Report to the NADP Annual Business Meeting of the
GOVERNMENT RELATIONS DEPARTMENT:
GOVERNMENT RELATIONS COMMISSION, HEALTH CARE REFORM TASK FORCE,
STATE EXCHANGE TASK FORCE AND EXCHANGE OPERATIONS WORKGROUP

September 17, 2014

Four years after becoming law, the implementation of the Affordable Care Act (ACA) at federal and state levels continued to command NADP’s attention in 2014. Ensuring consumer access to affordable dental benefits has remained NADP’s top priority as evidenced by:
- leadership of industry stakeholders in the ongoing effort to urge the IRS to change its calculation of Advanced Premium Tax Credits (APTC) to include the value of dental,
- strong legislative and member campaign to mitigate impacts of a lower Maximum Out-of-Pocket Limit (MOOP), and
- collaboration with CADP on the successful effort to educate and redirect the focus on dental loss ratios (DLR) in California.

As state Health Insurance Exchanges (now “Marketplaces”) continue to develop or retreat to the federal model and state policymakers become more active in responding to ACA-related outcomes, we saw the importance of NADP’s volunteer groups, specifically the State Exchange Task Force (SETF) and Government Relations Commission (GRC). Within these groups, volunteers were able to share and discuss dental policies and engagement strategies – allowing the industry to come together through the strength of our members’ knowledge and contacts within the states for successful outcomes, particularly dental issues within the District of Columbia, California and Connecticut Marketplaces.

The Government Relations (GR) Department continues to engage state and federal policymakers on Health Care Reform and insurance regulation and compliance issues impacting dental benefit plans and consumers. NADP staff and member plans organized and participated in a number of meetings this year with policymakers including:

- U.S. Senators and Representatives and staff from the offices of Begich (AK), Stabenow (MI), Landrieu (LA), Warner (VA), Toomey (PA), Guthrie (KY-2) and Burgess (TX-26) on the availability of APTC for dental, Exchange enrollment and other policies impacting the affordability of dental benefits.
- CMS’s Centers for Information and Oversight (CCIO) for several meetings and conference calls on the offer of dental in the updated SHOP marketplaces, guidance for off-exchange offerings, HHS reports on enrollment and technical guidance on plan recertification and reenrollment.
- Internal Revenue Service (IRS) officials to share research on the impact of missing federal tax credits (APTC) for pediatric dental benefits in all states and potential paths to resolve the issue.
- Health and Human Services (HHS) Deputy Assistant Secretary for Legislation to discuss in-depth Exchange and Health Care Reform developments.
- California legislators, staff and representatives of the California Dental Association (CDA) to discuss the details of dental loss ratio (DLR) calculation and results of NADP’s loss ratio survey, which illustrated the implications of DLR targets on dental plans, providers and consumers.
• Health Insurance Marketplace board members and staff in California, Connecticut and the District of Columbia to support ongoing member plan advocacy in those Exchanges and to ensure a market for dental plans and the availability of dental benefits for consumers.

Health Care Reform Task Force (HCRTF)
The HCRTF provides leadership, critical support, and input on the above activities and all federal initiatives, participating in many of the key meetings and conversations with CCIIO and the IRS. The Task Force continues to meet for weekly conference calls to guide NADP policy positions on the Hill. With the Task Force’s direction, NADP provided industry insight to HHS and IRS on critical regulations outlining Exchange product renewals and initial offerings, SHOP timelines and amendments to the definition of HIPAA-excepted benefits.

➢ Successes in 2014 include directing the Call to Action against decreased MOOP levels which was changed to the betterment of the industry and consumers from the proposed rule, and efforts with the Connecticut Exchange, which will begin to offer SADPs in 2015 as a result of the group’s advocacy.

The Task Force will continue to analyze ACA implementation and its impacts on federal policy; coordinate ACA related data reports with the Research Commission; recommend member resource developments and lead new and ongoing advocacy activities including support for the reauthorization of the Children’s Health Insurance Plan (CHIP).

