheduled for the Oct 2013 Health Commission meeting on mold & biotoxin illness. She read a letter from the committee stating that information received from a concerned citizen contained issues that troubled members of the Community Education Committee and a decision was made by the members to postpone having the presentation until the committee receives further clarifying information that can eliminate its concerns. The October meeting will go forward with the planned series of ACA, and in addition, will include a presentation for Domestic Violence Awareness Month.</p> <p>Commissioner Warren advised that there will be a 2-hour public forum on mold related biotoxin illness on Sept. 19, 2013, 6:00-8:00pm, at the ABC Church, 6225 Atascadero Mall. Open to the public.</p>		
8. Prospective Future Items	<p>October 2013:</p> <ul style="list-style-type: none"> Domestic Violence Awareness Month Update on ACA <p>Prospective Future Items:</p> <ul style="list-style-type: none"> Commissioner Warren suggested inviting Ann McDowell, SLO County Epidemiologist and Paige Batson, Communicable Disease Manager from Santa Barbara County, who recently gave a talk on “Central Coast Voices” about the leading causes of death on the Central Coast. Commissioner Raymond was contacted by Access For All (AFA) who would like to present about access to medical care & resources for persons with physical disabilities. 		
9. Adjournment	Meeting adjourned at 7:30 pm	<i>Adjournment</i>	<i>All</i>