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# Transcript of Presentation 

Date: July 24, 2018
Case: Present, Premium Rates

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## Transcript of Presentation

Conducted on July 24, 2018

APPEARANCES:
The Honorable Judith Williams Jagdmann, Presiding
The Honorable Mark C. Christie, Chairman

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THE CLERK: Today's case is INS-2018-00083.
We are here today to hear presentations from carriers regarding the proposed 2019 rates in the individual and small group markets.

The Honorable Judith Williams Jagdmann, Commissioner, presiding.

COMMISSIONER JAGDMANN: Good morning, everyone.

We are here today for the annual rate presentations on insurance plans to be offered in the individual and small group markets as of January 1st of next year.

As you know, under Virginia law, the Commission is required to review and approve the premium rates and forms for these health benefit plans, whether they are sold on the Federal Exchange for Virginia or off exchange.

The Commission must also perform plan management functions required to certify participation in the Federal Exchange pursuant to Virginia Code Section 38.2-326. There are legal deadlines that govern our process.

First, the United States Department of Health and Human Services requires the Commission's Bureau of Insurance to complete its review and

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recommendations of plans on their rates for certification to the Federal Exchange no later than August 22, 2018 .

Second, Virginia law requires insurance
carriers to notify their customers of increases in annual premiums or deductibles at least 75 days
before the proposed renewal of their health insurance. The deadline for notifying customers this year is October 18th.

To meet these deadlines, insurance
companies recently filed their rates and forms for insurance plans proposed to be offered for use as of January 1st.

Given the importance of the cost of health insurance to Virginia's small businesses and individuals, the Commission is reviewing these health insurance premium rates and increases in deductibles prior to any ultimate approval for use in Virginia.

Today's presentations are part of that review and are designed to serve as an overview of the range of rate impact or change for plans on the individual and small group markets.

The Commission's May 9, 2018, Order directing presentations directed the Bureau of Insurance to detail for each company the scenarios
that should be covered today.
The Bureau has done this and will also participate by providing background information and presenting a summary of recent Bureau activities in its review of the latest rate and form filings for health insurance plans.

Today, we will hear first from Scott White, who is the Commissioner of Insurance, and the head of the Bureau of Insurance.

After Mr. White's introductory comments, we will hear from the Bureau's health actuary, David Shea, who will discuss the Bureau's review of recent filings.

Afterwards, the insurance companies will provide individual presentations about their proposed rate changes.

For each company that is presenting here today, please be prepared to speak to your proposed rate filings for plans both on and off the Federal Exchange and for plans in the individual and small group markets.

Let me note that today's proceeding is open to the public. Members of the public who wish to provide comments on one or more specific rate or form filings may do so in writing.

You can go to the Bureau of Insurance website, and we have also prepared some instructions on how to submit those comments, and those instructions are available in hard copy at the back of the courtroom.

I also want to note that this session is being webcast.

For those of you who are going to speak, please come to the podium, speak into the microphone and speak clearly. You are encouraged to use the audiovisual equipment to display any charts or other material you are discussing.

While the Commissioners, Judge Christie and I, may have questions for the speakers, this is not an evidentiary hearing. There will be no swearing in of witnesses or cross-examination.

Are there any preliminary matters that we need to address?

Okay. Hearing none, I note that I have an order of presentation that we will follow.

When you come up to speak, please give your name and address for our court reporter so they can record who is making these presentations.

With that, we will begin with the
Commissioner of Insurance, Scott White.

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MR. WHITE: Good morning, Judges. Thank
you.
So this is the sixth presentation that we have asked the carriers to come in and discuss their proposed rates in the individual and small group market. You are going to hear from these carriers in a few minutes.

But before they make their presentations, I thought it would be good to provide a little bit of information that $I$ hope will be helpful in our discussions this morning.

First, I'd like to spend just a few minutes briefly explaining what carriers have to demonstrate --

COMMISSIONER JAGDMANN: Commissioner, we are having a little trouble hearing you.

Is your mic on? Maybe you need to
speak --
MR. WHITE: Can everybody hear me?
COMMISSIONER JAGDMANN: That's better.
MR. WHITE: Great. Thank you.
COMMISSIONER CHRISTIE: That's a lot
better.
MR. WHITE: I'd like to spend a few minutes just briefly explaining what carriers have to
demonstrate to the Bureau in order to obtain approval for their rates.

The second thing I would like to talk about is just to provide a general overview of the small group and individual markets as we move into our sixth year of this rate review process under the ACA.

So, first of all, when we receive our rate filings back in May of each year, they are reviewed by our staff of three examiners and our supervisor in our form and rate section, and they also work closely with a number of our outside consulting actuaries, who work under the direction of our chief health actuary, David Shea.

So our staff works closely with the actuaries as we review the filings, and we also have a lot of back and forth with the carriers as questions arise during the process.

So when a carrier submits its rate, its proposed rates, it has to provide the Bureau with an actuarial memorandum, and this is important. This is really what I would describe as the core of the rate submission.

So it contains a summary of the analysis and the specific information that the carriers'
actuaries are relying on as they develop their rates. So, in addition to that memorandum, they have to provide a lot of supporting documentation. Again, the information that they have relied upon in developing their rates.

The type of information that has to be included in the memorandum is prescribed by Commission regulation, specifically 14 VAC 5-130-10. It requires that carriers provide a lot of different information such as the scope and purpose of the rate revision, historical and projected experience, a description of how the rates were determined, along with the source of each assumption.

They have to provide a comparison with their current premiums, and they also have to provide their anticipated loss ratio, which, as you know, has to be at least 75 percent.

So the other thing I want to point out is the regulation and the memorandum require the actuary to certify to the Bureau that the filing is in compliance with all applicable laws and regulations, and that the premiums are reasonable in relation to the benefit provided.

So within that certification, that's really what $I$ would describe is the legal standard
that carriers must satisfy in order to obtain approval by the Bureau for their rates.

First, the rates have to be reasonable in relation to the benefits provided, and they also have to be actuarially justified, and I would add they have to meet that 75 percent loss ratio standard.

So that's really the broad legal
standard that the Bureau -- that underlies the Bureau's analysis and review of these rate filings. That's at a very high level.

David is going to get into a little bit more about the specifics of the review itself.

So where are we right now? Right now, our actuaries on staff, they're working very hard to complete their review of the rates. I will note that many of the carriers filed revisions to the rates on July 17th, so we are working very hard to make sure we can complete our review by August 22nd, I believe it is the 22nd. That's when we have to provide our recommendations regarding QHP submissions to CMS.

So I am going to leave the rest of the discussion to our expert, David Shea, regarding the rate review process. I know he is going to have a lot more to add.

What $I$ would like to turn to now is just
to provide a general overview of our individual and small group rates, our markets. You know, I thought this would be a really good time, as we enter our sixth year of this process.

What I am going to do, I am going to walk you through ten slides that $I$ think help illustrate where the markets are today and how they've developed with the last 5 years, and $I$ will walk through these very quickly.

I know there is a lot we need to get through this morning. So let me see if I can work this thing and go through these presentations.

All right. It worked.
So, as you see from this slide, this represents a level of participation by carriers -Can everybody hear me? -- in the individual market and how that has changed as we enter our sixth year.

If you see the orange, that represents on exchange or marketplace, and I am going to use those terms interchangeably. The blue represents off exchange only.

If you look at the last column, you can see we're currently projected to have nine carriers participating in the market in the upcoming year,

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that's one more than last year with the entry of Virginia Premiere Health Plan.

One thing I would note about this chart, you can see it reflects some measure of volatility in the individual market over the years. We started with 11 carriers in 2014, it went all the way up to 16 carriers in 2016 before dropping sharply in the next year, next two years to half that number.

I would also say the fact that we have nine carriers participating in the market this year and eight last year can be viewed somewhat as a positive development. It does show some measure of relative stability, and we are encouraged by having this level of participation by carriers in this market, although it does come with some important caveats that $I$ am going to discuss in a few minutes.

The other thing I would say is Virginia ranked nationally in terms of the number of carriers providing products on the exchange, so, again, that's a positive development.

Historically, we have been above the national average in terms of that particular category.

COMMISSIONER JAGDMANN: But it is relatively small nationwide. I mean it --

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MR. WHITE: It is relatively small, particularly when --

COMMISSIONER JAGDMANN: It is hard to call it robust.

MR. WHITE: Yeah, it is not robust. I don't want to oversell it.

But when you go out into the western states and some states in the Midwest, you might find only one carrier offering coverage in the entire state, so we are not in that situation at least.

COMMISSIONER JAGDMANN: Although we have
some areas that are.
MR. WHITE: And yes, and that's one of
the caveats I will explain. That's a good point.
CHAIRMAN CHRISTIE: But we had a
situation last year, I remember it very well, where at one point after Anthem had pulled out --

MR. WHITE: Yes.
COMMISSIONER CHRISTIE: -- of many
markets, we had a substantial number of Virginia markets with no coverage whatsoever; correct?

MR. WHITE: Yes. I can discuss that now, but $I$ have it on a later slide.

COMMISSIONER CHRISTIE: All right. You
can save it for later.

MR. WHITE: That's definitely something we need to talk about. So this is -- this is the number of carriers writing the small group market, both on and off exchange, from -- since 2014.

As you turn to the last column, you can see, we are projected to have 16 carriers participating in the market this year, that's the same as last year.

We started off in 2014 with 19 carriers,
that rose to 23 the next year before leveling off at 18 the next two years, so the value in these two slides together, I think it shows important differences between the individual and the small group market.

First, the obvious thing is there is a lot more carriers participating in the small group market. Second, the small group market has experienced many years of relative stability with smaller declines and carrier participation.

In many respects, I think this is
because you could say the small group market has not been as affected as many of the individual market disruptions that occurred in the last several years. David is going to talk a little bit more about that.

And the other thing $I$ would just point
out is you can see there is a lot more carriers writing strictly in the off exchange markets, so, you know, I asked yesterday why that was, and the answer is there is really no benefit to being in the on -in the shop as you find in the individual market, where you have to be in the marketplace in order to be eligible for a subsidy, so I think that explains that variance.

Okay. So this is going to get to your question, Judge Christie. This slide represents the -- this is a list of all carriers that have exited the market both in the individual and small group market in the last 6 years.

As you can see, there has been one individual market entry this year, with Virginia Premiere Health Plan. It includes nine carriers in the individual market, seven carriers in the small group market.

So, if you look, you can see, in the individual market, eight of the nine carriers left in the last two years. That included several carriers. I will point out Aetna, Innovation Health, UnitedHealthcare.

These were big writers in the state, Judges, and so that had a major impact on our market
when they exited.
Anthem's HMO HealthKeepers also made the decision to leave the market except for a small section in Southwest Virginia, so what the upshot of that was, it left potentially thousands of Virginia consumers without, potentially uninsured, and it created a situation where no carriers were offering coverage in any part of the state for well over half of the market.