Government Relations Commission (GRC)
The GRC continues to meet twice monthly during legislative sessions and discuss priority legislation impacting insurers, discount plans and dental group practices. The Commission continues to monitor and discuss legislation impacting long-standing concerns such as non-covered services as well as more recent policy developments and focuses at the state level including network adequacy, Exchange funding and reasonable assurance.

➢ So far this year, the group has provided insight to regulators on the development of network adequacy standards in several states including Washington, where regulators responded to NADP concerns about overly-broad application of standards for medical plans by narrowing the regulation to Exchange offerings and by adding additional clarification specific to dental.

The GRC also responded to efforts in several states including Maryland and Texas to limit the ability of Dental Support Organizations (DSOs) to operate.

State Exchange Task Force (SETF)
The SETF continued to monitor Exchange development and track the impact of policy decisions on the inclusion of dental benefits in state-based and federally-facilitated marketplaces. The Task Force actively engaged with several state Exchanges including New Mexico, Mississippi, New York and Idaho on issuer applications, offerings & deadlines, plan model language, and reasonable assurance. New this year, the Task Force also developed an Exchange Calendar built with input from member plans that tracked requirements and deadlines related to Exchange filings. The group continued to develop the State Exchange Grid, a tracking resource available for all members, and updated it to include Essential Community Provider (ECP) requirements by state. The Task Force will continue to develop ongoing tracking based on member input and needs, including network adequacy and loss ratio topics.
**Exchange Operations Workgroup (EOW)**
The EOW offered a colloquial forum for member discussion on technical Exchange items. Volunteers were able to discuss problem areas they were facing on templates, filings, and utilizing HIOS & SERFF on both state and federal Exchanges. Some specific items and challenges discussed by the group, include tax credits, 820 and 834 data elements, the issuer assigned FFM point of contact, states moving in and out of the FFM, dental only coverage, and customer service ticket handling. NADP sits on a specific SHOP advisory call with CMS with limited carriers and is able to forward that information and discuss potential impacts specific to dental plans.

As the recognized voice of the dental benefits industry, NADP’s GR Department and members continue to engage industry-wide partners on various issues and initiatives. NADP released key analysis on inaugural Exchange enrollment in dental plans for industry partners and press, and continues to be called upon as the recognized dental benefits research expert. As policymakers and advocates continue to focus more attention on the offer of dental benefits post-ACA, NADP participated in several national discussions on oral health including an expert meeting on dental benefits and marketplaces hosted by the National Academy for State Health Policy (NASHP), which produced a comprehensive white paper on the subject with NADP input. NADP also monitors the National Association of Insurance Commissioners, which includes their current workgroup focusing on the network adequacy model act. NADP staff also participated in the Federally-Facilitated Marketplace (FFM) Summit, a full day of updates and discussion on HHS IT priorities for the coming enrollment year. The GR Department will continue to monitor state and federal ACA implementation activities and with NADP members, actively engage policymakers on critical issues.

The broader membership can stay abreast of all these activities through a growing number of GR resources including the Advocacy Insider column within NADP newsletters (Monthlybyte & Soundbytes), Legislative Online Training System (LOTS), State Fact Sheets, NADP webinars, memos, member calls, updates in the GR and HCR Open Forums of Dental Interact (DI) at mynadp.org, etc. For easy access to ongoing tracking of GR, HCR, and Exchange updates, members can also access the “Advocacy Resources" webpage, which hosts several documents for member use, under the “Members Only” tab of the website.

For questions regarding NADP’s GR Department, please contact:
- NADP Director of Government Relations, Kris Hathaway, HCRTF Lead, 972.458.6998 x111, khathaway@nadp.org
- NADP State Affairs Manager, Eme Augustini, SETF & GRC Lead, 972.458.6998 x112, eaugustini@nadp.org
- NADP Dental Informatics Manager, Brian Flynn, EOW Lead, 972.458.6998 x109, bflynn@nadp.org