

**Discussion Guide for Oregon Health Policy Board  
Health Insurance Exchange Policy Decisions**

Topic	Options/Staff Proposal	Notes	Board Task
<b>1. Mission</b>	<i>Staff straw proposal:</i> consumer oriented mission	<ul style="list-style-type: none"> <li>• Mission that embodies Board goals for exchange</li> <li>• Clearly articulate that exchange exists to improve access for Oregonians</li> <li>• <i>Needed for planning work</i></li> </ul>	Agree on or amend proposed mission
<b>2. Exchange Role</b>	<p><i>Options for consideration:</i></p> <ul style="list-style-type: none"> <li>a. Active Contractor (negotiator)</li> <li>b. Standard Setter (higher than outside market standards)</li> <li>c. Clearinghouse (standards = outside market)</li> </ul>	<p><i>Considerations include:</i></p> <ul style="list-style-type: none"> <li>• Ability to affect the way services are paid for</li> <li>• Plan participation</li> <li>• Meaningful consumer choice</li> <li>• Encourage participation by providers offering quality, value</li> <li>• <i>Needed for planning work</i></li> </ul>	Determine role exchange plays in determining carrier participation
<b>3. Leadership</b>	<i>Staff straw proposal:</i> broadly representative governing board provides guidance and ensures exchange is well-governed, sustainable and responsive to consumers	<ul style="list-style-type: none"> <li>• Broad representation, including OHA, DCBS Directors and others chosen for professional and community leadership and service</li> <li>• Meet at least monthly</li> <li>• Provides direction to exchange leadership on implementation, policy and sustainability</li> <li>• Establishes consumer advisory boards</li> <li>• <i>Needed for legislation</i></li> </ul>	Establish governance for exchange

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<b>4. Type of Organization</b>	<i>Options for consideration:</i> a. State Agency b. Public Corporation c. Private Not-for-profit	<i>Considerations include:</i> <ul style="list-style-type: none"> <li>• Responsiveness</li> <li>• Consumer focus</li> <li>• Flexibility</li> <li>• Coordination with State programs and agencies</li> <li>• Public Perception</li> </ul> <ul style="list-style-type: none"> <li>• <i>Needed for legislation</i></li> </ul>	Determine organizational structure for exchange
<b>5. Scope</b> <ul style="list-style-type: none"> <li>• <b>One exchange or two for individuals, groups</b></li> <li>• <b>One statewide exchange or several across state</b></li> <li>• <b>Single state exchange or interstate</b></li> </ul>	Individual/Group a. One exchange with individual and group product line b. Separate exchanges for individual and group products  Statewide/Sub-state regional One or several in state a. Statewide exchange b. Several exchanges placed regionally  Oregon or Multi-state a. Oregon exchange b. Partner with one or more states	<i>Considerations include:</i> <ul style="list-style-type: none"> <li>• Seamless entry</li> <li>• Efficiency</li> <li>• Single or multiple entry points</li> <li>• Focus on consumer needs</li> <li>• Smooth transitions</li> </ul> <ul style="list-style-type: none"> <li>• Local focus</li> <li>• Statewide resources</li> <li>• Efficiency</li> </ul> <ul style="list-style-type: none"> <li>• Joint purchasing/economy of scale</li> <li>• Potential for larger consumer base</li> <li>• Administrative, legislative complexity</li> </ul> <ul style="list-style-type: none"> <li>• <i>Needed for legislation</i></li> </ul>	Determine whether to establish one exchange or two to meet individual and business consumers' needs  Determine whether to establish a single exchange that serves all parts of the state or multiple regional exchanges  Determine whether to pursue a single state exchange or partner with another state

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<b>6. Market Type</b>	<p><i>Options for consideration:</i></p> <ul style="list-style-type: none"> <li>a. Parallel Markets (exchange and outside market)</li> <li>b. Sole Market through exchange</li> </ul>	<p><i>Considerations include:</i></p> <ul style="list-style-type: none"> <li>• Maximizing enrollment through exchange</li> <li>• Choice</li> <li>• Risk Selection</li>   <li>• <i>Note:</i> Parallel or dual market decision can be made independently for individual and small group markets</li>   <li>• <i>Needed for legislation</i></li> </ul>	Determine whether entire individual market goes through exchange
<b>7. Carrier and Plan Participation</b>	<p>Carrier Participation:</p> <ul style="list-style-type: none"> <li>a. Allow all willing carriers in</li> <li>b. Set requirements and let in all carriers that meet requirements</li> <li>c. Selectively contract</li> <li>d. Negotiate with carriers</li> </ul> <p>Plan Participation:</p> <ul style="list-style-type: none"> <li>a. Participating carriers offer an unlimited number of plans in each metal level</li> <li>b. Participating carriers offer moderate number of plans per metal level</li> <li>c. Participating carriers offer limited number of plans per metal level</li> </ul>	<p><i>Considerations include:</i></p> <ul style="list-style-type: none"> <li>• Meaningful consumer choice</li> <li>• Complexity</li> <li>• Cost impact</li> <li>• Carrier innovation</li> <li>• Navigation</li> <li>• State flexibility to adjust standards</li>   <li>• <i>Needed for planning work</i></li> </ul>	<p>Determine how insurance carriers will be chosen for participation in the exchange</p> <p>Determine how many health plans each carrier can offer at each metal level in the exchange</p>

