

COMMISSION ON AFFORDABLE HEALTH CARE

Minutes

January 12, 2015

This meeting was called to order by Bill Lindsay at 12:30 p.m. at Regis University in the Mountain View Room, in Claver Hall.

Attendees:

Bill Lindsay, Cindy Sovine-Miller, Rebecca Cordes, Jeffrey Cain, Linda Gorman, Marcy Morrison, Dorothy Ann Perry, Steve ErkenBrack, Ira Gorman, Greg D'Argonne, Elizabeth Arenales, Erin Kuhn, Jay Want, Marguerite Salazar, Chris Tholen, Susan Birch

On the phone: Larry Wolk

Progress of the Meeting:

- I. Review of the Agenda
 - a. Bill Lindsay reviewed the agenda. He then thanked Ira Gorman and Regis University for hosting the Commission. Bill asked the public attendees to sign in if they desired to offer public comment.

- II. Approval of the Minutes — Action Item
 - a. Motion to approve, no changes, approved unanimously.

- III. Discussion of the election process, and the offices to be elected-Action Item
 - a. Bill Lindsay reminded the Commission of the need to elect a Chair and Vice chair at today's meeting per the By-Laws
 - b. Bill asked Chris Tholen to conduct this portion of the meeting.
 - c. Chris Tholen provided the Commission with instructions on the election process, per the Interim Planning Committee's recommendations.
 - i. Positions are from one year but individuals can be re-elected the following year, and others can be elected in their stead.
 - ii. Chris indicated that he would like to entertain comments from Commissioners on characteristics needed for persons to serve in these positions
 - iii. He said that we would then take nominations and request each candidate to make a short speech on why they want to serve, and their qualifications
 - iv. Chris said that we would then take public comment and have an open discussion without the nominees in the room

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- v. He said there would be separate votes for the position of Chair and Vice-Chair but if there are three or more candidates for any position, a preliminary vote will be held to narrow the field to two, followed by a final vote

d. Chair Duties

- i. Chris then quoted from the By-Laws the roles and responsibilities of each position.

The Chair would have responsibility for setting the meeting agenda for the meetings, presiding over Commission meetings, naming Commissioners to serve on committees, speak to media and public on behalf of the Commission.

- ii. Jeffrey Cain – Chair should represent commission and the people in Colorado without bias
- iii. Elizabeth Arenales – Chair has a great number of tasks to consider advancing the commission. Needs to be able to listen to the Commissions thoughts and have a broad range of leadership skills
- iv. Dorothy Perry – Need the time to be responsible for these tasks
- v. Greg D’Argonne – Previous commission experience is invaluable, someone who has done something like this before and been successful
- vi. Steve ErkenBrack– Leadership experience will be important, appreciation of diversity of the Commission with a great understanding of health care costs

e. Nominations

- i. Marcy Morrison nominated Bill Lindsay
 1. Bill accepted the nomination
 2. Bill commented that this is a very important role and he believes his background in similar roles, with other Commissions, has prepared him well. He noted that the Commission has the ability to make a real difference and but it could also create more problems if it does not operate in a thoughtful and thorough manner. He commented that in the end this is not about the Chair, but rather the key is the involvement of the entire Commission in an effective manner. He stated that his unique attributes include:
 - a. Experience in business and his involvement in health policy matters over a number of years.
 - b. The fact that he has served in other similar roles in the past.
- ii. Cindy Sovine-Miller nominated herself

