



**COLORADO**

Department of  
Regulatory Agencies

Division of Insurance

## Colorado Option Advisory Board Meeting Minutes

June 14, 2023, 3:30 - 5:30 PM

Adam Fox called the meeting to order at 3:34 PM.

Those in attendance were:

- Present (5): Adam Fox, Amanda Massey, Dr. Reginald Washington, Chris Zivalich, Andy Jacobs
- Absent (5): Jennifer Fanning, Valerie Larson, Kevin Stansbury, Bianey Bermudez, Dr. Qaiser Khan

Others present from the Division of Insurance (DOI) included Kyla Hoskins, Sara Bencic, and Maddie Davis. Angela Little attended from the Attorney General's Office.

**April Meeting Minutes:** A quorum was not present at any point during the board meeting, so the April Advisory Board meeting minutes will be placed on the October meeting agenda for approval.

### Staff Updates:

- **Program Implementation Report Out.** Kyla Hoskins stated that amended regulations for Network Adequacy, Standardized Plan Design, and Premium Rate Reductions have been adopted. The Division also adopted a bulletin to remind carriers of their obligations to cover diabetic supplies at \$0 cost-sharing and that they must post updated lists of what brands and models of supplies are covered on their websites. The next bulletin and regulations that the DOI is working on will reflect the update to the definition of medical inflation that was signed into law through HB23-1224.
- **Staffing.** Kyla Hoskins introduced the new Colorado Option Program Assistant, Maddie Davis, who started in the position in May. Maddie gave a brief introduction.
- **Public hearings.** Public hearing preparations are currently underway, and the hearings themselves are scheduled to start next week. After the hearings conclude, the results of the hearings and the rate review process will be shared with the Advisory Board.
- **Hospital Workforce Report.** Kyla Hoskins stated that the DOI is currently working on reviewing the Hospital Workforce Trends Report (Section 10-16-1310) written by DIRA. The Advisory Board must provide feedback on the report by Friday, June 16. The report is due to the General Assembly on June 30.



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- **1332 Waiver Administration.** The required templates have been sent to the federal government. The federal government will determine the 2023 passthrough funding amount for Colorado.
- **Board Recruitment.** Kyla Hoskins announced that the board seat for the Colorado Option Enrollee is still vacant. Current recruitment efforts include DOI presentations at the Connect for Health Assistance Network and Broker meetings. In addition, the DOI is working with Connect for Health Colorado to email Colorado Option enrollees inviting them to apply for the position. Board members are also encouraged to share information about the position with their networks.
- **Equitable Practices.** Kyla Hoskins mentioned that Bianey and a few other board members previously brought up a desire to put into place equitable practices to recruit and onboard the CO Option Enrollee board member. The Division is currently speaking with board members individually and also invites any board member who has not yet been contacted and wants to be a part of this discussion to reach out to DOI staff. In addition, a folder with health insurance literacy information has been created for use as a part of onboarding this board member.

### Advisory Board Discussion/Items for Follow-Up:

- Chris brought up a point about how the wording in the recruitment emails to CO Option enrollees could affect whether they apply. Chris emphasized that these communications should explicitly say that the enrollee's experience is valid and important. This will hopefully prevent imposter syndrome and ensure that people actually apply.

### **Colorado Option Workforce Trends Reporting Presentation**

- Jill Tanem led DIRA's presentation about the current status of the Colorado Option Workforce Trends Report. The 2023 Report is designed to establish the baseline for hospital workforce wages, benefits, and staffing in the years leading up to the implementation of the Colorado Option. The Report also offers comparisons of the Colorado hospital workforce to the national hospital workforce. This year's report focuses on using secondary data. Key points are: 1) the Colorado hospital workforce looks similar to the national hospital workforce; 2) more than 80,000 Coloradans are directly employed by a hospital, and labor is one of the largest expenses in hospitals' budgets; and 3) contracted labor has seen the largest rate of growth among hospital expenses in recent years and has put further pressure on total hospital costs. The two recommendations for the next report include incorporating worker voices and increasing coordination within and across state agencies to understand challenges and impacts. Next steps in finishing this year's report include the Advisory Board members returning written feedback to the DOI by



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June 16. DIRA will incorporate feedback and edits from June 19-29. DIRA will send the final report to the DOI on June 30 for submission to the legislature.

### Advisory Board Discussion/Items for Follow-Up:

- Dr. Washington mentioned that the report includes two figures with the label "Figure 6." He also mentioned that it is misleading that there is nothing included about the high cost of living in Colorado, which makes it difficult to compare our workforce to the workforce in other states. He mentioned that in his experience, some folks that his hospital has hired left after only a few months because the cost of living in Colorado is too high. Dr. Washington also stated that it is difficult to compare specific types of nurses to other types of nurses, as there are some nurses that are quite specialized, and suggested that the next report should focus on acuity and specialization. He emphasized that DIRA did a good job pointing out that contracted workers are very expensive but feels it is also important to consider that non-contract nurses are demanding high salaries as well, which leads to ratio decreases, nurses going on strike, etc. Dr. Washington would like a more complete discussion about the impact of the contracted nurses, and noted that DIRA mentions four large hospital systems but leaves out children's hospitals, which are also large and should be included.
  - After Chris Zivalich's comments (below), Dr. Washington also mentioned that training and orientation is important for contracted workers. In addition, at least one hospital system has started recruiting nurses at contract labor rates to try to increase retention. So, he believes there is more to the issue of contracted labor to be discussed.
- Chris Zivalich commented that it seems that some of what this report is lacking is what will be feasible to report on in the future. Chris noted this report is lacking a focus on racial equity, which is a major part of the Colorado Option. He asked if it would be possible to break some of the metrics in the report down more by race, or to perhaps use the focus groups as a vehicle to accomplish this in the future. Chris said he wants to know more about the racial identity of hospital workers and asked for more information about contracted workers and how that intersects with demographic representation.
  - After Adam Fox's comments (see below), Chris mentioned that he saw a part of the report that included information about funding provided by the American Rescue Plan Act (ARPA) for workforce efforts, and he wondered if any of that money will be rescinded as part of the recent debt ceiling bill. Sara Bencic mentioned that she looked into it and did not see anything in the debt ceiling bill that rescinded that money.



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- Adam Fox commented that while he is still reviewing the report, he believes that the discussion about contract vs. staff labor should also have a historical context. He would also like to know more about the factors that are driving contracting vs. staffing and how that ultimately affects the workforce that is being employed/available.

### **Public Comment**

- Daniela Gosselova, a consumer from Grand County, Colorado, mentioned that the recruitment of the Colorado Option Enrollee for the board seat has not yet occurred, that it has been six months since the CO Option was available on the exchange, and that the DOI is behind on recruiting for this person.

### **Agenda Items for Next Meeting/Requests for Follow-Ups**

- The next board meeting is scheduled for October 18, 2023, at 3:30 PM.
- Between now and then, the DOI will be wrapping up the public hearings and finalizing 2024 plan and rate reviews.
- Similar to last year, the DOI will share updates on the 2024 Colorado Option Plan filings during the October meeting.

*Adam Fox requested that the DOI update board members about CO Option Enrollee board recruitment between now and the October board meeting.*

The meeting was adjourned by Adam Fox at 4:31 PM.