



Steve Sisolak
Governor

Dr. Ikram Khan
Chairman

Sara Cholhagian
Executive Director

Patient Protection Commission

Office of the Governor, State of Nevada
555 E. Washington Ave., Suite 5600
Las Vegas, NV 89103

SUMMARY MINUTES May 19, 2021

Pursuant to Governor Steve Sisolak's Emergency Directive 006 as amended and extended by Emergency Directive 029, there will be no physical location for this meeting. The meeting can be listened to or viewed live over the internet. The agenda, minutes, meeting materials, and audio or video recording of the meeting are available on the Commission's meeting page or by request.

Agenda Item I - Call to Order

Chairman Khan called the regular meeting to order at 8:00 a.m. Those in attendance and constituting a quorum were:

Commission Members Present:

Dr. Ikram Khan, Chairman
Dr. Howard Baron
Theresa Bohannan
Bobbette Bond
Jessica Flood
Flo Kahn
Yarleny Roa Dugan
Shaun Schoener
Dr. Anthony Slonim
Mason Van Houweling

Advisory Commission Members Present:

Justin Prazak representing Silver State Health Insurance Exchange
Insurance Commissioner Barbara Richardson, Nevada Division of Insurance (Department of Business and Industry)
Director Richard Whitley, Nevada Department of Health and Human Services (DHHS)

Commission Staff Present:

Sara Cholhagian, Executive Director
Gregory D. Ott, Chief Deputy Attorney General
Lezlie Mayville, Administrative Assistant/Policy Coordinator

Agenda Item II - Public Comment:

There was no public comment

Agenda Item III - Approval of the April 21, 2021 minutes

The Commission was presented with an email draft of the summary minutes of the April 21, 2021 meeting.

MOTION was made to approve minutes of the April 21, 2021, meeting as presented, by Commissioner Van Houweling. Commissioner Slonim Seconded. Carried without dissent.



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Agenda Item IV - Discussion on Stakeholder Advisory Committee to the PPC for the Peterson Milbank Program for Sustainable Health Care Costs. Possible action includes formation and assignment of members and the names of potential members are included attached list.

Chairman Khan

A question was asked if all seven of the Additional Recommended members for Consideration would have to be present for each meeting and Director Cholhagian answered that would only apply to the DHHS, DHCFP folks in case Deputy Administrator Phinney could not attend, one of the other DHHS DHCFP representatives could take her place.

The Commissioners were also asked if there were any questions about the scope of the Stakeholder Advisory Committee's purpose. There were none.

MOTION was made to adopt the Stakeholder Advisory Committee formation and assign the following members:

Asher Lise, Bill Welch, Chris Bosse, Cody Phinney, Elizabeth Ann Bolhouse, Jennifer Wakem, Joan Hall, Jody Domineck, Karen L. Massey, Karla Bee, Ken Thorpe, Lawrence Lehrner, Maya Holmes, Mike Willden, Shayla Holmes, Stacie Sasso, Todd Sklamborg, Tom Clark, Tom McCoy, Vance Farrow, Angela Amar, DuAne Young, Phil Burrell, Joseph Greenway, Kyra Morgan, Sandie Ruybalid and Tiffany Tyler-Garner by Commissioner Bond. Commissioner Slonim Seconded. Carried without dissent, objection, or changes to lists as presented.

Agenda Item V - Ten Minute Break

9:41 to 9:51

Agenda Item VI - Presentation on Cost Growth Benchmark Methodology

Michael Bailit, M.B.A., President, Bailit Health

Slide 8: Design Decision: Economic Indicator Criteria. Does the PPC wish to adopt the following criteria for choosing an economic indicator for the benchmark? A couple of Commissioners voiced their appreciation on how to measure this criteria. Commissioners agreed they liked it and there were no other questions or comments.

Slide 32: Design Decision: Discussion of the four economic indicator options for the benchmark. Mr. Bailit reminded everyone not to get too hung up on each indicator. Consistency over the long term is the best to have. He also reminded the commissioners he needed to know which indicators they were leaning toward. Much discussion was held on this topic and most agreed on Gross state product and Median wage would be the indicators they would be interested in.