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1. Cindy commented that she is a big fan of the commission and enjoys the work being done. She noted that although she does not have all of the experience that was mentioned by others, she has many other valuable qualities that are important to consider.
 - a. Does not represent any specific interest area. She has no a bias in the discussion around cost
 - b. She does not hold a position that is regulated by any governmental body when making decisions
 - c. Very transparent, without transparency we will have a hard time getting any recommendation to move forward. She believes that public participation is key for the success of the commission
 - d. She sees great potential for this commission's work, and wants to continue to push the work
 - e. She has early childhood experience and believes she is running for the benefit of future generations
 - f. She said she is running to help move the group forward
- iii. Elisabeth Arenales commented that both have done a good job on the Interim Planning Committee
 1. She said she is supporting Bill based on his experience and believes he has the understanding of the issue that will move the group forward
 2. Rebecca Cordes said that Bill has done a good job in providing the Commission with the agenda thus far
 3. Greg D'Argonne said appreciates Cindy passion but Bill's leadership has been apparent through the first meeting. Likes his style. He doesn't feel that Bill has an agenda himself in fact, you never know what he is thinking. He is calm and collected and this will come in handy in the future.
 4. Jeffrey Cain commented that he has been impressed with Bill's experience and Cindy's passion
 5. Ira Gorman noted that Cindy's early childhood experience will be helpful because these are the individuals the Commission is trying to help
 6. Elisabeth Arenales said that the Vice- Chair balance is going to be important. She feels that the Commission needs a representative of purchasers included in leadership
- f. Public comment on Officer selection
 - i. Jake Williams, Health for Colorado

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1. He wants to speak in support of Cindy Sovine-Miller. He has known Cindy seven years, through the partnership for Healthy Colorado (involved with insurance, business, labor)
 2. Cindy Vice Chaired this group at the time and she pushed the group to go beyond where they typically would go. Her experience at the capitol helped predict the outcome and how it would be perceived at the capitol. She has great leadership skills but offers a true bipartisan agenda. She listens to the perspective of others. She has an updated and unique perspective and understanding of this issue.
 - ii. Victor Ducay suggested several things to consider as the Commission makes its selection:
 1. Most of those at the table have a stake in the outcome
 2. One of the most important things here is who can represent the state of Colorado and its people in an open and unbiased manner
 3. You are six months into this Commission and there is no work plan and no work being done
 4. You need someone who can push you in the direction to get things done
 - iii. Senator Crowder said that it would be best to have a written vote
- IV. Election of Officers – Action Item
- a. Chris Tholen asked if this should be a voice or written vote. How should we proceed?
 - i. A motion for a written vote was approved and voted 9 yes and 3 no
 - ii. It was agreed that Susan Birch and Erin Kuhn would count the written votes for Chair and Vice-Chair
 - iii. Bill Lindsay was then elected as the Chair
 - iv. Bill received 9 votes as Cindy received 3 votes
 - b. The candidates were asked to return to the meeting and the result of the election was announced.

Chris Tholen then read the duties of the Vice Chair from the By-Laws. He noted the Vice –Chair must support the chair as necessary and be responsible for Chair’s duties if he/she is not available.

 - i. Elisabeth Arenales – we need someone complimentary to Bill, now that Bill is elected
 - c. Nominations for Vice Chair
 - i. Rebecca Cordes nominated Cindy Sovine – Miller

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- ii. Cindy Sovine-Miller accepted the nomination
 - iii. Marcy Morrison thanked Cindy for her willingness to serve
 - iv. Steve ErkenBrack – Cindy has proven herself by serving with Bill
 - v. Ira Gorman – good way to get moving with Bill and Cindy in leadership
 - vi. Marguerite Salazar – Bill and Cindy do not always agree and that is good, it will help to get the commission to a good place
 - d. Voice vote – all in favor
 - i. Cindy Sovine- Miller elected Vice Chair by the Commission by voice vote
 - ii. Bill Lindsay and Cindy Sovine-Miller thanked the Commission for their support and confidence in them
- V. Status of the selection of Consultants to the Commission
 - a. Bill Lindsay – At the November meeting there was a discussion on how to put into place a process to get proposals and provide commission with recommendations. The Commission asked the Interim Planning Committee to create and implement a process and bring back its recommendations for these positions. He then summarized the process that took place.
 - i. An RFI was created and sent to a list of interested parties, and it was posted on the Commission’s web site
 - ii. 12 responses were received for the different positions
 - iii. Three positions include:
 - 1. Support: minutes, notices, requests, logistical support
 - 2. Administrator: Work with Chair and Vice –Chair to set the agenda, set locations, execute the statewide meetings, ensure there is adequate staff support
 - 3. Research/ Technical: identify data sources, identify prior useful studies and other existing research, provide recommendations on the direction and information for Commission
 - iv. The RFI responses were reviewed and Bill noted that there were numerous highly qualified options to select from. The job of selection was difficult. However, the proposals were sorted and then finalists selected for each position. The Interim Planning Committee then interviewed each person with pre-established questions:
 - 1. Questions provided asking for verification of their non-partisan status and any conflicts of interest that might exist, along with other questions on recent, relevant experience
 - v. Those who are selected will have a one year contact with the ability to renew based on performance and the availability of funding