This was a unique situation compared to the rest of the country. We were the only state that had any bare counties at one point, much less over half of the state.

Eventually, Anthem did come back in to cover many of the bare counties it had left, and other carriers had to adjust their networks and operating plans in order to ensure that Virginia consumers had at least one option in every area in the state, and that's where we ended up, so, in that sense, it was a positive development.

So you heard me just talk about the fact that we have nine carriers operating in the individual market this year. We can view that as somewhat of a positive development.

This slide shows how the carriers are

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distributed throughout the state for the 2019 individual market, that's projected, of course.

So the counties represented -- the
counties that are represented on the map. Below that, you have the cities within those counties.

Unfortunately, what you can see, it is not very evenly distributed among the carriers. What this map shows is that consumers in over 70 percent of Virginia will continue to have only one carrier offering writing in their area, and that's represented by the orange. I think that's in orange.

In most cases, that's going to be
HealthKeepers, but I think Optima and Piedmont also came back in or are offering coverage in one rating area and being the only one there.

If you look at the Central Virginia area, you can see there are -- in most of that area, there are at least two to three carriers as represented by the green and the blue, and it is not until you get to Northern Virginia, that one section up there, where you have four carriers offering plans in that area as represented by the purple.

I think it is fair to say, overall, we prefer a situation where there was a little more competition and where you had multiple carriers
offering coverage throughout the state; but, right now, as you can see, we just don't have that.

COMMISSIONER JAGDMANN: Is this a
convenient time to talk about the group of one that may be an option for some of these individual carriers or individual business -- individuals to move into the small group, if they so choose?

MR. WHITE: Right. That does give
consumers a new option this year, and it is going to be reflected, when $I$ talk about the small group, where there is more competition, you have -- you are going to have situations, Charlottesville is one that has come up, where they have one carrier writing in that area, Optima, so if they feel like the rates are too expensive or unaffordable and they are a sole proprietor, they now have the option to go into the small group market and, hopefully, obtain coverage that they may find more affordable, and that's -- I haven't really seen what the impact of that is going to be, but that's one more option they are going to have.

David is going to talk about other options that may be coming down the pike in terms of associated health plans or short-term limited duration plans, so we are going to see how the market
develops with some of these options and how that is going to impact, the individual market is perhaps younger and healthier people, decide that they want to leave that market, but it will create a situation where they have more options in some cases.

CHAIRMAN CHRISTIE: Really, what we have then, according to this chart, is over 70 percent of the counties in Virginia only have one carrier.

MR. WHITE: That's right, and that's not good.

COMMISSIONER CHRISTIE: No, it is not -no, it is not good. It is a monopoly situation.

MR. WHITE: Right.
COMMISSIONER CHRISTIE: But that's been what has been happening under the ACA.

MR. WHITE: Yes. You have seen a gradual erosion, and I would point out, there was a major impact a few years ago, when some of these major writers decided to exit, Aetna and UnitedHealth, Innovation, I think they were writing in many of these areas across the state, along with HealthKeepers, so there was more robust competition, and I think that probably had a positive development on the rates, if you are a consumer.

So we do need to get back to a situation
where there is more competition, clearly.

COMMISSIONER JAGDMANN: But this is what
has been happening under the $A C A$, is the competition
has been --

MR. WHITE: Well, you are seeing a
couple different --
COMMISSIONER CHRISTIE: -- diminished at
best.

MR. WHITE: You are seeing enrollment
decline, you are seeing premiums increase, and you are seeing carriers exit the market, and there is a correlation, $I$ think -- I think all of those are somewhat connected, so the trend lines in certain of these data points are not favorable.

I will also say there is a certain amount of resiliency in the individual market, from what I can tell, given all the disruptions that have occurred in the last several years; but it is clearly -- it is not where we want to be right now.

Did that answer your question?
COMMISSIONER CHRISTIE: Well, it's an answer.

MR. WHITE: It's an answer.
COMMISSIONER CHRISTIE: I mean it's a description.

MR. WHITE: It's a description, fairly depressing description.

COMMISSIONER CHRISTIE: And that's the unfortunate part about it, that's where we are under the ACA now.

MR. WHITE: I think that's absolutely
fair.
So turning to the next slide -- I just went over the one; right?

Okay. So what this does is this provides carriers' 2019 projections for covered lives in the individual market.

What I would point out here is that 4 of
the 9 carriers are writing over 90 percent of the business in this market, with Cigna projecting the largest market share.

So both, again, in terms of geography and market share, it is just not as evenly distributed as you would like in a well-functioning market.

The other thing I would point out is that if you looked at this map a couple years ago, you would have seen a much different picture. Cigna did not enter the market until 2017; and, as I just indicated, a few years ago, the market leaders have

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either exited or significantly reduced their footprint.

So this is another comparison. This slide provides the carriers' 2019 projections for covered lives in the small group market.

The green in these areas represents 10
to 11 carriers, while the blue represents 12 to 13 carriers, and the orange represents 14 to 15 carriers, so in every area of Virginia, Judge, you have between 10 and 14 carriers that have filed to offer plans in the state. This, obviously, reflects more competition in the small group market than what we have in the individual markets so, to me, that's the big takeaway.

So what this slide shows is the carriers' 2019 projections for covered lives in the small group market. Like the individual market, it is fairly concentrated among several carriers.

For example, Anthem is projected to have 43.5 percent of the small group market through Anthem health plans in HealthKeepers, and they're represented by the first two columns on that graph.

So this slide provides a snapshot of total enrollment in both the individual and small group markets, both on and off the exchange, between

2014 and 2019.
Looking at the blue, which represents the individual market, what this chart illustrates is steady growth in the market from 2014 to 2016, you can see where it peeked at a little over 418,000 in 2016. After that, you see a sharp drop-off the next year followed by, you know, more modest declines the next 2 years.

So one thing I would note is, if you compare where we are today with the projected lives, 358,000 to its peak in 2016 three years ago, you are talking about a decline of almost 60,000 covered lives.

For the small group market, which is represented by orange, you know, except for an outlier year in 2015, where you saw kind of a spike, enrollment has held somewhat steady, between 350,000 and a little over 365,000 covered lives; and, if you look at the last column, you can see it is roughly the size of the individual market with several thousand fewer enrollees, and I would add these numbers are updated from I think the July 17th revisions.

Turning to the next slide, this combines the enrollment data for the individual market with

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the total weighted average premium data over the years.

The blue represents the enrollment numbers for the individual market. These are the same numbers that showed up on the previous slide, and the orange line represents the total weighted average premium.

David is going to talk a little bit more about the premium increases and some of the drivers for that.

So what you can see, in terms of the premiums, it rose steadily. It begins in 2014, it rises steadily the next 3 years, then you have that sharp spike in 2018 followed by a double digit increase projected right now for 2019.

I would say the takeaway from this slide is that, as you observe premiums rising, there is a corresponding decline in enrollment. I am not saying that's the only factor in declining enrollment, but $I$ think it is fair to say there may be some level of correlation there.

CHAIRMAN CHRISTIE: But is it accurate to say that a big component of the drop in enrollment, because you have combined on and off exchange --

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MR. WHITE: Yes.
CHAIRMAN CHRISTIE: -- are people who
are not subsidized.
MR. WHITE: Yes, and that is --
CHAIRMAN CHRISTIE: They are making $\$ 50,000$ a year, $\$ 55,000$ a year, they have never been subsidized under the ACA, they have had to bear the full cost of their premiums.

MR. WHITE: Yes.
COMMISSIONER CHRISTIE: They have no
subsidies, and, as these prices continue to go up, --
MR. WHITE: They can't afford it.
COMMISSIONER CHRISTIE: -- these people
are being -- doing what every consumer does faced with rising prices, demand goes down as the price goes up. So that's what we are seeing; correct?

To a large degree, we are seeing
unsubsidized consumers, the landscaper, the carpenter, the plumber who is making 50 to $\$ 60,000$ a year, who is getting no subsidies, they're the ones who are being pushed out of the market because they simply cannot afford the premiums.

MR. WHITE: I think, if you look at the cost of insurance coverage, if you are eligible for a subsidy, you would be crazy to leave the marketplace.

On the other hand, if you're -- and I am going to talk about this in the next slide. If you are over the 400 percent federal poverty level, --

COMMISSIONER CHRISTIE: Right.
MR. WHITE: -- you have this what we call the subsidy cliff. Premiums, I don't think anybody would argue are affordable right now in many cases, and so you are left with very limited options.

That's one thing -- you know, there are two schools of thought on that, but one policy argument is well, we provide alternatives such as associated health plans or short-term limited duration plans, where, hopefully, some of these people can get into these markets and they have more affordable options.

On the other hand, some policy experts say well, to the extent you are taking the younger and healthier people out of the individual market, that increases prices because of increased morbidity and creates a potential death spiral.

I don't think there is one solid proposed policy solution that fixes both those problems right now out there on the landscape.

COMMISSIONER CHRISTIE: Well, it does, but at the same time, $I$ mean let's take a guy, again,
he is a landscaper or a carpenter, making 50,000 or 55,000, unsubsidized under the ACA, and healthy because he is working, implicit in that, but the ACA premiums have been going up for years by double digits.

MR. WHITE: Yes.
COMMISSIONER CHRISTIE: It didn't start last year, it has been going up for years, and that $\$ 55,000$ a year landscaper or carpenter just simply cannot afford it, so the price has driven him out of the market, but you lose -- again, you are losing healthy consumers, which decreases the health of the remaining pool, so it is --

MR. WHITE: That's exactly right. I think a rational actor in that situation may look at with this group of one change and say hey, maybe I am better off in the small group market, right, so that is what is occurring to some degree, absolutely.

So this is my last slide, at least, and this is going to get to some of your observations, Judge. This provides on exchange enrollment numbers along with the subsidy analysis developed by CMS.

There are numbers for both Virginia and nationally. First, if you look at the first, I guess it's the second column, enrollment increased slightly
in both Virginia and nationally between 2017 and 2018, that's on exchange, I would note.

So remember, since enrollment decreased
overall both on and off exchange, that tells us that most of the enrollees leaving the market were off exchange.

COMMISSIONER CHRISTIE: Unsubsidized.
MR. WHITE: Exactly. These enrollees are not eligible for tax credits.

COMMISSIONER CHRISTIE: Right.
MR. WHITE: I would suggest they left the market because premiums were not affordable.

COMMISSIONER CHRISTIE: Right.
MR. WHITE: Yes. So the fourth column tells us what percentage of enrollees receive tax credits, so in both Virginia and nationally, it is 87 percent of enrollees this year, that represents an increase of 4 percent and 3 percent respectively, when you are talking about Virginia and nationally.

