

In The Matter Of:
*Public Employees' Benefits Program Board Transcript
of Proceedings Telephonic Open Meeting*

April 29, 2019

*Capitol Reporters
123 W. Nye Lane, Ste 107

Carson City, Nevada 89706*

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PUBLIC EMPLOYEES' BENEFITS PROGRAM BOARD
TRANSCRIPT OF PROCEEDINGS
TELEPHONIC OPEN MEETING
MONDAY, APRIL 29, 2019
CARSON CITY AND LAS VEGAS, NEVADA

The Board: DEONNE CONTINE, Chairwoman
LINDA FOX - Member
MANDY HAGLER - Member
TOM VERDUCCI - Member
LEAH LAMBORN - Member.
CHRISTINE ZACK- Member
DR. JOHN PACKHAM - Member

For the Board: BRANDEE MOONEYHAN
Deputy Attorney General

For Staff: DAMON HAYCOCK
Executive Officer

Transcribed by: CAPITOL REPORTERS
Certified Shorthand Reporters
BY: KATHY JACKSON
Nevada CCR #402
123 W. Nye Lane, Suite 107
Carson City, Nevada 89703

(775) 882-5322
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1 MONDAY, APRIL 29, 2019, CARSON CITY, NEVADA

2 -oOo-

3 MR. HAYCOCK: This is Damon? Who do we have on
4 the line? Hopefully you don't all talk at the same time.

5 MEMBER FOX: This is Linda Fox.

6 MEMBER HAGLER: Mandy Hagler.

7 MEMBER VERDUCCI: Tom Verducci.

8 MEMBER ZACK: Christine Zack.

9 MR. HAYCOCK: We'll be starting shortly. We're
10 waiting on one Board member. We'll give her a couple of
11 minutes.

12 Hi, is that Leah?

13 MEMBER LAMBORN: Yes, it is. I'm sorry I'm late.

14 MR. HAYCOCK: No worries. Thanks for joining.

15 CHAIRWOMAN CONTINE: Okay. We'll go ahead and
16 get started. This is the time and place for the Public
17 Employees' Benefit Program Board meeting. It's April 29th,
18 at 1:30 p.m. We're -- a few of us are at the Richard Bryan
19 Building in Carson City, and I'll just go ahead and list who
20 I think is on the phone. Linda Fox, Mandy Hagler, Tom
21 Verducci, Christine Zack and Leah Lamborn. Did I miss
22 anybody?

23 And Don Bailey is excused, and I'm here in Carson
24 along with Dr. Packham.

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1 We'll go to Agenda Item Number One, role call.

2 MR. HAYCOCK: That's fine. Can I say something
3 real quick. For the record Damon Haycock.

4 Today we do not have a reporter from Capitol
5 Reporters actually transcribing these as we speak. So make
6 sure anybody who talks on the phone identify yourself first
7 for the record. We will send over the audio to be
8 transcribed as quickly as possible at the end of this
9 meeting. Thank you.

10 CHAIRWOMAN CONTINE: We already did the role call
11 so I'll move on to Item Number Two, public comment. Is there
12 any public comment in Carson City?

13 MR. ERVIN: Good afternoon. Kent Ervin,
14 E-r-v-i-n, representing the Nevada Faculty Alliance, the
15 independent statewide association of faculty of all eight
16 NSHE institutions.

17 NFA opposes an increase to CDHP employee premiums
18 from FY19, particularly from FY19 levels, particularly when
19 excess reserves continue to be accumulated and returned via
20 HSA and HRA contributions.

21 Further, NFA opposes an increase to HMO/EPO,
22 employee premiums and rates could be held flat based on
23 contractual relationships and recent experience.

24 Prior to about 2011 the employee premium for the
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1 base or high deductible plan in PEBP for the single employee
2 tier was zero. Since employee premiums and single employees
3 have been charged since then excess reserves have accumulated
4 every year.

5 PEBP has always taken the available funding from
6 the budget process and had to balance the benefits and
7 employee premiums to stay fiscally sound and needs to be able
8 to continue to do that.

9 The -- to put things in perspective, and we don't
10 know at this point what is going to be proposed on at the
11 budget hearings on May 1st and May 4th exactly, but from what
12 I hear about increase of anywhere five to \$20 a month in
13 premiums for a single employee, that's not huge. However,
14 \$10 a month is roughly 0.25 percentage points decrease for a
15 classified employee at the median salary for classified. So
16 that just offsets a COLA increase.

17 And finally the delayed and short and open
18 enrollment period will be a hardship for faculty who are
19 academic year contracts, many of whom depart from campus
20 after the end of the semester in mid May.