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- b. Bill then asked Cindy Sovine-Miller and Chris Tholen to describe the search for the support and administrator roles.
 - i. They noted that for each position the two top finalists were interviewed
 - ii. Recommendations are to be made by the Interim Planning Committee
 - iii. Chris Tholen noted the characteristics needed for the support role include:
 - 1. An organization with experience in dealing with situations with similarities to the Commission, the ability to travel, and have a team with capacity to handle the Commission's varying work load.
 - a. Experience dealing with social media and a website are important
 - 2. Keystone Center is the recommended organization for both the Support and Administrator positions
 - iv. Bill Lindsay then asked Elisabeth Arenales to talk about the Research position
 - 1. She said it would be ideal to have a vendor that is a Colorado based organization with Colorado experience
 - 2. CHI is the recommendation for Research role
 - v. Dorothy Perry asked if we need to hire each of these three positions now, realizing we are still debating the budget. She noted that with the regional meetings coming up we need to ensure we have enough funds for travel, lodging, meals, etc. She also noted that this is the first time we have talked about the three positions and she is still unclear on the role of each.
 - vi. Bill Lindsay responded he understands the question and agrees with the concerns expressed but that in order to "get moving quickly" we will need to hire staff to help with the behind the scenes work of the committee. There is a lot to do and it won't get done without these outside resources. He clarified that:
 - 1. Research team will start March 1 vs. right away so the Planning and Research committees can get organized and we can put a work plan in place.
 - 2. The positions were listed before in previous meetings and the three functions were discussed then, as well as the materials being sent out in advance of this meeting, so everyone should be up to speed on them
 - vii. Elisabeth Arenales added that she worries that to eliminate a role, the work will just not get done and our timeline is tight already

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- viii. Linda Gorman commented that she feels the Research committee charter is jumping ahead of where we want to be. She feels we need to be organized before research begins
 - 1. She feels that the charter and strategy needs to be discussed before contracting a firm for research
- ix. Elisabeth Arenales asked if the research consultant can't help with thinking through the tasks and assist with the work plan development. They are very experienced in this type of work and can add great value.
- x. Dorothy Perry asked what the budget is. She asked if the budget can cover travel and the site visits. Or will the entire budget go for the staff that we are hiring?
- xi. Bill Lindsay commented that the budget has not been finalized. That was not the role of the "interim" committee. However, he noted that the budget will not be allocated just to pay for staff. There are enough dollars to cover the cost of the statewide meetings in the first year. He also noted that we plan on doing additional fundraising for the statewide meetings.
- xii. Marcy Morrison commented that Commission members should be distributed a budget for review. She said she is not challenging the process but she would like to see an overall budget
- xiii. Bill Lindsay reiterated that there is no budget in place yet, but he said the Planning Committee, when formed, will work on getting one together as soon as possible. This is important for transparency and wise planning and he agrees. However, he urged the Commissioners not to hold up selecting staff until that was done.
- xiv. Marguerite Salazar noted that the Interim Planning Committee did not want to go too far as an interim group. They did not want to overstep their bounds and hamstring the ultimate decision makers. She said the Committee has been trying to get all of the pieces together – now that there is formal leadership in place there will be a more solid plan.
- xv. Bill Lindsay then asked the two finalists to speak briefly and tell the Commission about their organization.
- xvi. Lorez Meinhold of the Keystone Center went first. She noted their offices in Keystone, Denver and DC. She said they are multi-dimensional working on facilitation of tough issues. They have been successful bringing together corporate and nonprofit organizations.
 - 1. They work on education, health care, environmental issues
 - 2. They are non-partisan and do not engage in the political process