If I could point you to the next-to-last column, that shows the average premium per month rose in 2018 from 2017; however, the average premium for individuals receiving tax credits, as shown in that last column, it actually decreased in both Virginia and nationally, and, if you note, look at the average
monthly premium, for 80 percent on exchange enrollees receiving tax credits, is $\$ 58.78$; and David can talk a little bit more, but that's largely a result of the loading of the CSR payments onto the silver plans by carriers, which increases the level of subsidies.

COMMISSIONER JAGDMANN: But, as
Judge Christie said, to the plumber making 50 plus thousand dollars, he is going to be paying 640 .

MR. WHITE: Yes, right, the average total monthly premium per month, and so it is going to increase, if you have a larger family, obviously, it is going to be more than that, and, depending on where you are, whether there is competition in a particular rating area, there are a number of variables.

But, clearly, you are going to be -- you are going to want to have a tax credit, if you are buying insurance in the individual market, in order for it to be affordable right now.

The cost of insurance, as you point out, it is going to be dramatically different if you are above the 400 percent federal poverty level, and, again, ineligible for any tax credits. This is commonly referred to as the subsidy cliff, you may have read about this in the news.

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I will say the Virginia legislature, we hope -- they are definitely aware of the situation. One thing they have done this past year is they've established several working groups, bringing together various stakeholders, including the Bureau of Insurance, the purpose of these working groups is to help find solutions to make, you know, coverage in the individual market a little bit more affordable.

And I will point out just one proposal that is being looked at and that has generated a lot of discussion is the creation of a state reinsurance program. The benefit to that program, it is going to help all policyholders in the individual market, and not just those who are eligible for tax credits.

So, you know, the working groups haven't started, we have to provide a report or $H H R$ has to provide a report to the legislature by the end of November, and we will see where it develops.

So that basically concludes my portion of the presentation. I know David is going to have more to talk about in terms of the rate review process, and, in particular, our new rating tool, so I am hopeful that will provide some useful information to the audience today as we continue our discussion.

COMMISSIONER JAGDMANN: Okay.
MR. WHITE: Thank you.
COMMISSIONER JAGDMANN: Thank you.
Mr. Shea.
MR. SHEA: Thank you, Scott.
This is David Shea with the Bureau -health actuary, with the Bureau of Insurance.

Good morning, Judges.
Before we leave this slide on the amount -- the folks who received tax credits and several other pieces of information there, let me give you just a little quick example of the calculation of the tax subsidy, physically how it works.

I don't have all of the specific numbers committed to memory, so forgive me out there, if I get a few of the absolute numbers wrong, but take an example of someone who makes $\$ 20,000$ a year, that is above -- that's probably 70 percent above the federal poverty level. I am using 20,000 because it is an easy number to work with.

And let's say, according to the ACA, that person is expected to pay 4 percent of their income for health insurance, so for a person making $\$ 20,000$ a year, they are expected to have $\$ 800$ to pay

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for their health insurance, and what they do is they look at the silver plan rate, the second-lowest silver plan, where the person lives, and they compare that to the $\$ 800$; and let's say the silver plan rate for this person is a thousand dollars -- let's say it is $\$ 2,000$ a year.

When you subtract the $\$ 800$ that their income is supposed to go towards premiums, you have $\$ 1,200$ left on an annual basis, so they get a tax credit every month of $\$ 100$ toward their premium.

As their age goes up but not their income, their subsidy goes up, because the premium goes up with age, so a person who is 30 years old making $\$ 20,000$ gets one amount of subsidy, but a 60-year-old gets a much higher subsidy because their premium is higher, so that's generally how they do the calculation on the subsidies, if that helps kind of understand how that all works.

COMMISSIONER JAGDMANN: Thank you.
MR. SHEA: Now, Scott did mention briefly our staff approach to rate reviews and the actuarial analysis. Just as a reminder, initial rate submissions were due in Virginia May 4th, and the Bureau's deadline to submit our QHP recommendations to CMS is August 27.

Generally, over the years, we have also completed our reviews of non-QHPs at that point as well.

When the rate filings come in, the Bureau staff looks very closely at the contents of every filing. There are numerous documents, exhibits for analysis and supporting documentation for the rates, the rates themselves.

There is a lot of pieces of information that gets submitted with each rate filing, so the staff goes through and combs through those to ensure that all the required documentation has been submitted, that it has been filled out as best as possible and as accurately as possible, and that all of the certifications and other subsequent information complies with Federal and State rate filing requirements for the ACA.

And during this process, the staff is in contact with the companies, and there is a bit of back and forth, to ensure that the filing itself is complete and ready to be sent to the consulting actuaries for their review.

Now, when we get to the actuarial analysis, a portion of the carriers are required to submit actuarial justification for any rate change in

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the individual and small group ACA markets in Virginia, and Virginia has rate approval authority over all of those rates in both markets.

COMMISSIONER JAGDMANN: David, let's
talk a little bit about what does actuarial justification mean.

MR. SHEA: It means that an actuary has provided sufficient and supporting analysis and a narrative, to go along with that analysis, that is reasonable and follows actuarial standards of practice and that can be certified that the rates meet Federal and State filing requirements, in a nutshell.

And how they go about this work, a qualified actuary, who has to be a member of the American Academy of Actuaries, again, have to certify that the filing is in compliance with the laws and regulations, and there is also certain elements in the rate filing that they must certify certain things and comply with Federal law in regulations.

During the review process, all of the underlying assumptions with respect to medical trend, morbidity, that's the relative health status of the company's population, plan relativities, what are the rates for gold plans look like compared to silver
plans and silver plans compared to bronze plans and ensure that a lot -- all of the Federal requirements have been baked into those plan relativities.

These assumptions are reviewed for reasonableness, consistency, accuracy, and to ensure that everything ties together. Quite a number of the calculations are reverified and reproduced by our consulting actuaries, and the calculations are compared to the narratives, the physical description of what went into those numbers, to ensure that the description is consistent with the numbers that they're looking at.

And some, as you can imagine, inaccurate calculations, irreconcilable differences, inconsistent assumptions, these are some examples that would trigger additional actuarial scrutiny.

And, as you can well imagine, during this process this is a considerable amount of back and forth between the Bureau and the companies during the rate review, and as Scott mentioned earlier, the companies had resubmitted their filings July 17th, and in a couple of minutes, $I$ will explain the contents of some of those resubmissions.

COMMISSIONER CHRISTIE: Let me ask you,
David, about your general approach.

We just saw a slide, 70 percent of Virginia and that's by geography, not population, but 70 percent of Virginia counties have one carrier, which is --

MR. SHEA: In the individual market.
COMMISSIONER CHRISTIE: In the
individual market. And the problem is, obviously, centered in the individual market. No one -- large group is not really a problem.

MR. SHEA: No.
COMMISSIONER JAGDMANN: Relatively
speaking.
COMMISSIONER CHRISTIE: Relatively
speaking, large group is not a problem.
MR. SHEA: Right.
COMMISSIONER CHRISTIE: And frankly has
been largely immune from ACA. So the heart of the problem is in individual market.

So 70 percent of the counties in
Virginia have only one carrier in the individual market, which is the textbook definition of a monopoly situation. Now, this commission, interestingly enough, the only one in America, in addition to regulating insurance, we also regulate public utilities. Nobody else does that.

And one thing you learn from public utility regulation is you regulate public utilities on the assumption they're a natural monopoly, and what you try to do in utility regulation -- and, see, the best price regulator is competition; but you don't have competition, obviously, when you have one seller.

MR. SHEA: Right.
COMMISSIONER CHRISTIE: The same thing applies in utility regulation, you only have one seller, so what we do in rate regulating a monopoly utility is the goal is, when you do not have competition, you try to rate regulate to duplicate the results of competition, if you had it.

Now, that's impossible, but you try to come as close as you can, as I had a law student one time who said that's like trying to paint a rainbow, it won't be the rainbow, but you try to make it look as close as you can to the rainbow.

Is your approach here -- We have a monopoly situation in 70 percent of Virginia. Are you -- Are you trying to create the price levels that would exist if we had competition, is that fair to say, or is it not the same as utility regulation?

MR. SHEA: Well, no.

COMMISSIONER CHRISTIE: I know it is not the same as utility regulation, obviously; but except for the fact you have a monopoly situation, how do you try to duplicate a price level that might -- if you did have competition, because when one insurance company files, you can't compare it to somebody else, obviously, like you can when you have two or three carriers.

MR. SHEA: Well, that's a good question. You actually can compare a few elements of the rate filings among carriers, and I will show you that in just a few minutes.

But I think what can really address the issue of monopoly and help foster some more competition is what Scott had mentioned earlier, the working group set up here in Virginia is basically to help stabilize the individual market, and one way of going about that that Scott mentioned is to introduce a reinsurance program, and what the effect of that on rates is to lower them, because you are taking out the cost of certain amount of high dollar claims and having some other entity pay for that, so that naturally lowers the premiums.

Now, it naturally lowers the premiums
for the year that you do that reinsurance, so in

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order to keep those premiums at least at that level and try to mitigate the rate increases over time is you want that reinsurance program to stay in place and be permanent and somehow keep up with the underlying rising costs to continue to dampen down the premiums.

The market stabilization activities are a way to go about that, to help bring in more competition.

COMMISSIONER CHRISTIE: Well,
reinsurance clearly brings down rates, because it subsidizes the risk, but it is really just shifting the cost.

MR. SHEA: Absolutely.
COMMISSIONER CHRISTIE: It is not increasing competition, it is just shifting the cost. How does it increase competition?

MR. SHEA: Well, you would hope, with the ability to have lower rates in the market, that would attract more carriers into the market, and to show that Virginia is committed to stabilizing the individual market and to try to remove as much uncertainty as possible. That has been the killer in the individual market over the last few years is the amount of uncertainty, and the sources of that
uncertainty has changed every year.
So most companies, most anybody really doesn't like a high degree of uncertainty when they go into a venture, and, unfortunately, with the things that have happened over the last few years, that uncertainty has just been pervasive and has plagued the individual market over time, and that has driven away a number of carriers, and also the underlying costs are continuing to grow.

You are right, a reinsurance program does not get at the underlying cost of healthcare, but it is a first step to help lower the premiums, particularly for those who are unsubsidized.

COMMISSIONER CHRISTIE: Well, it clearly does that, and it is a transfer of cost, but how is the reinsurance just not the old high risk pools under a different name?

MR. SHEA: It depends on how you craft the reinsurance program and how you reflect that cost.

In the past, in some states with the high risk pools, they also charge the subsequent premium to those individuals, which usually is quite high, and that just is not sustainable, and there are many different elements that have gone into those
high risk pools that industry has learned from over the years to hopefully not make the same mistakes again, but efforts to focus on stabilizing the individual market, there is one state who is actually providing subsidies to individuals themselves. I believe it is the state of Minnesota, and I believe they add an additional $\$ 50$ per month to an individual's subsidy, $I$ believe they funded it out of general revenues, so it is all a matter of how state budgets are crafted and things like that, but we have work groups actively looking at ways to help stabilize the individual market.