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<p><b>8. Young Adult/ Catastrophic Plan</b></p>	<p><i>Options for consideration:</i></p> <ul style="list-style-type: none"> <li>a. Allow any carrier in Oregon to offer young adult plan</li> <li>b. Allow any carrier participating in exchange to offer young adult plan</li> </ul>	<p><i>Considerations include:</i></p> <ul style="list-style-type: none"> <li>• Meaningful consumer choice</li> <li>• Encouraging carrier participation in exchange</li> <li>• Ensuring eligibility for young adult/catastrophic plan</li>   <li>• <i>Note: Only individuals under age 30 and those deemed exempt from the insurance purchase requirement will be eligible to buy a young adult/catastrophic plan.</i></li>   <li>• <i>Needed for planning work</i></li> </ul>	<p>Determine which carriers will be allowed to sell a young adult/catastrophic health plan</p>
<p><b>9. Minimum Coverage Requirements</b></p>	<p><i>Options for consideration:</i></p> <ul style="list-style-type: none"> <li>a. Require all carriers in Oregon market to offer plans at Bronze and Silver levels</li> <li>b. Set no requirements on minimum packages sold by carriers (other than federal requirement to meet essential benefit package)</li> </ul>	<p><i>Considerations include:</i></p> <ul style="list-style-type: none"> <li>• Risk selection</li> <li>• Level playing field</li> <li>• Market regulation</li>   <li>• For whole individual/small group markets, not just within exchange</li> <li>• <i>Needed for legislation (DCBS is submitting legislation requiring all OR carries to offer bronze plan)</i></li> </ul>	<p>Determine whether to require all carriers in Oregon market to offer plans at Bronze and Silver levels</p>

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<b>10. Insurance Brokers</b>	<i>Options for consideration:</i> a. Allow insurance agents and brokers to help individuals and groups in the exchange b. Do not allow agents and brokers to participate in the exchange	<i>Considerations include:</i> <ul style="list-style-type: none"> <li>• Brokers currently paid by carriers; this could continue or exchange could pay directly</li> <li>• Broker roles/added value</li> <li>• Agent education</li> <li>• Navigator role</li> </ul> <ul style="list-style-type: none"> <li>• <i>Needed for planning work</i></li> </ul>	Determine whether to allow insurance brokers to participate in exchange
<b>11. Employer Groups 2014-15</b>	<i>Options for consideration:</i> a. In 2014-15, allow groups with up to 50 employees into exchange (adding 51-100 employee groups in 2016) b. Starting in 2014, enroll groups with 1-100 employees)	<i>Considerations include:</i> <ul style="list-style-type: none"> <li>• Numerous market changes occurring in 2014</li> <li>• Larger eligible group population will add to exchange size sooner</li> <li>• Disruption to market of merging 1-50 and 51-100</li> <li>• Ability to integrate larger groups in 2014 or 2016</li> <li>• Risk selection and potential for groups to self-insure vs. access exchange</li> </ul> <ul style="list-style-type: none"> <li>• <i>Needed for 2012 legislature</i></li> </ul>	Determine whether employer groups with 51-100 employees should be given access to the exchange before 2016

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<p><b>13. Opening Exchange Early</b></p>	<p><i>Options for consideration:</i></p> <ul style="list-style-type: none"> <li>a. Wait until 2014 to cover individuals and groups through exchange</li> <li>b. Begin enrolling individuals and/or groups in exchange before 2014 through a pilot</li> <li>c. Begin enrolling individuals and/or groups before 2014 – full enrollment open</li> </ul>	<p><i>Considerations include:</i></p> <ul style="list-style-type: none"> <li>• Federal tax credits will not be available before 2014</li> <li>• Testing enrollment processes on limited basis could help work out problems</li> <li>• Setting up state exchange rules in advance of federal rulemaking could mean program changes later</li> <li>• Offer incentives for businesses, individuals to enroll early</li> <li>• <i>Needed for legislation</i></li> </ul>	<p>Determine whether to implement exchange early in order to enroll individuals and/or businesses on pilot or full basis ahead of 2014</p>
<p><b>14. Risk Mediation</b></p>	<p><i>Options for consideration:</i></p> <ul style="list-style-type: none"> <li>a. Implement ACA-mandated risk mediation programs but do not pursue additional efforts.</li> <li>b. Recommend to the legislature that if ACA-required risk mediation efforts are assessed as not sufficient, pursue additional strategies to limit risk selection</li> </ul>	<p><i>Considerations include:</i></p> <ul style="list-style-type: none"> <li>• Assessment of sufficiency of ACA strategies is included in Oregon’s planning grant</li> <li>• Additional efforts have unknown cost to state</li> <li>• Risk selection could hurt exchange if not mediated</li> <li>• <i>Needed for planning work</i></li> </ul>	<p>Determine whether to pursue additional risk mediation efforts if deemed necessary</p>

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<b>15. Ongoing Funding (2015 on)</b>	<i>Options for consideration:</i> a. Assessment on premium of all plans sold in state b. Assessment on premium of plans sold in exchange c. Direct state funding	<i>Considerations include:</i> <ul style="list-style-type: none"> <li>• Federal law requires exchange be self-sustaining as of 1/1/15</li> <li>• Broad premium assessment vs. targeted to plans sold through exchange</li> <li>• Premiums for same plan sold inside and outside of exchange must be the same</li> <li>• <i>Needed for legislation (authority to collect assessment or other fee)</i></li> </ul>	Determine ongoing operational funding for exchange starting January 2015
<b>16. Level of Marketing by Exchange</b>	a. Active marketing of functions and services by exchange (more necessary in dual market) b. Passive marketing	<i>Considerations include:</i> <ul style="list-style-type: none"> <li>• Marketing has costs</li> <li>• Consumer knowledge about and interest in exchange will be affected by marketing</li> <li>• In market run through exchange exclusively, active marketing may be less necessary but may still be needed</li> <li>• <i>Needed for planning work</i></li> </ul>	Determine whether exchange should actively market itself or can rely on passive marketing