Slide 41: Design Decision: Historical vs. Forecasted Values. Mr. Bailit informed the commissioners that forecasts for the near term tend to be a little more volatile and they usually level out after about 5 years. Historical values are actual. Most of the commissioners weighed in on both sides, asked questions and made good points. Mr. Bailit reminded them they did not need an APCD to set benchmark value. It was decided that they would not make a decision on this today.

Slide 44: Comparison of Historical and Forecasted Values of Potential Indicators. Commissioners felt this was a very helpful tool in understanding how the indicators worked. It was suggested the possibility of using a combo of both



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historical and forecasted values. Another state settled on a weighted average and negotiated it as a group.

Slide 49: Average Annual Growth Rate for Medicaid, Medicare, and Commercial. One Commissioner said he would like to see an overlay of actual spend to which Mr. Bailit responded they won't have all that information without the APCD. Another Commissioner was very complimentary of the whole presentation and appreciated getting the information incrementally which really changes the perspective as they progress through it.

Mr. Bailit ended the presentation/discussion saying it would be helpful to look into commercial Growth Rate being 4.1% was only for four years. Would it be possible to get this information going back 10 years? Also, he will put together GSP and Median Wage numbers for the next meeting to set a preliminary benchmark. Also mentioned it would be helpful to have the Stakeholder Advisory Committee meeting prior to the regular PPC meeting on June 16th.

Agenda Item VII - Update on Commission's pending legislation (Senate Bill 5 and Senate Bill 40) and legislative session

Director Cholhagian explained SB5 made it out of committee with an amendment and was adopted and passed by the Assembly. It will go back to the Senate for concurrence. If it is "not concur", it will go to a conference committee to resolve.

SB40 is still in Senate Finance. We are hopeful for a work session soon and a vote over to the Assembly. There is a short time frame to Sine Die (last day of the Legislative Session) at this point.

AB348 brought forth by Assemblywoman Maggie Carlton was passed by Senate on a "Do Pass" vote last night. Director Cholhagian said it's awkward trying to summarize the legislative intent of this measure as this was not the Commission's bill. She indicated Assemblywoman Carlton wasn't satisfied with the way the PPC is currently working. She feels there are too many industry voices and not enough patient voices. Senator Ratti (Chair of Senate Health and Human Services) also believes the PPC is not working in its current form. AB348 was put on work session and passed out on a party line vote. Chair Khan noted that the PPC agreed on two BDR's and they were important measures. The PPC was asked to take on Milbank as a priority and they have followed the process. Not sure why the legislators think the PPC is not working. Discussion was had regarding the significant changes that AB348 makes to the Commission. Some provisions include a mandate of disclosures of other boards/commissions responsibilities and membership will change and expand. Commissioner Kahn wanted everyone to know PhRMA submitted written suggestion saying removal of some key members of this commission will take away expertise and valuable voices. She thinks it's a huge mistake to take away these experts and suggested the PPC needs to send this message to the Legislators. Director Cholhagian reminded commissioners they were welcome to work with the bill's sponsor individually. A couple of the commissioners expressed regret and disappointment that legislators didn't feel the PPC was working. They feel they've been working hard and putting in hours to accomplish our goals. Another agreed that consumers and patients need more representation. Another feels they've established trusts and norms and resetting the commission would be detrimental, although more of a rural voice would be welcome. One commissioner thanked Director Cholhagian for sharing this difficult topic with the commission. She feels it will be important to add more consumers since the commission is very industry heavy.



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Agenda Item VIII - Standing Agenda Item(s) Discussion of Potential Agenda Items and Future Meeting Dates

Director Cholhagian asked Attorney Ott if we will be hosting in-person public hearings in June. He mentioned the pending legislation to continue to allow for meeting virtually is still to be determined. We don't have the capacity to meet in person in June as those logistics are impossible right now. If and when there is a June meeting is still to be determined, but Milbank will be on the agenda. One commissioner asked about the subcommittee on Workforce and Chair Khan mentioned it is tabled for now.

Agenda Item IX - Public Comment

There was no public comment.

Agenda Item X - Adjournment

Meeting was adjourned at 11:21am

Respectfully submitted,

A handwritten signature in blue ink that appears to read "Lezlie Mayville".

Lezlie Mayville
Office of the Patient Protection Commission

APPROVED BY:

A handwritten signature in black ink that appears to read "Ikram Khan".

Dr. Ikram Khan, Chair

October 21, 2020



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Meeting Materials