COMMISSIONER CHRISTIE: Well, can insurance companies set up reinsurance pools themselves like in hurricane markets? I mean Warren Buffet owns General Re, I mean he has gotten very wealthy -- well, he got wealthy on a lot of other things.

MR. SHEA: Sure.
COMMISSIONER CHRISTIE: But among others, the reinsurance, private sector reinsurance, is that something that can be set up absent immediate government action?

MR. SHEA: I mean they can set that up, but each individual company would have to do that
themselves and go to a reinsurance company and go through the contracting process and how they're going to be charged and the impact on the premiums, they would have to do it on the ones.

What Virginia would hope to do is to create a reinsurance program, a separate entity, a single entity that processes reinsurance claims and takes in the revenue to support those claims. You would probably want to set up something separate as opposed to have -- because carriers can do that today, but, again, that's expensive, because they're lowering their rates, to get at the reinsurance amount level, whatever is in there, but then they have to pay the reinsurance company.

So -- and you don't really want each company going out and doing it. It is much more efficient to have a single entity take care of reinsurance claims, that would be the best approach in my opinion.

COMMISSIONER JAGDMANN: David, you maybe are going to talk about this in a minute; but let's talk about just the standards in general for the premiums.

Now, you know, looking at Virginia regs,
and it says the benefits shall be deemed reasonable

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in relation to the premiums; and, of course, we have some Federal mandates with respect to premiums too. MR. SHEA: Yes.

COMMISSIONER JAGDMANN: So what are we looking for here generally?

MR. SHEA: Generally, that's the legal standard, and from a regulatory standpoint, what that interpretation of that standard means is that carriers in the individual and the small group market there, the benefits are considered reasonable in relation to the premiums, if they meet a 75 percent loss ratio in the state of Virginia.

The Federal loss ratio is 80 percent for both of those, and there is one other difference between those two loss ratio measures. The Virginia loss ratio measure of 75 percent is on a projected basis looking into the future, so all of these carriers must certify that their 2019 rates are expected to meet at least a 75 percent loss ratio in the state of Virginia in the individual and small group markets.

The federal loss ratio standard is really a retrospective standard, you look back at how your claims have come in relative to your premiums, and if you have fallen below 80 percent in the past,

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that is when you refund the money to the customer.

COMMISSIONER JAGDMANN: So the insurance
carrier does not get to keep that money, if they --
MR. SHEA: They get to keep it, if their
experience is at least an 80 percent loss ratio or greater.

COMMISSIONER JAGDMANN: Okay. Well,
let's say that their experience is they have made a lot of money and that their loss -- let's say their loss was 50 percent, then would they have to give back some money?

MR. SHEA: They would have to give back a considerable amount of money in that case.

COMMISSIONER JAGDMANN: To whom?
MR. SHEA: To the individuals who drove that loss ratio to 50 percent, it would be the individuals enrolled in their plans --

COMMISSIONER JAGDMANN: Okay.
MR. SHEA: -- for that period of time.
COMMISSIONER JAGDMANN: I think that's worth emphasizing, as we are seeing these rates going up. That they have to actually be losing or paying out --

MR. SHEA: It has kind of been an
interesting dynamic, Judge Jagdmann, because when the

Federal loss ratio standard first came into play in 2010 or 2011, generally, a few carriers in the individual market were below and in some cases a few were well below the 80 percent standard, so the first 2 or 3 years, there was a good amount of refund money going back to consumers, but that has abated quite a bit in the recent past.

A good number of companies now are experiencing loss ratios of 80 percent or more, there are still a few that come in below that; but, generally speaking, companies are pricing toward the Federal and the State standards, so even though the premiums are going up, the claims are going up with them.

The dollar amounts gets bigger on the premium side, but they also get bigger on the claim side, so they can certify and experience the fact that the rates that they set back then met an 80 percent standard.

COMMISSIONER JAGDMANN: I heard
Commissioner White mention that sometimes there is repricing for competition. Does that mean that they're pricing to lose more than the 80 percent?

MR. SHEA: I don't -- not necessarily.
There is a lot of stuff that goes into that.

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Generally, companies are pricing to at least meet those loss ratio standards.

COMMISSIONER JAGDMANN: And not more?
MR. SHEA: You know, they --
COMMISSIONER JAGDMANN: For competitive
reasons --
MR. SHEA: They can go more, they just
can't go --
COMMISSIONER JAGDMANN: And they might do that for competitive reasons.

MR. SHEA: That's possible. That's possible.

COMMISSIONER JAGDMANN: But, in general,
are you --
MR. SHEA: But you got to be able to certify that those adjustments were valid and reasonable.

COMMISSIONER JAGDMANN: Right. Right. So in your experience, are you seeing people pricing to those numbers and not to generally? I mean sometimes -- you could price to pay out more. I am just asking, are you seeing, in general, people pricing or companies pricing to those numbers?

MR. SHEA: Again, $I$ am seeing that they are pricing at least to a 75 or 80 percent loss ratio
standard --

COMMISSIONER JAGDMANN: And maybe to pay
out more.
MR. SHEA: And maybe to pay out more.
And what do you mean by saying pay out more?
COMMISSIONER JAGDMANN: In the year, to experience more loss.

MR. SHEA: Oh, okay. Well, yes, certainly, if they're pricing to a higher loss ratio.

COMMISSIONER JAGDMANN: Right, to a higher loss ratio.

MR. SHEA: There is a possibility that --

COMMISSIONER JAGDMANN: And you might do that for competitive reasons.

MR. SHEA: You could do that for many reasons. Your expense structure, some places are -a lot of companies have fixed expenses that don't change regardless of the growth in membership. And so those costs will always be there, and then you lay on top claims and other variable expenses and things like that.

They're generally pricing to meet the loss ratios or exceed them, when they're looking into the future, and then, when they look in the past, my

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point being is that they started out refunding a bit of money over time, but that has gone down quite a bit as companies are pricing more toward than 75 and 80 percent standard.

COMMISSIONER JAGDMANN: Okay. Thank
you.
MR. SHEA: Scott mentioned that we
have a new rate filing template, we worked with one of our consultants, we introduced it for this season's ACA rate filings.

The template is a standardized format for all carrier experience data, all of their projections, the sources of their rate changes, and many other things. We also included prior exhibits that were required with each rate filing including the presentations that you will see today, that is part of the rate filing template.

The benefit from there is, when a company makes changes like they did recently and resubmitted their filings July 17 th, the changes that they make directly feed into the rate presentation templates, so there is not a lot of checking and going back and forth, there is an automatic feed, where they don't have to sit there and separately enter things for that.

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The template is also consistent with the definitions of the Federal template, the unified rate review template, which is all carriers are required to submit.

The summary also allows us to create the graphs in the charts that you saw recently, that we can aggregate things for an entire market and do some statewide analysis. It also allows us to spot any outliers and how things have changed from the last year's rates that were approved.

Now, we are well aware that this was a bit burdensome on carriers at the beginning, but it went fairly smoothly, given the size of the template and what it contains; and, going forward, the 2019 templates can be completed once the rates have been approved for this year, and so, going forward, there is just a matter of updating the template each year.

I thought I would give you a sample of a couple of questions that came up during rate review. Companies' identities are hidden. But here is one question that the consultant actuary asked.

They looked at the company's trend experience, and this is medical trend, this is your underlying change in the cost of services and the utilization of those services. This is not some
general economic data point.
Trends are specific to each carrier, and
they experience different trends at different points in time, but those changes represent the underlying cost and utilization for healthcare services.

And in this particular example, the consultant noticed that the experience trends for the carrier, shown up there, were all lower than their proposed trend of 8.9 percent, so this is an example of you could say it is not exactly consistent with their experience, so the consultant asked them to provide qualitative, meaning provide a narrative, provide a description of what went into your trend, and quantitative support, show me how you calculated it to justify the use of the increased trend.

The second one gets real technical, but basically this is another example of a carrier was calculating age and gender changes, and the consultant simply wanted to know were those calculations internally consistent, and, in particular, did you use the Federal age factors to develop these.

And so, again, those were just a couple of examples of questions that we see that come up during the rate review process.

Every year presents pricing challenges. And what do we mean by pricing challenges? Well, it used to be years ago that medical trend was a pricing challenge every year for actuaries. Those were the good old days. We look back fondly on those.

Now, there are many different
challenges. Every year, the population morbidity that a carrier has to anticipate is probably one of the bigger challenges that carriers face each year, because they have to determine the health status of their population compared to the statewide average. It is not just looking solely at individuals that are enrolled with that carrier and their health status, but they have to determine how do the health status of my folks compare to the health status of everyone in the state market, and there are lots of things that can change that.

We've mentioned carrier entrances and exits, member movement between carriers, member movement within carriers going from one plan to another, the presence of high cost claimants and whether they are with you and would you expect them to enroll with you next year.

A new challenge entered the Virginia market. As you know, Medicaid is being expanded in

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Virginia January 1, and there are about 89,000 individuals currently enrolled in the individual market that will now qualify for Medicaid, so that could change the risk profile for an individual carrier, if they know they have those people. They probably know what those relative health status looks like, and so they would have to factor in how many of those people would they expect to go to Medicaid and how will that change their company's risk profile.

Scott mentioned earlier the existence of association health plans and short-term limited duration plans. These were two movements by the Federal government to try to offer more options for those enrolled in the ACA market.

The association health plans, those Federal rules have come out, it basically allows individuals or groups to band together to form associations and directly compete with the ACA market.

Not exactly sure how that's going to work out. We are not sensing a huge movement afoot on creating these association health plans, because it does get a bit complicated. The more threatening aspect, I would say, with respect to ACA plans, would be the presence of short-term limited duration plans.

Now, these plans have always been
available. Generally, they cover 30,60 or 90 days. They generally do not cover preexisting conditions, and they generally reject individuals that don't pass medical underwriting.

Now, that was then. We are not sure what now is, because the Federal rules have not come out. But I would say between association health plans and short-term limited duration plans, the short-term plans probably represent the greatest encroachment into the ACA market, and the net effect could be that it attracts a good number of healthy individuals away from the ACA market, which then go back to the top of the page here, will affect the company's morbidity profile and will probably cause rates to go up, if anything, with the presence of these plans.

They're -- probably, once the Federal rules come out, there is probably going to be a bit more activity on this front, and we will certainly keep our eyes open for anything like that.

COMMISSIONER JAGDMANN: You think it would cause rates to go up because sicker people are left behind?

MR. SHEA: Yes, ma'am, exactly. Plain
and simple.
The CSR load. Now, if you might recall, CSR, cost-sharing reductions, this actually occurred last year, right in the middle of rate filing season, where the Federal government decided not to fund cost-sharing reductions, and they're not giving money to the carriers for selling these plans.

And so what -- the reaction that
carriers had to have is they had to cover the cost of those claims in their premiums, and the CSR,
cost-sharing reduction plans are all silver plans, so this caused an increase, on average, of about 20 percent of silver plans.