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3. They have 19 staff and have done statewide meetings on higher education. At one point they did 16 meetings in 20 days
4. Linda Gorman asked how you measure intensity in public settings.
 - a. Lorez responded that they use several different approaches: they have used questionnaires for the public to fill out, they often break down into small groups for discussion, and they often use online polling for those unable to attend public meetings
- xvii. Michele Lueck from CHI (the Colorado Health Institute) talked about their organization next:
 1. They are an Independent health policy institute, which is non-partisan
 2. CHI is Colorado based and know Colorado data but also have a national presence and access to national data as well
 3. They believe in focusing the work on specific questions. She suggested that the biggest challenge will be to think through the research questions to be answered
- xviii. Marcy Morrison said the financial position of the Commission may perhaps require a one year contract – is that okay with the recommended selected roles
 1. Keystone – Yes, we are. However, part of the requirements of the administrative role is to fundraise which Keystone has experience in – wants to help grow the budget in order to support the work
 2. CHI – they understand this type of situation and the need for an annual contract that ties to the budget. They are prepared to be open with the time frames and work goals that are in mind.
- xix. Rebecca Cordes asked if there are specific performance goals within the contract.
- xx. Bill Lindsay said the standard contract format has been reviewed by the Planning Committee and Legal Counsel. It will include deliverables. However, he noted that there is an issue of timing. To have a detailed work plan prepared before we can create a contract will be pushing the commission timeline. It is expected that the Planning Committee will create a detailed schedule of work with the interaction of the Consultants. This will guide the work and help determine the outcomes.
- xxi. Bill Lindsay then offered to summarize where we are now. First, a detailed budget will be created with help of Administrator and the Planning Committee. Second, the Interim Planning Committee

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suggests putting forth a motion to approve the recommendations of the Interim Planning Committee and enabling us to go ahead with a contract for the two recommended consultants, using the standard CDPHE contract format which has been reviewed.

1. Ira Gorman commented that the role of the Commissioners is not to act as researchers but rather to guide this outside resource to get the work done. He sees his role as providing questions and the to interpret research points
2. Jay Want said that it would be in the best interests of the community to get the Consultants on-board now.
3. Jeffrey Cain commented that he is comfortable with decisions and recommendations of the Interim Planning Committee. It sounds like it has been a good process.
4. Marcy Morrison noted that she brought up the budget only because she is uncomfortable hiring without seeing budget for these positions

VI. Public Comment

- a. Victor Ducay – a budget is vital from a corporate perspective
 - i. Would like to have a budget in place for the Commission to view to acknowledge the priority of their roles

VII. Selection of the Consultants — Action Item

- a. There was unanimous approval for contracting both companies for their roles
- b. Bill Lindsay thanked the Commission on behalf of the Interim Planning Committee

VIII. Discussion of proposed Standing Committee Charters and the Committee assignment process

- a. Bill Lindsay drew the Commissioner's attention to the proposed Committee Charters. He noted that these are only a starting point. The Charters may need to be modified once they get going
 - i. He noted that the Interim Planning Committee will continue for one more month (the month of January). Their role will be to advise the Chair on Committee assignments and the selection of the chairs for the Committees
 - ii. Bill said he is asking for two choices for committees from the Commissioners. Commissioners will be selected for committees based upon the need for diversity of interest, and Commissioner expertise and experience