21 Thank you for the opportunity to comment.

22 MS. MALONEY: Good afternoon to the Board. And
23 my name is Priscilla Malone with the AFSCME retirees.

24 So I just want to say a couple of things. Coming
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1 as Dr. Ervin said, this delay in the open enrollment, we
2 appreciate the problem, but that could -- we just want it
3 noted for the record that could cause problems for some of
4 our classified employees.

5 And also that, of course, globally, again, any
6 increase in premiums to the state work force at this point in
7 their lives where, you know, for the last decade it's been
8 problematic. That we would globally oppose that but, again,
9 my final directive here is that -- that the actives hope that
10 Director Haycock work with the Governor and the legislature
11 to come up with a solution that minimizes negative impacts on
12 both the actives and, of course, on the pre Medicare and non
13 Medicare retirees. Thank you.

14 CHAIRWOMAN CONTINE: Thank you.

15 Is there any other public comment in Carson City?

16 Okay. Seeing none, we'll move on to Agenda Item
17 Number Three, PEBP board disclosures for applicable Board
18 meeting agenda items. Brandee Mooneyhan for the attorney --
19 from the Attorney General's office.

20 MS. MOONEYHAN: Thank you, Madam Chair. Again,
21 Brandee Mooneyhan, deputy attorney general on behalf of PEBP.
22 I offer this disclosure pursuant the Nevada ethic law on
23 behalf of all Board members who are eligible for PEBP
24 benefits.

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1 Of the current Board members, all except Ms. Zack
2 and Mr. Verducci are eligible for PEBP benefits which means
3 that they, their spouses and dependents may receive health,
4 dental, life insurance and other benefits through PEBP.

5 On today's Agenda Items Four and Five relate
6 directly to benefits available to PEBP members, namely
7 possible changes to the open enrollment period for plan year
8 2020 and procedures for finalizing rates and participant
9 premiums for plan year 2020.

10 When PEBP members vote on -- Board members vote
11 on members for themselves or their spouses or their
12 dependents that may trigger the disclosure requirements under
13 NRS 281A.420. So on behalf of the Board members who are PEBP
14 participants, I offer this as a general disclosure pursuant
15 to that ethics law.

16 I also note the Board members who PEBP
17 participants may still vote on the items directly effecting
18 their benefits, if the benefit or detriment to them is not
19 greater than that accruing to similarly situated PEBP
20 members.

21 Thank you, Madam Chair. And I invite anyone who
22 has anything to add in this regard to do so now.

23 MEMBER VERDUCCI: Yes, thank you. This is Tom.

24 CHAIRWOMAN CONTINE: Go ahead, Mr. Verducci.
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1 MEMBER VERDUCCI: Thank you. Tom Verducci for
2 the record.

3 I just want to point out that I accepted a
4 position with Voya Financial. Today is my first day I'm
5 going to be working on the Washoe County deferred
6 compensation program. They were awarded the program through
7 a competitive RFP process, and nothing that I'll be doing
8 effects -- will affect PEBP in any way because I'll be
9 working on the investment side of it, but I wanted to provide
10 that as a disclosure.

11 CHAIRWOMAN CONTINE: Thank you.

12 Is there anybody else on the phone that would
13 like to make a comment?

14 Dr. Packham?

15 All right. Moving along then to Item Number
16 Four, discussion and possible action to allow and approve
17 PEBP to finalize plan year 2020 rate and participant premium
18 upon final decision by the Nevada Legislature to approve
19 employer contribution subsidy at PEBP's budget closing
20 hearing.

21 And Damon Haycock from PEBP, go ahead.

22 MR. HAYCOCK: Thank you, Madam Chair. Damon
23 Haycock for the record.

24 The Nevada Legislature is scheduled to approve
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1 PEBP's biennial budget for the next two fiscal years. The
2 first meeting is scheduled and it's on Nellis now or on the
3 legislative website. It's a subcommittee on general
4 government on May 1st, this Wednesday at 8:00 a.m., and we
5 are told, but we haven't seen the posting yet, that the full
6 committee is scheduled to meet on May 4th.

7 There are still outstanding decisions to make on
8 the employer contribution, the subsidy that the legislature
9 approves in the appropriations bills every two years which
10 will affect our participant premiums starting July 1, 2019.

11 You all approved plan year 2020 rates and
12 premiums back on March 28th. You also approved PEBP the
13 allowance to make technical adjustments to those rates as
14 needed. PEBP's budget, of course, must be approved by the
15 legislature and, therefore, PEBP requests that the Board
16 designate legislative budget approval as a technical
17 adjustment to allow us to revise plan year rates and premiums
18 in accordance with their appropriations.

19 What that basically means is that PEBP won't have
20 to -- if you follow PEBP's recommendations today, we will not
21 have to check you all again to approve rates which segues
22 into the next agenda item about the lack of time we have for
23 noticing those rights.