Silver plans went up approximately 20 percent to cover the lack of funding for cost-share reductions. Now, this occurred last year, but not all carriers made that attempt to adjust.

This year, they have all come up to the same level, to cover those costs.

And one last pricing challenge, and, again, the challenges are what are the areas of most uncertainty that are -- that is going to go into your rates.

It is things that have generally never happened. Now, you can study from other states'
experience or other carriers' experience or go with the consulting firm and to have them help you out, but this is why I call them challenges, is because there is new dynamics in the market that raise the level of uncertainty.

COMMISSIONER CHRISTIE: Before you
leave -- I don't know if you are getting ready to leave this slide, but back on the short-term health plans and the AHPs, the Association Health Plans, and undoubtedly you are correct, it is an uncertainty because, to the extent that a person in the individual market, who is in the individual market, who is buying an ACA plan, may leave, if offered a short-term plan, or an Association Health Plan, could obviously affect negatively the health of the pool, because they're leaving the pool.

MR. SHEA: Correct.
COMMISSIONER CHRISTIE: That's true. It is also true that, again, the landscaper, the plumber making $\$ 50,000$ a year cannot afford the premiums and they have left the market already or they're going to leave the market already, and so this simply gives them -- and, again, this decision is going to be made above us, it is not like we are debating whether we are going to have these or not, this is being made at
a higher level up I-95, but it clearly would at least offer an option to --

MR. SHEA: That's the idea, yes.
COMMISSIONER CHRISTIE: -- the $\$ 50,000$ a
year working person, who has no option now, they simply cannot afford the premiums.

MR. SHEA: Right.
COMMISSIONER CHRISTIE: So that's not going to affect the morbidity of the remaining pool because they're not in the pool now, they have left.

MR. SHEA: Very true. Now, that is quite true. If they are not there to begin with, it has no impact on the pool. You would like them in the pool anyway, the bigger your pool, the more predictable and stable your costs will be. They'll not necessarily be lower, they'll be more predictable and stable the larger your pool gets; but certainly, what folks need to understand about short-term plans, and, again, I don't want to speak out of school because the regulations have not been released yet or the proposed regulations haven't been released; but, generally speaking, short-term duration plans don't cover things like maternity, and they don't cover things like prescription drugs. They may not cover mental health services. It is uncertain right now.

COMMISSIONER JAGDMANN: Like with any policy, you need to know what is in there.

MR. SHEA: Need to read the fine print. But if you go on how these policies operated in the past, they will be available only to healthy people, because they won't cover preexisting conditions.

COMMISSIONER CHRISTIE: Right.
MR. SHEA: And, in the past, these plans could be medically underwritten, and so you would get to a point where you don't pass underwriting, so those plans aren't available to you, so if you can imagine a scenario where you have those plans operating in concert with the ACA market, where there is guaranteed issue and there is no health status rating, and the plan -- the short-term duration plans provide less coverage than an ACA plan, so the rates will be incredibly lower and quite attractive, but it is only going to be available to people who don't have preexisting conditions and who can pass medical underwriting, so you can imagine what that pool will look like compared to the ACA pool, so we just have to be very cautious on the development of these plans and the pervasiveness of them, once they get into the market.

COMMISSIONER CHRISTIE: That's true;
but, again, if someone cannot even afford a plan now, this may be an option.

MR. SHEA: This will provide some
temporary coverage.
COMMISSIONER CHRISTIE: At least for
hospitalization.
COMMISSIONER JAGDMANN: The old
catastrophic plan.
MR. SHEA: It is probably how they will
develop, yes.
COMMISSIONER CHRISTIE: It is going to be mostly a catastrophic or a hospitalization plan.

MR. SHEA: True.
COMMISSIONER CHRISTIE: And, again, we are not advocating for or against, because, again, this decision is not going to be made at our level.

MR. SHEA: Right.
COMMISSIONER CHRISTIE: But the effect here is on, obviously, rates, and you are right, it is the uncertainty in trying to price a product when you have this degree of uncertainty, which is going to be more so.

MR. SHEA: Well, and particularly with short-term plans, the uncertainty is we don't know what the rules are.

COMMISSIONER CHRISTIE: Right.
MR. SHEA: And the rules could come out a week after our rate filing deadline. Carriers will have no option of just their rates for that, so a lot of this is all gets down to timing sometimes, and I will get to a slide in a minute to show the impact of timing on rate levels from last year.

This is just a quick chart on data that we can pull using our new rating tool. We looked at total trend, the trend I described earlier, for the individual and the small group markets.

Now, in Virginia, for 2019, carriers are assuming an average of a 6.2 percent trend, the range is anywhere from 5.3 to 9.1 .

Again, these trends are specific to each carrier, and it is incumbent upon the carrier to justify and support those trends, so the same amount of scrutiny will go into the 5.3 as goes into the 9.1.

I would say that's a fairly tight range around trend, and, as you can see, because we asked the carriers to provide their 2018 rate filing data, we saw that the change in that trend from 2018 is a slight decrease of three-tenths of a percent; and, again, what is helpful here is we can compare that to

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what is going on nationally, and generally what we have seen and heard nationally is the trends and rate filings this year are about the same or a bit lower than they were last year, and that's exactly what we see here in Virginia.

We also look to the trends in the small group market, had the same amount of information, and, again, the average dropped about three-tenths of a percent from last year.

COMMISSIONER CHRISTIE: As a trend, you
are talking healthcare costs.
MR. SHEA: Talking the underlying change in cost and use of services, yes, sir.

COMMISSIONER JAGDMANN: Meaning it is
going up about the same as it did last year.
MR. SHEA: Or a little bit less.
COMMISSIONER JAGDMANN: Slightly less. Slightly less.

MR. SHEA: A little bit less.
COMMISSIONER JAGDMANN: It is not that
it is staying the same --
MR. SHEA: Right.
COMMISSIONER JAGDMANN: -- when we say
it is not changing.
MR. SHEA: Right.

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COMMISSIONER JAGDMANN: It is going up by about the same percentage.

MR. SHEA: It is going up about the same, yes. It is like last year, I got a 5 percent raise and this year, I got a 4 percent raise. I still got a raise, it is 1 percent lower than last year.

COMMISSIONER JAGDMANN: Right.
COMMISSIONER CHRISTIE: That's the
statewide average; correct?
MR. SHEA: That's the average that we have seen in our rate filings to the ACA markets.

COMMISSIONER CHRISTIE: Well, talk about
the role that healthcare costs play in the rate setting.

MR. SHEA: They're in all of this.
COMMISSIONER CHRISTIE: Okay. Let me ask you this then. Again, we have -- first of all, let's explain on rating areas, because we talk about counties, but really Virginia is divided into rating areas.

MR. SHEA: For the ACA.
COMMISSIONER CHRISTIE: For the ACA.
And these rating areas are geographic but they're not contiguous necessarily with every individual county,
it is not a rating area.
MR. SHEA: That's true.
COMMISSIONER CHRISTIE: I think we have about 12, don't we?

MR. SHEA: Our rating areas are the 11 MSAs and the one non-MSA area, which is generally most of that orange that you saw on the individual chart.

COMMISSIONER CHRISTIE: So do you look at healthcare costs within a rating area specifically?

MR. SHEA: We don't necessarily look at healthcare costs within a rating area specifically. Carriers do not have to certify loss ratios at that level. So it is also a matter of credibility. When you start whittling down carriers' experience into smaller and smaller pieces, a lot of carriers aren't in a lot of our rating areas, and some carriers are only in Northern Virginia, and they don't operate below that.

A good number of our carriers, because of where they operate, most of them in Northern Virginia, they don't have rates that vary by area. They're self-contained, and they just assume -- they aggregate the costs for whatever rating areas they
operate in, there is no requirement that carriers use rates that vary by area, and some do and some don't.

COMMISSIONER CHRISTIE: Because a lot of parts of Virginia, and we have had this discussion before in these hearings, have only one -- and let's talk about the cost of healthcare and the cost to providers, there are a lot of parts of Virginia which we talked about a monopoly situation with regard to the insurance carrier, 70 percent of the counties only have one insurance carrier, which is a definition of monopoly; but a lot of parts of Virginia only have one major hospital chain.

MR. SHEA: That's very true.

COMMISSIONER CHRISTIE: Which is also monopolistic; and does that factor into your rating determinations?

MR. SHEA: How that factors in is from the carrier's perspective. Carriers try to work with hospitals and physicians to come up with reimbursement arrangements and fee schedules that both can agree on, and the impacts of those contracts are contained in all of the healthcare claims that we see.

COMMISSIONER CHRISTIE: Well, you know, a healthcare -- an insurance company or healthcare

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plan that has a monopoly in 70 percent of these counties, it has a monopoly as a seller to those consumers who are buying insurance plans; but the other side of the monopoly coin is that it has a monopsony, in economic speak, as a purchaser of healthcare services.

Now, the hospitals don't want to hear this; but so do you expect healthcare plans that have a monopsony purchasing situation to use that to try to drive down healthcare costs.

MR. SHEA: It would benefit everybody, if that were to happen. We had a situation recently with one carrier that was in the Charlottesville area, they actually had planned to sell plans in the Charlottesville area, and they recently resubmitted and withdrew their plans for that area, which we went from two carriers to one carrier there; and so the reason why they left the Charlottesville area, our understanding is they couldn't reach agreement with a certain hospital system in that area, and so they chose not to sell plans there.

And so, as a result of that, you have got the one carrier left, and in many of the areas like you said, there is really only one hospital or hospital system someone can choose from without

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driving a long way.
COMMISSIONER JAGDMANN: That's going to
continue to be an issue, we see mergers, hospital mergers that exacerbates that issue.

MR. SHEA: I won't go through a lot of these other numbers again. We were able to pull morbidity, and as you would expect, the impact of morbidity, relative health status is much greater in the individual market than it is in small group, and we had -- we were able to run, for the carriers that increased their silver rates to account for the lack of CSR funding, their silver QHP rates increased an average of 22.7 percent.

What this means is if there is funding for CSR, CSR's silver rates would be 22.7 percent lower than they are right now.

COMMISSIONER CHRISTIE: Well, and one thing Judge Jagdmann mentioned, which is an important point I think to understand too, because we talked a lot today about concentration in the insurance market, and we are heading towards a monopolistic situation in most of Virginia from insurance companies, but hospitals are concentrating tremendously.

Under the ACA, you have had tremendous,

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on a national basis, concentration of hospitals, and that's trending towards the monopolistic situation on that side too, and so you have got monopolistic concentration under -- not only the insurance market but also in the hospital market.

Of course, some economists would argue that, you know, a monopoly purchaser is in a better position to bargain with the monopoly seller, but, generally, monopoly is not good for consumers in any situation; and we are seeing not only monopoly -- the increased concentration in the insurance industry, but we are seeing it in the hospital industry as well.