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- iii. It was noted that although the Chair will appoint the chair for each committee, the committees themselves will first nominate a committee chair and the Chair will then make the final decision. The committee's input will be important input for the Chair.
 - iv. Bill said that once the Committees are formed he will appoint a temporary chair to organize the initial meeting only. He is encouraging the committees to begin with the nomination of a chair and to begin dialogue about a committee work plan, and priorities. It will be important to have some of these thoughts outlined before the next Commission meeting. Each committee will report out at the February Commission meeting.
 - v. Bill noted that the Interim Planning Committee feels that Ad Hoc committees can be created as necessary throughout the commission process. Some of these may be offshoots of the Standing Committees and some may be created for input around specific topics.
 - vi. The Interim Planning Committee sees the role of the (Standing) Planning Committee to provide an overall framework for the Commission's activities. This framework will include agendas, activity in statewide meetings; provide ad hoc committee procedures, etc.
 - vii. The Interim Planning Committee's view of the work of the (Standing) Research and Technical Committee's work is focused on building the research agenda which will include identifying outside literature, other studies, prior work that has been attempted in the state, and national activities focus on cost reduction
 - viii. The Interim Planning Committee's view of the (Standing) Communication and Liaison Committee includes: handling requests from editorial boards, public dialogue and accomplishing outreach dialogue and information for elected officials. It will be important that the Commission is proactive with the Governor and legislative leadership rather than having these individuals wonder what the Commission is doing.
- b. Discussion of Charters for three standing committees
- i. Linda Gorman –an analysis of the cost drivers of health care must include the impact of federal requirements on health care
 - ii. Greg D'Argonne – when these committees are formed, will the duties change?
 - iii. Bill Lindsay responded that he thinks we are going to ask the committee to do the ground work and report back to the commission on their view of these "Charters." He commented that he would be surprised if the Charters would not change once the work begins and there is more understanding of what is involved in each area.

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- iv. Elisabeth Arenales- Can commissioners attend a committee meeting that they do not belong to?
 - v. Bill Lindsay said the Interim Planning Committee did discuss this and their view is that the committees could meet in private at first to be efficient. That means that having other Commissioners there would push through the threshold set in legislation as an exception to the public meeting rule. He said that after the first meeting or two it is hoped that committees would meet in public but that will raise logistical issues. He reminded the Commission that to conduct a public meeting there needs to be an ADA accessible space , large enough meeting room to accommodate the public, a prior public notice, etc.
- IX. Public comment on the Standing Committee Charters and the Committee assignment process
- a. Will the Research committee include CHI in its initial meeting?
 - i. Bill the initial thinking was no. The committee needs to get organized and that includes thinking of how they will deploy the consultant. However, after the initial meeting they could be very helpful since they can help the committee frame the questions to be addressed.
- X. Approval of the Standing Committees Charters and Committee assignment process – Action Item
- a. Motion to continue process – approved unanimously
 - i. Bill Lindsay noted that the Commission will want to provide the ability for the ex-officio members to participate in committees because of their knowledge and expertise. However, we also don't want to burden them. If an ex-officio member wants to join a committee they need to make it known so that the issue of it becoming a public meeting can be addressed.
 - b. Bill mentioned that he expects that members should expect to get their committee assignment late Friday, or Saturday
 - c. February commission meeting agenda will include reports from committees on their own progress
- XI. There followed a discussion on the various committee kick-offs and the short term continuation of the Interim Planning Committee
- a. Interim committee to meet for one more meeting to assign committee members
- XII. Proposed By-Law change-Action Item

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- a. Bill Lindsay noted that in the last meeting the Interim Planning Committee noted the need for a By-Law change. Since then it was discovered that the proposed wording needed to be revised
 - i. The representative from CVIHC should have the ability to send a delegate as a non-voting member
 - ii. Bill proposed a motion on behalf of the Interim Planning Committee to accept the proposed By-law change

- XIII. Public Comment
 - a. No public comment

- XIV. Approval of By-Law change – Action Item
 - a. Approved unanimously

- XV. Review of the proposed Memorandum of Understanding with CDPHE
 - a. Bill Lindsay noted that in the draft that was sent out there is now one change made which was to provide monthly reports to the Commission so that the budget can be tracked monthly.

- XVI. Public Comment
 - None

- XVII. Approval of the Memorandum of Understanding with CDPHE — Action Item
 - a. Approved unanimously

- XVIII. Public Comment
 - a. Richard Pasgoth asked when information or comments be submitted to the commission?
 - i. Bill Lindsay responded that now is great and that can be done in paper or electronically.
 - b. Victor Ducay asked about the proposed compensation per selected contract
 - i. Bill Lindsay responded on behalf of the Interim Planning Committee.
 - ii. He noted that \$160K proposed annually – Keystone scope of work
 - iii. \$126K proposed annually – CHI for scope of work

- XIX. Adjourn
 - The Commission adjourned at 2:45 PM