24 So we still have the open meeting law
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1 requirements of a three-day notice, and then we have to get a
2 quorum together for you to approve and with the timeframe
3 down to the wire, especially if we don't get final approval
4 or knowledge of the exact appropriations until May 4th,
5 then -- then this could cause some major issues with folks
6 being able to access care and see their rates and pick their
7 plans on time.

8 So all we're asking to do is once the legislature
9 approves what that appropriation is, once they have nailed
10 down exactly what they want to provide the state or excuse
11 me, to provide on behalf of the state to PEBP members, we
12 will plug that number into our rate development process and
13 offset the cost of the rates that you guys have already
14 approved, up or down, based on the members premiums and to do
15 that with your approval as the technical adjustment. So we
16 can then turn around and notice those rates timely.

17 So that is our recommendation and if you have any
18 questions, I can take them now, Madam Chair.

19 CHAIRWOMAN CONTINE: Are there any questions from
20 the Board?

21 MEMBER VERDUCCI: Yes. This is Tom Verducci.

22 I was wondering if Officer Haycock could speak
23 for a moment on the Health Plan of Nevada opportunity to give
24 us flat rates. Are we in a position now that we're giving up
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1 the flat rates and looking at a 3.7 percent increase?

2 MR. HAYCOCK: Thank you for the question,
3 Mr. Verducci. Damon Haycock for the record.

4 The answer is potentially. The -- there were two
5 offers, originally there was three which was a four percent
6 increase by Health Plan of Nevada. And then when we received
7 the Governor's recommended budget holding us to 3.7 percent
8 inflation, they lowered it 3.7 to be good partners.

9 They came back right before our rate-setting
10 meeting and asked if we were planning to lower member
11 premiums on the HMO and EPO blend, and at that time we -- we
12 had an opportunity, we thought that we could do that, and so
13 they wanted to come back and give us a flat rate to make that
14 even a larger decrease to the member because they don't want
15 to lose anymore folks out of their HMO plan.

16 Over multiple years there has been migration out
17 of the HMO plans, and they have lost thousands of members and
18 as we all know in health insurance, the more people you have
19 the easier it is to offset those high costs and they come in
20 on a small part of the population.

21 So if it turns out that the legislatively
22 approved appropriations does not -- does not result in a
23 reduced member premium across all of the tiers on the HMO and
24 EPO plans, then the -- the zero percent rate hold is no

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1 longer available and we will be at the 3.7 percent increase.

2 Does that answer your question, Mr. Verducci?

3 MEMBER VERDUCCI: Yes, it certainly does. It
4 really wasn't what I wanted to hear but thank you.

5 CHAIRWOMAN CONTINE: Are there any other
6 questions on the telephone?

7 Dr. Packham, do you have anything?

8 Most of the public comment was already made at
9 the beginning. We'll just go ahead and go into the item. Is
10 there any -- any other discussion, any discussion from the
11 Board members?

12 MEMBER VERDUCCI: Yes. This is Tom Verducci
13 again.

14 And over the last several years we fought really
15 hard to keep rates flat and when we've been in surplus years,
16 and, you know, I'm a little disappointed that if we do have
17 to increase rates, hearing from our advocacy groups that they
18 are in opposition, I certainly hope that something could be
19 done to legislate -- the legislature level or the Governor's
20 office in an attempt to keep these rates flat.

21 CHAIRWOMAN CONTINE: Thank you. Is there any
22 other discussion? Is there a motion to accept PEBP's
23 recommendation that PEBP is authorized to make technical
24 adjustments to the plan year 2020 rates based on legislative
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1 decision making on PEBP's fiscal year 2020 budget?

2 MEMBER PACKHAM: John Packham for the record.
3 I'll make that motion. Do I need to repeat that?

4 CHAIRWOMAN CONTINE: No.

5 I have a motion from Dr. Packham. Is there a
6 second? Did I hear that? Did I hear something?

7 MEMBER HAGLER: This is Mandy Hagler. I'll make
8 a second.

9 CHAIRWOMAN CONTINE: Thank you. I have a motion
10 and a second. All those in favor say aye.

11 (The vote was unanimously in favor of the
12 motion.)

13 CHAIRWOMAN CONTINE: Any nays?

14 Next item is Agenda Item Five, discussion and
15 possible action to delay the start of open enrollment from
16 May 1st, 2019 to May 20th, 2019 and extend the end of open
17 enrollment from May 31st, 2019 to June 7th, 2019 for plan
18 year 2020.

19 For PEBP is Damon Haycock.

20 MR. HAYCOCK: Thank you, Madam Chair. Damon
21 Haycock for the record.

22 This report, I'm not going to read it word for
23 word, but basically we have a noticing requirement in statute
24 that any changes to premiums and rates be communicated in
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1 writing to the membership no less than 30 days or at least
2 30 days before the effective date of these changes.