MR. SHEA: And we talk about buyers and sellers, but I would like to point out a major difference in the health insurance product, which has certainly, under the ACA, been commoditized over the last few years.

Insurance companies are one of those rare things where they don't know the cost of the product they're selling until it has been out there a long time. All of these rates are in effect estimates, and they hope that the cost of the product that they're selling does not exceed the price of that cost, and so it is an interesting little
dynamic, we do think of it as selling a product and this is the price and that is how much it costs.

At that time, that's the expectation of cost. The carriers have to wait a while to figure out that the price that I set was either sufficient or inadequate, but they don't know the cost of their product when they sell it.

What I wanted to show you here briefly, there is one obvious bar that jumps out is the one below.

The top bars on blue, those are simply reproductions of some information Scott shared earlier, which was the statewide average premiums over the years; and you can see last year, in 2018, the average rate change in Virginia for the individual market was 69.1 percent. What $I$ want to point out for that number is, at the beginning of the 2018 rate filing season, that 69.1 percent was 29 percent.

Now, let's have a little trip down memory lane and figure out why it went from 29 percent to 69 percent.

After the company submitted their rate filings, the government announced that there would be no more funding for cost share reduction plans. We

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see earlier that that drives the silver rates up 22 percent or 20 percent on average. Silver plans represent about three-quarters of the company's business, so that factors -- that drove that 29 percent average up immediately.

At the time, during the summer, there was a considerable amount of activity in Washington with respect to repeal and replace. Now, while this was all talk and some proposals had more legs than others, this creates an enormous amount of uncertainty as to whether a carrier who is going into this market who is in this market will even have a market, so those things happened.

There was enormous amount of talk. They
weakened the individual mandate, there was talk that they weren't enforcing it as much as possible, and so, therefore, the compelling reason for people to get insurance, they were whittling away at that.

All of those things rolled up, I would say arguably, it was probably the most uncertain year after the first year of the ACA, where everything was brand-new and no one was in the market.

So after all of that activity, carriers and then we had market exits, we knew about some at the beginning of the filing season and others
occurred after, and so once carriers had time to assimilate all of this information, the average rate increase in the individual market went from 29 percent to 69 percent.

And over that period of time, 2014 to 2019, the increase in the average premium in the individual market in Virginia increased 158 percent.

Similarly, in the small group market,
over that same period of time, the average increase in the small group market was at 25 percent increase over that same 5-year period. Obviously, small group is a bit much more stable, you can see the rate changes below.

The highest in the last 5 years was approximately 18 percent, but in the first year of filing rate changes, the small group rates actually went down on average, about 5 percent.

COMMISSIONER CHRISTIE: Yes, but that's after they had jumped. I mean let's be real here.

You are putting 2014 as the baseline, that was the first year of the ACA policies; and our first year we did this, we looked at the comparison between where rates were before the ACA, and you are not putting that in.

COMMISSIONER JAGDMANN: '13.

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MR. SHEA: Oh, absolutely. We are not putting in any rate changes in the first year of the ACA because, as you recall from those presentations back then, the rate changes were --

COMMISSIONER CHRISTIE: Huge.
MR. SHEA: They were quite varied, and so it really -- it is apples and oranges, and it is a little bit -- it was a little bit harder in the past to measure rate increases because carriers filed rate changes at different points in time, their plans were different, the comparisons were virtually impossible.

But now, a lot of the things are standardized, and so it is quite easy to measure changes over time.

Again, the big takeaway here is that's why there is groups working on stabilizing the individual market because of these changes that we have seen over the last few years.

COMMISSIONER JAGDMANN: Okay.
MR. SHEA: And now we have our list of presenting companies. We decided this year to go in order of projected market share, so our first presenter happens to be on the phone.

COMMISSIONER JAGDMANN: Okay.
MR. SHEA: We had a couple of last
minute emergencies yesterday, and so, unfortunately, we have a couple of companies that will be participating by phone. They have been on the whole time here.

COMMISSIONER JAGDMANN: Okay.
MR. SHEA: And I am going to now turn it
over to Cigna to present their information on their individual rate filing, and $I$ will be working the slides for them.

And, if you could, introduce yourself and provide your title as clearly as possible for Cigna. Thank you.

MR. HOFFMAN: Good morning. My name is Zach Hoffman. I am an actuarial manager with Cigna and the signing actuary for our individual --

COMMISSIONER JAGDMANN: Can you turn
that up.

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MR. HOFFMAN: -- rate filing in
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Virginia.
COMMISSIONER JAGDMANN: If you would wait just a moment. They are going to try and turn it up just a little bit.

MR. HOFFMAN: Okay.
COMMISSIONER JAGDMANN: Okay. I think
we are ready to try again.

If you would start over, please.
MR. HOFFMAN: All right. Good morning, everyone. My name is Zach Hoffman. I'm an actuarial manager with Cigna, and $I$ am the signing actuary for our individual filing in Virginia.

To walk you through the material that was provided with the rate filing template that David discussed --

MR. SHEA: Zach, could you hold on just a minute. We have got a little technical issue with our display monitor here.

MR. HOFFMAN: Okay.
COMMISSIONER JAGDMANN: We are going to take a 10-minute recess while they work with the audiovisual. We will come back at 10:30.

MR. SHEA: Thank you.
(Recess from 10:21 a.m. to 10:28 a.m.)
THE CLERK: The Commission resumes this session. Please be seated.

COMMISSIONER CHRISTIE: Did you get it working?

MR. SHEA: Perfect. Yes. Thank you very much.

We will wait for everybody to get back
in.

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COMMISSIONER JAGDMANN: All right. We will start again.

Would the gentleman from Cigna please identify yourself, please.

MR. HOFFMAN: Good morning. My name is Zach Hoffman. I'm an actuarial manager with Cigna, and I am the signing actuary for our individual rate filing in Virginia.

COMMISSIONER JAGDMANN: Okay.
You may proceed with review of your
templates.
MR. SHEA: Okay. Go ahead.
MR. HOFFMAN: All right. Perfect.
So this is Cigna's third year in the Virginia market. We came into rating area 7 and rating area 10 in 2017. We are participating this year and filing rates for the same geographic footprint for 2019.

If we are starting at the top of the template, our requested average rate change is 15.1 percent. In breaking that out, to look at adult and the child rate change, adults are also 15.1 percent, and the child rate change is a little bit different at 15.2 percent.

I do want to, you know, cull out there

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were no differences in assumptions for adults versus children, that's really just an element of, you know, the plan selections that members under the age of 21 are currently in.

There is no difference in the pricing methodology, just, you know, kind of a technicality of the calculation.

Okay. Moving on to the rest of the exhibit, you know, we have three plans laid out here. Our most popular plan, which is our lowest cost silver plan in rating area 7, the minimum rate change plan is our gold plan in rating area 10, and our maximum rate change plan is our lowest cost bronze plan in rating area 7.

Looking at the cost sharing description, not a lot of changes. Really, for the most part, you know, the plans are very similar from 2018 to 2019.

The main movement is in the out-of-pocket max moving from $\$ 7350$ to $\$ 7900$. And then also there is some movement in the deductibles for the plan designs as well.

COMMISSIONER JAGDMANN: When you say deductibles, 70 percent, what does that mean?

MR. HOFFMAN: The 70 percent is actually the coinsurance, so once the deductible is met, Cigna
will be picking up 70 percent of the claims.
COMMISSIONER JAGDMANN: And what are the
deductibles? I don't see that number.
MR. SHEA: I think they're up in the description.

COMMISSIONER JAGDMANN: Okay.
MR. SHEA: Cigna Connect, 6500. I
believe that's the deductible for that plan.
COMMISSIONER JAGDMANN: Can you point to
that on the audiovisual? You can point it on the screen there. Oh, you can't. Never mind. Forget it. Forget it.

MR. SHEA: I can point it there.
COMMISSIONER JAGDMANN: Okay.
MR. SHEA: Right here, where it says
plan name.
COMMISSIONER JAGDMANN: Okay.
MR. SHEA: In this case, their
deductible is included in the plan name. So the deductible for the most popular plan for Cigna is $\$ 6500$, and afterwards, it picks up 70 percent.

And then they have got two other deductible plans here, a $\$ 1500$ deductible, where it picks up 85 percent after, and then a $\$ 7000$ deductible, where it picks up 60 percent after.

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COMMISSIONER JAGDMANN: Okay. All
right.
MR. SHEA: Okay. Zach, you can go on.
MR. HOFFMAN: Thank you, David.
So moving on, looking at the drivers of the rate changes from 2018 to 2019, you know, I just want to note we are looking at rates for a 40 year old nonsmoker.

So the first line item is for the individual mandate, so this is reflecting the penalty going to zero percent for 2019 and just the risk that comes with members leaving the market, since there is no longer that incentive to stay in, if they don't feel like they necessarily need the insurance coverage.

The next items, other morbidity.
Outside of the individual mandate penalty going to zero percent, we have actually found, you know, since the product came out of the books in 2017, that, you know, the members we have are actually, you know, lower than initially expected morbidity, so that decrease of 11.5 percent is to, you know, bring the rates in line based on the morbidity of the population.

The next line item of trend,
5.3 percent, this represents expected increases in medical costs year over year.

The next line item is for risk
adjustment, so this is just reflecting the changes to our projected risk adjustment transfer for 2019.

The HIT moratorium, this is reflecting the holiday on the health insurer or the health insurance industry fee from the Federal government. So since that is going away, we are able to actually reduce rates by the cost of that expense.

The line item after that has to do with the other non-benefit expenses, which is other fixed expenses and, you know, the cost that we incur to create selling through the policy, that's a very immaterial change, our expense is pretty consistent year over year.

And the final line item in the top box is for benefit changes, so going through the cautionary description, the plans are fairly consistent year over year, so they're a little bit leaner in 2019 than in 2018, so there is a slight reduction in premium to reflect that.

COMMISSIONER JAGDMANN: You mention benefit changes. What are these? You have got other change 1, 2 and 3. What are --

MR. HOFFMAN: Yes.
COMMISSIONER CHRISTIE: Okay.
MR. HOFFMAN: So the other changes 1, 2
and 3, the first one is other change 1, that's reflecting the way last month the Bureau came up with a position on how to reflect reduced demand, which was the fact we apply the pricing based on the cost sharing of a plan will impact how much a member utilizes a plan.

Previously, we had been using an internal study and a regression analysis, to come up with that factor. Based on the BLI's position that they published in late June, when we updated the factors, it was actually a pretty significant decrease for the minimum rate change plan for gold. Switching to the factors that are published by CMS and using the risk adjustment transfer calculation lead to actually a pretty significant decrease in the rate for the gold plan.

And then the lowest cost silver and the lowest cost bronze plans, our internal analysis actually had the factor coming out below the CMS published factor, so that resulted in a slight rate increase for those two plans.

