

**FLORIDA HEALTH MAINTENANCE ORGANIZATION
CONSUMER ASSISTANCE PLAN**

Board Meeting

**Thursday, May 23, 2019 at 3 p.m. Eastern Time
by Teleconference**

Board Members Participating

Dr. Raed Assar, Chairman
Stephen Harris, Vice Chairman
David Schandel, Secretary/Treasurer
Lourdes Rivas
Sabin Bass
Michael Keeler

Others in Attendance

Bruce Platt, Akerman LLP
Sheryl Rosen, Akerman LLP
LLEAN Chojnowski, Florida Office of Insurance Regulation
Champa Burns, Florida Office of Insurance Regulation
William Falck, Florida Life and Health Insurance Guaranty Association
Mary Lindsay Branham, Florida Department of Financial Services

I. Call to Order

Chairman Dr. Raed Assar welcomed attendees and called the meeting to order.

II. Antitrust Preamble

Dr. Assar read aloud the following antitrust preamble:

We are here to discuss and act on matters relating to the business of the Florida Health Maintenance Organization Consumer Assistance Plan ("HMOCAP"). We are not here to discuss or pursue the business of our individual member companies. All of us should proceed with caution and awareness of the requirements and prohibitions of federal and state antitrust laws. We should not engage in discussions, either at this meeting or in private conversation, of our individual companies' plans or contemplated activities. We should concern ourselves only with the business of the HMOCAP as set forth in the agenda for this meeting. Only HMOCAP matters may be discussed at the meeting and each company's business plans cannot be discussed.

III. Approval of Minutes

Dr. Assar asked the board members for comments or changes to the draft minutes of the January 31, 2019 board meeting. Hearing none, Stephen Harris moved to approve the minutes as drafted. Lourdes Rivas seconded the motion, which passed without opposition.

IV. Discussion of Long-Term Care Legislation (CS/CS/HB 673) and HMOCAP Required Actions

Bruce Platt presented a final version of the recent long-term care legislation and gave an overview of the same. The main change from the earlier version of the legislation discussed at the HMOCAP's most recent meeting is the addition of a provision exempting non-profit, single-state HMOs with less than \$200 million in assets from the assessments. If the legislation is signed into law, which is expected to occur, the HMOCAP will need to appoint one board member to serve as the HMOCAP representative on the board of directors of the Florida Life and Health Insurance Guaranty Association ("FLAHIGA"). The HMOCAP will also need to amend its plan of operation to implement the legislation.

Mr. Platt directed the board's attention to proposed revisions to the Akerman LLP plan manager agreement with the HMOCAP. The revisions provide that work related to assisting the selected HMOCAP board member's participation with FLAHIGA regarding long-term care assessments as within the scope of non-routine plan manager services that are not included in the flat, monthly fee for routine plan manager services. Michael Keeler moved to approve the changes to the plan manager agreement. Mr. Harris seconded the motion, which passed unanimously.

Dr. Assar directed the board to the current HMOCAP plan of operation that is including with the meeting materials. Mr. Platt clarified that Akerman has not yet had a chance to prepare proposed revisions to that document but will bring suggested changes to the board at a later date. Ms. Rivas inquired what changes might be needed. Mr. Platt stated that Akerman will suggest changes needed to appoint an HMOCAP member to participate on the FLAHIGA board of directors and resolve related matters regarding cooperation with FLAHIGA relating to long-term care insolvencies.

FLAHIGA Executive Director William Falck added that because HMOs will be participating in the assessment base to pay for long-term care insolvencies, allowing an HMOCAP board member to also serve on the FLAHIGA board affords HMOs representation and an opportunity to remain informed of assessments that will affect HMOCAP member companies. Mr. Falck added that the time commitment involved depends on the number of insolvencies, but FLAHIGA generally has one full-day annual meeting and a few telephone meetings per year as needed.

V. Selection of HMOCAP Board Member/Alternate to Serve on the Florida Life and Health Insurance Guaranty Association Board

Dr. Assar asked board members to come forward if they wish to volunteer to serve on the FLAHIGA board. Mr. Platt explained one limitation is that the HMOCAP board member selected may not be from a company that already has a representative on FLAHIGA's board [UnitedHealthcare, Aetna, and Florida Blue].

Mr. Harris stated that he might be interested but would like to speak to Mr. Platt about the possibility of participation and skills needed. Mr. Falck provided an overview of the FLAHIGA board's duties as background. Mr. Platt agreed to reach out to Mr. Harris and other board members who are eligible to determine which members have an interest in serving on the FLAHIGA board.

VI. Status of Vacant HMOCAP Board Seat

Mr. Platt stated that Karen Zeiler left her position with Humana, and so she resigned from the HMOCAP board. Mr. Platt sent a call for nominations to eligible HMOs and received nominations for two individuals: Brad Bentley of AvMed and Ron Weeden of Humana. Mr. Platt will send the nominations to the Florida Department of Financial Services for review. If the Department finds the nominees qualified to serve, Mr. Platt will send ballots to the member HMOs.

VII. Destruction of Documents

Mr. Platt explained that Akerman LLP has identified various documents, as listed in the meeting materials, that are eligible for destruction pursuant to the HMOCAP's records retention procedures due to the age of the documents. Retention requirements are in accordance with Florida law. Pursuant to the HMOCAP's document destruction procedures, prior approval of the board is required for destruction. A motion was made to authorize the proposed destruction. The motion was seconded and passed unanimously.

VIII. Other Business

Dr. Assar inquired whether board members had any additional items for discussion. The members presented no other items.

IX. Adjourn

Hearing no further business, a motion to adjourn was made and accepted. Chairman Assar declared the meeting adjourned.

David C. Schandel, Secretary/Treasurer
Florida HMO Consumer Assistance Plan

Dated this ____ day of _____, 20__