3 That would mean during our normal open enrollment
4 of May 1st to May 31st that we would have to notice no later
5 than May 1st. Now, we still have a subcommittee meeting that
6 day. We have a potential full committee meeting on the 4th.
7 And any changes to rates we would have to re-notice, and we
8 would no longer be in compliance with our open enrollment
9 period.

10 We also, once there's changes done to these
11 rates, they have to be programmed and loaded into our
12 eligibility and enrollment system, and as part of that
13 programming there is a testing phase to ensure all of the
14 different types of rates and nuances are accurate, and that's
15 not something that can be done quickly. It's something that
16 is done very methodically and we do it every year generally
17 from about the beginning, first week of April all the way up
18 until open enrollment.

19 So we're looking at truncating this time again to
20 try to get these rates in place if they do change. Again,
21 it's not just the overall rate. It's the member share and
22 state share. So all of that math, all of the different parts
23 to that process needs to be tested, tested in multiple areas.
24 One in how it's displayed to our membership and, two, how we
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1 actually collect it and bill for it on the back end.

2 So there's a piece that you all will see when you
3 look at your rates on-line, but there's another piece just as
4 important on the back end that has to be accurate or we will
5 be billing incorrectly, and we can potentially be in an
6 insolvent position.

7 Now, changing open enrollment, as you heard from
8 Mr. Ervin, as you heard from Ms. Malone that, you know, this
9 causes some heartburn, as it should, because it is something
10 that we are not used to and that we were not planning for,
11 but at this point we don't feel that we have any other option
12 but to ensure that the accuracy of what we put in our system
13 and to ensure that folks will get what they need in time to
14 seek services on the first day of the actual plan year on
15 July 1st.

16 So PEBP is taking the loss of those two weeks
17 from June 1st or excuse me, the loss of the week from
18 June 1st to June 7th and we are going to absorb that
19 internally, operationally as an administrative, you know,
20 load onto what we're doing to kind of rush what we're doing
21 to make sure that we can get files and eligibility
22 information out to the HPN, HMO plan, the HSA funding that
23 needs to be loaded into everyone's system the first week of
24 July, any HRA fund balances that need to be loaded both on
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1 the Exchange and off.

2 And so there's a lot of things that happen in the
3 last couple of weeks of June, and we're going to be
4 truncating our ability to do that. So we are definitely
5 adding in risk, but at this point if there's going to be a
6 change to what was approved on March 28th, which it appears
7 to PEBP's knowledge there will be, any change means that we
8 have to reprogram and retest, and so we don't want to move
9 open enrollment. We don't like moving open enrollment. My
10 staff are not excited about the additional work that they are
11 going to have to truncate. However, we don't feel that we
12 have a choice and with that, I'll take any questions.

13 CHAIRWOMAN CONTINE: Are there any questions on
14 the telephone? Any questions in Carson City? Any
15 discussion?

16 MEMBER VERDUCCI: Yes, Tom Verducci for the
17 record.

18 I think it's going to be necessary to move these
19 dates, and I would like to -- I'm ready to make a motion
20 unless there's further discussion.

21 CHAIRWOMAN CONTINE: Go ahead, Mr. Verducci.

22 MEMBER VERDUCCI: Okay. Yeah, I would like to
23 recommend revising the open enrollment this year to May 20th,
24 2019, to June 7 of 2019.

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1 CHAIRWOMAN CONTINE: I have a motion from
2 Mr. Verducci. Is there a second?

3 MEMBER PACKHAM: John Packham I'll second it.

4 CHAIRWOMAN CONTINE: I have a second from
5 Dr. Packham. Any other discussion?

6 Okay. All those in favor say aye.

7 (The vote was unanimously in favor of the
8 motion.)

9 CHAIRMAN CONTINE: Any opposed? Okay. Thank
10 you.

11 Item Number Six, public comment. Is there any
12 public comment in Carson City?

13 All right. Seeing none, I'll move to Item Number
14 Seven, adjournment. Okay. I think we're adjourned.

15 Thank you everybody. Thank you for coming out on
16 such short notice.

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1 STATE OF NEVADA,)
2 CARSON CITY.)

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I, KATHY JACKSON, do hereby certify:

That on April 29, 2019, a hearing was held in the within-entitled matter in the Carson City, Nevada;

That said hearing was recorded on CD-ROM, and said CD-ROM was delivered to me for transcription;

That the foregoing transcript, consisting of pages 1 through 20 is a full, true and correct transcript of said recorded CD-ROM performed to the best of my ability.

Dated at Carson City, Nevada, this 8th day of May, 2019.

KATHY JACKSON, CCR

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