Other change 2 is reflecting the impact
of Medicaid expansion, so that represents the CSR load or the load we put on the silver rates for CSR being defunded, so with Medicaid expansion, you know, a portion of our population on our single risk pool that is eligible for the highest cost sharing variance of the CSR plan will actually be exiting the individual market and moving over to Medicaid.

So, as a result, you know, other change 2, which only impacts the silver plan, is coming down because, with those members moving to Medicaid, we would actually require less of a load to cover CSR defunding.

And other change 3, it's a combination of a few factors, most of them are immaterial on their own.

But really, you know, the key highlights of that include would be as we finalize provider contracts with hospital systems over the last few weeks, we were able to reestimate the unit costs for medical services. 2017 was our first year in the market, so part of the rate billed for 2019 were actually able to reflect actual experience as opposed to using manual rating.

And then there is just a few other methodology changes in that bucket as well.

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COMMISSIONER JAGDMANN: Okay.
COMMISSIONER CHRISTIE: Well, before
you --
MR. SHEA: Go ahead, Judge Christie. COMMISSIONER CHRISTIE: Before you
leave -- is it Mr. Hoffman? Did I get your name right?

COMMISSIONER JAGDMANN: Yes.
MR. SHEA: Yes.
COMMISSIONER CHRISTIE: Let me ask you
about an issue. It happens to, in this particular antidote, to relate to Cigna, but I am sure it applies -- I am not singling you out. It applies to other insurance companies as well.

And that is $I$ was talking to a person about two months ago whose wife had been in a hospital, and she was a Cigna -- their family was on a Cigna group plan, and his wife went in the hospital for a surgery and about a couple of weeks later or three weeks later, he got a bill, and there was a $\$ 10,000$ charge on there for something called hospitalist services, and he called the hospital and said you are in network, I know you are in network because I checked it out before we, you know, we went in for the surgery, what is this $\$ 10,000$ charge, and
the hospital said well, that's a non-network provider, this hospitalist services.

And my question is -- by the way, he is not the only one who has complained about this kind of thing. When you enter into a network contract, as an insurance carrier, are you aware that hospitals are going to allow out-of-network charges to your covered lives, your covered persons, or why don't you require that as part of the bargaining in the contracting, that if a hospital or a provider comes into your network, that means being in your network and not allowing non-network providers, other than maybe an intense emergency situation maybe you could envision, this was not an emergency situation.

In other words, use your bargaining power, and we don't regulate hospitals but we regulate insurance companies, use your bargaining power to insist that your covered lives are not hit with non-network charges at least without prior notice.

Have you thought about -- and Cigna, and, you know, and, again, I am not singling you out, it just happens to be this particular incident was involving Cigna, and not even blaming Cigna because you just paid the network charges, you didn't pay the
non-network charges, the hospital allowed it, so what can you do to, in your bargaining power, to make sure these hospitals don't allow these non-network charges at least without notice.

Are you there?
MR. HOFFMAN: Yes, that is a great
question. I do want to say network -- construction of network negotiations are outside of my realm of expertise, that is something that we are aware of, and, you know, I know that our team that goes out there and negotiates with the hospitals does their best to build a network that will be able to adequately cover our members and provide them the care that they're signing up for and buying insurance for.

I know a lot of times with that, sometimes, for whatever reason we are not able to contract with, you know, that hospitalist or whichever independent physician is providing care at the hospital that is not part of the group that we do contract with, so it is something that our network team does work to try to minimize, but sometimes it is just something that is out of our control.

COMMISSIONER CHRISTIE: Well, I can
certainly understand -- I mean logic tells you, if it
is in a critical care ER situation, I mean you can't -- that is sort of a different scenario, maybe you can understand that.

But this was a discretionary service
that was charged in this case $I$ was told about by this individual, and it wasn't an emergency situation, and the hospital, obviously, allowed it, because they included the bill, and so it would seem like that this -- while, again, we don't regulate hospitals, but we do regulate insurance companies, that this is the kind of thing that, in your bargaining power, which you have got, particularly as we noticed, you got 70 percent of the counties that only have one carrier, but all the hospitals want to be in your networks, I mean we all know that, they got to be in your networks because you have the covered lives, so you do have that bargaining power to protect your covered lives from these non-network charges, certainly at least without notice.

I mean it is one thing if the patient checks in and they're told, by the way, you may get charged for this type of service, just wanted to let you know, at least that would be better than the surprise bill a month later.

And maybe the person says well, I don't

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want hospitalist services, whatever that is.
Apparently, they come in and read the chart and make sure you are getting the right medicine or something like that, $I$ don't know, this was what was described to me.

But, to the extent it is discretionary, at least the person should have notice that this is not a network covered service, and you are going to get hit with a big bill, so do you want that.

And that's something I think insurance
companies in their bargaining should be doing, is protecting their covered lives that way.

MR. SHEA: Thank you. Do you have any more questions for Zach?

COMMISSIONER CHRISTIE: No. That was
the question.
MR. SHEA: Okay.
COMMISSIONER CHRISTIE: And he said he wasn't the one to answer it. Maybe -- maybe you can talk to the one who is and let us know.

And I am going to pose that same question. I hope the rest of the insurance carriers today will at least address that as well.

MR. SHEA: Okay. Fair enough.
COMMISSIONER CHRISTIE: Okay.

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MR. SHEA: All right. Anything else for
Zach and Cigna? Okay. Thank you.
COMMISSIONER JAGDMANN: Unless they want
to talk about ambulance rates as well.
MR. SHEA: I would say probably not.
COMMISSIONER JAGDMANN: Okay.
MR. SHEA: All right. Our next
presenter is Kaiser.
MS. SCHROER: All right. Good morning.
My name is Sheila Schroer, I am chief actuary and executive director of actuarial services for Kaiser's Mid-Atlantic Region.

My address is, if $I$ can remember it right, is 2101 East Jefferson Street, Rockville, Maryland, 20852.

All right. So this is -- we formatted the template a little bit so that it was bigger, excuse me, bigger on the screen, and we lost a few --

COMMISSIONER JAGDMANN: We appreciate $i t$, by the way.

MS. SCHROER: I was looking at it, and I couldn't see it, so $I$ was like $I$ have to be able to see it.

So we lost the overall average increase, which we are proposing at 39 percent. And that, of
course, varies by plan.
We are ranging from a low of
14.2 percent up to a high of 49 percent. And then, for our most popular plan, with 58 percent of our enrollment, we have a 44.4 percent rate increase.

The changes in the plan design, it's -it's hard to see what is changing just from the brief description we have up there.

For the most popular plan, we do have an average increase in benefit or improvement in cost sharing, a net combination of that. And a 6000 deductible sounds really big, but for this particular plan, most of the services are actually co-pay driven, it is really only the inpatient stays that are subject to deductible.

The minimum rate change is an HSA high deductible plan, where the majority of services are subject to deductible and coinsurance, and we do have an increase in deductible there.

And then the maximum rate change plan is similar to the 6000 plan in that a lot of the services are not subject to deductible; but, even with that, we did lower the deductible, which increases the cost of the plan.

All right. So jumping down to the rate

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change section, first, we have the loss of the individual mandate, we are estimating it at 6.6 percent; and this is primarily driven by an assumption that we are going to lose over 15 percent of our enrollment, and those members are going to be the younger and healthier members that will drop out of the pool.

The other morbidity is like the regular morbidity factor, we have a reduction there of 7.7 percent. And that is because Kaiser's enrollment growth is exceeding expectations, and we are expecting to grow again in 2019.

And what we have seen historically, when new members come in, we don't actually see a full year's worth of medical claims for new members, it takes time for that annual membership to mature.

So we are applying a dampening effect for the expected new members coming into our pool.

The flip side to that is risk adjustment, $I$ will come back to trend in just a moment. Until members actually come in and go to the doctor, we don't know if they're really sick or not, and if we don't have a diagnosis for new members, that means we don't really have a good solid risk score. And that is important, because risk scores
drive the amount of risk adjustment payments or transfers you are going to either pay or receive, so if we think the -- the new members are going to drive or suppress claims cost, the flip side is it means it is going to increase our risk adjustment payment.

So the two things aren't one for one,
you don't have a minus ten and a plus ten, but they are usually in opposite directions from each other, and there is some offsetting effect there.

All right. Going back to trend, we have a 7.2 percent increase there, that is a combination of a five and a half percent annual trend plus an increase in trend from what we had assumed last year.

All right. Health insurance provider fee. We have about a 1 percent reduction there, and just a reminder, whether we are loading or taking away the health insurance fee, our -- the impact to Kaiser is less than it would be for other carriers because of the way we are structured and the way the formula calculates the amount of HIT fee.

AND then other non-benefit expenses, we have a reduction on the screen, and that is reflecting that the other non-benefit expenses as a percent of revenue is less than it was in our 2018 rates.

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And then down, for benefit exchanges, we talked a little bit about that when we talked at the plan descriptions up there. We've got an improvement in benefit for the most popular and the maximum rate change plan and then a reduction in benefit for the minimum.

In going down into the other miscellaneous section, base experience is increasing 15 percent, and what that means is our 2017 experience was 15 percent higher than we projected it to be a year ago. And that's unfortunate, but it happened.

Then going down to the CSR impact, we have got --

COMMISSIONER CHRISTIE: What do you mean, your payout for healthcare?

MS. SCHROER: Yes. So that's not an assumption, it is just what happened looking back.

COMMISSIONER CHRISTIE: Retrospectively.
MS. SCHROER: Yes, we missed it last year.

The CSR impact, what you see there is a combination of two things. First, in our 2018, we applied the CSR load across all silver plans, whether it was on exchange or off exchange.

So now we have applied that load only to
those HIOS IDs that are on exchange, and for different HIOS IDs off exchange, we are not applying that load.

So what that does is it takes the load off of the off exchange silver plans rates and then increases the load on the on exchange rates a little bit, so that's one of the CSR impacts.

The other impact is we just
underestimated the value of the impact in our 2018, so we need to correct for that, and so the 10 percent increase here isn't the load, it is the correction for the load.

COMMISSIONER JAGDMANN: But you
intend --
MS. SCHROER: That we should have put in last year.

COMMISSIONER JAGDMANN: But you expect to continue.

MS. SCHROER: Yes. So, if you get it right, then the future CSR impact would be zero, if we get it right this time.

And then I have to admit, I am not sure what is in all other. It is between 1 and 2 percent, it is just everything else that is miscellaneous.

All right. Any questions on individual?
COMMISSIONER CHRISTIE: Because Kaiser
is unique, I think, I mean compared to everybody else, you don't really have this problem with the balance billing, right, because everybody is in network for you; correct?

MS. SCHROER: Not everybody. We do have a very small portion -- I was taking notes when you were asking questions. I am glad Cigna went first.

But the majority of our
hospitalizations, we contract with those hospitals for the facilities, but the people conducting those services are Kaiser employees.

COMMISSIONER CHRISTIE: Right.
MS. SCHROER: And that's fixed for the employee or for the people part of those hospitalizations and the facility costs, but we do have a handful of products that do have non-network benefits and --

COMMISSIONER CHRISTIE: Are they
disclosed to the consumer before --
MS. SCHROER: They know that they're going to buy it, and I have to say we don't offer those in our individual pool.

COMMISSIONER CHRISTIE: Okay.

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MS. SCHROER: So our individuals don't have to worry about it; but our groups, they are -they're pretty savvy in what they're purchasing for the employees.

COMMISSIONER CHRISTIE: Well, group purchase is totally different.

MS. SCHROER: Yes.
COMMISSIONER CHRISTIE: But it can still
be a group covered life who gets hit -- In
the incident I relayed, it was a Cigna covered group policy, but --

MS. SCHROER: Yes. I can tell -- it is not my area of expertise either, but I know Kaiser, the culture of the company, if that happened and Kaiser wasn't aware that that was going to happen, Kaiser would most likely hold the member harmless from that and eat the cost themselves, but then go back and fix the contracting or the network management for that. Okay.

All right. Do you want to go on to
small group?
COMMISSIONER CHRISTIE: Sure.
COMMISSIONER JAGDMANN: What type of services typically aren't contracted for with the hospital?

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MS. SCHROER: If there is a very unique kind of surgery that you need that is not very common.

COMMISSIONER JAGDMANN: Not a
hospitalist type surgery. I am not sure what they do either.

MS. SCHROER: I know. I know. Like if you have a rare diagnosis and Kaiser doesn't have the expertise for that rare diagnosis, you might be sent to like Children's National, for example.

COMMISSIONER JAGDMANN: But if you
contract with the hospital and you know this hospital uses hospitalists, that's not unforeseen, I would think from an insurance company point of view.

MS. SCHROER: Yes.
COMMISSIONER JAGDMANN: Thank you.
On to small groups.
MS. SCHROER: Small group is less
interesting, and that's a good thing.
So small group, our average filed increase is a zero, that is ranging from a decrease of minus 3.3 percent up to an increase of plus 5.2. We have 21 percent of our membership is in the popular plan, which is a minus 1.6 percent increase.

The benefit changes here are not as wide
as on individual. I actually don't know what is changing in the most popular plan. There is nothing in the description there, so there is going to be something underlying that is not shown there.

And that's actually the case -- oh, no.
We have got a deductible change and out-of-pocket change and an office visit co-pay change, and some are -- are less of a benefit or more of a benefit, so it flip flops, but it is small changes relatively speaking.

Individual mandate, I shouldn't have shown that, it doesn't apply here.

Other morbidity, we have a minus 7.6 percent there, and that is -- for small group, it is larger than what we would normally have, but we are projecting a very aggressive enrollment growth in the small group business; and, as I said before, as those new members come in, they don't utilize services immediately, so it takes a while to really see what their claims costs are going to be, so, in the first year, we are expecting a reduction there.

COMMISSIONER JAGDMANN: Because of the individuals that can come in under the group of one, or why are you projecting this increase?

MS. SCHROER: Or decrease.

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COMMISSIONER JAGDMANN: Oh, decrease. MS. SCHROER: Decrease.

COMMISSIONER JAGDMANN: Oh, decrease.
MS. SCHROER: Yes, it is a decrease. I
may have said increase, but it is a decrease.
No, it is the new members coming, it is
the same concept --
COMMISSIONER JAGDMANN: Why are you
expecting more members coming in?
MS. SCHROER: For competitive reasons.
We have an aggressive rate increase at zero, and we have -- internally, we have a marketing and sales effort to go after small business employers.

COMMISSIONER JAGDMANN: Okay.
MS. SCHROER: So we are basing off -the projections off of what the projection team is suggesting.

COMMISSIONER JAGDMANN: Okay.
MS. SCHROER: All right. Trend, it is at 4 percent, that's is just a teensy bit higher than the trend from last year. I think it was 3.8 last year, now we are at 4 percent.

And our risk adjustment is an increase, and you can see it is in the opposite direction as the other morbidity factor.

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Then the health insurance fee, removing
that is the same impact as individual, and then non-benefit expenses is -- there is just a very small increase in other benefit expenses as a percent of premium for small group.

The benefit changes, we talked about that. Base experience here, sometimes $I$ wonder if we are not identifying individual small group correctly, just because, in individual, the base experience got worse by 15 percent. Here, the base experience improved by 9 percent, so we have a big downward push because of the change in 2017 experience.

And then last, all other, it is the miscellaneous items that go into the formula.

COMMISSIONER JAGDMANN: Thank you.
MR. SHEA: Okay. Our next carrier presenting will be Anthem.

MR. CONNELL: Good morning. I am Tim Connell, director and actuary with Anthem, located at 2221 Edward Holland Drive in Richmond, and I am here to talk to you about our ACA rates.

I will first walk you through the schedules and try to tell you our main considerations and our pricing and along the way try to address the items here in the template and also mention our going

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concerns with -- that have been already discussed here in some of the previous presentations.

COMMISSIONER CHRISTIE: Could you expand
that?

Debbie, help him. See if you can't blow
that up a little bit. Hit zoom out or whatever it
is. Make those a little bit bigger. It is like you
used 6 point type for the numbers.
MR. SHEA: Yes. I don't know if --
let's see what happens here. Is that any bigger?
How is that?
COMMISSIONER CHRISTIE: That's a lot
better, if that's your most popular plan column.
That's the silver plan.
MR. CONNELL: I can try to scroll, if
you want to look at --
COMMISSIONER CHRISTIE: Scroll on down as you go. That's your most popular plan, so it would be good to see those numbers up front.

MR. CONNELL: Yes. All right.
COMMISSIONER CHRISTIE: It is easier to see those numbers, yes.

MR. CONNELL: I will enlarge it, if we need to. Also, I can scroll to the other sides.

So we talked a little bit about the lack
of CSR fundings, so that's definitely a consideration in our rates.

We had to -- Since the change -- Since our meeting last year here, we have had to build that into the rates and try to estimate what that cost burden was on the silver plans, as was mentioned earlier.

And we are still trying to refine that estimate and trying to see if we got the pricing right. I think that was also mentioned in the last presentation.

COMMISSIONER JAGDMANN: But all of these are bronze, it appears. Correct?

MR. CONNELL: Right. The first one we are looking at is a silver plan.

COMMISSIONER CHRISTIE: Oh.
MR. CONNELL: Or a 6100 plan. I didn't start with the benefit design. We can look at that.

COMMISSIONER JAGDMANN: I've got the wrong one.

COMMISSIONER CHRISTIE: And that's your most popular is your silver.

MR. CONNELL: Right, this is our most popular, and we tend to look at the benefit designs in the individual every year.

For a couple of reasons, we want to make sure we stay within the designated actuarial value that is allowed, and the AV calculator will change every year, we need to revise sometimes based on that, and we look at just, you know, maybe slight decreases to benefits and helping with the affordability a little bit, so, for this plan in particular, many of the items were left the same, but the out-of-pocket maximum was increased.

And I would say that's fairly typical with what we do in the individual market.

In the small group market, we look at that as well, but we may try to promote a little more stability and leave some plans alone from year to year.

All right. So you can see in these plans, the 6100 deductible, what happens in these cost-sharing plans is they -- the member will see something quite lower than the $\$ 6100$ deductible.

The members with the most cost sharing might only see say a 7 or $\$ 800$ deductible, that's the extra expense that we are trying to cover when those members reach their deductibles and out of pockets much faster.

It continues to be a challenge, though,
to price it, as we observe the -- what the market looks like from our experience period and now looking, you know, to 2017 and the 2018.

What we have seen is that the proportion of members in the CSR plans has grown. We think the reason for that is these members are also premium subsidized, and it might be that they're insulated a little bit from some of the high increases, and they may be the ones that are, you know, being retained and not lapsing.

COMMISSIONER CHRISTIE: Now, you have absolutely zero for the individual mandate, which is very different than the previous two we just saw.

MR. CONNELL: Yes, and I will discuss that, and I would probably just wrap the individual mandate together with what is in the other morbidity column, row.

We didn't in particular cull out what the individual mandate was worth, but we've also observed what was on the slides earlier, about the market shrinking; and the market shrinking to us is a signal that the healthier members are leaving and that the pool left over is relatively less healthy, and we kind of equate that in the rate filing to the morbidity increase.

So I would characterize the way we
looked at it as bucketing many factors together in trying to come up with this morbidity, which would include the individual mandate being repealed, but also I would include the things that were also mentioned in earlier discussions.

The availability of association health plans may be taking individuals out of the market, the short-term policies, which may come into play for 2019, and just a lack of CSR funding.

Some of the other Federal support around
the ACA has been a concern to us, and we think it is causing the market to shrink at probably an accelerated rate.

COMMISSIONER CHRISTIE: But you are coming in at only 5 and a half percent increase, that's a very moderate, and certainly, from a consumer standpoint, welcome low number. And it looks like that the biggest two factors that have kept that low are other change 1 , other change 2 , where you have got some pretty big negatives.

What are other change 1, other change 2, that reduce that increase?

MR. CONNELL: Yes. And yeah, we are glad -- you know, it looks like these forces are
helping to bring the rates down.
The other change 1 is the Medicaid
expansion adjustment that we made, this was a fairly recent one, which was mentioned earlier, that carriers have adjusted their rates in the last few weeks for that; and $I$ think the reason was also mentioned earlier that we considered was that in pricing for the CSR expense, which we now have to do, we think that expense will be a little bit lower when these Medicaid members move out.

We think a lot of these members will be on plans with high CSR subsidy, and as they exit, that CSR expense burden that we had to put into the rates gets decreased a little bit.

COMMISSIONER CHRISTIE: So that's other change 2?

MR. CONNELL: That's other change 1. Other change 2 is, $I$ would say is a combination of factors, and one of them is, if you notice the risk adjustment being a positive number above, that's indicative of, as we withdrew some markets in the state last year, we think the profile of those people left was different than what we had in the 2017 period.

We think that profile is slightly

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healthier from the Federal risk adjustment standpoint, and that we would switch from being a receiver in risk adjustment to a payer, and we reflected that as an increase to our rates because we have to reflect what we think is really going to happen on risk adjustment.

The other side of that, and I think this was mentioned earlier too, that risk adjustment is tied to the health and morbidity of the population, and I think one of the things helping bring down rates is, if it is that healthier population that makes us pay more in risk adjustment, I think there is an offsetting, which we lumped in together with other, maybe about the same magnitude of 4 percent.

COMMISSIONER CHRISTIE: So your gain in morbidity, from pulling out of some of the market, you get a healthier population, of course, the other side, you have to pay more into risk adjustment; but it looks like you gain more from morbidity than you are going to pay out in risk adjustment.

MR. CONNELL: Well, I would also characterize the Other 2 was base experience too, so other change 2 was a combination of factors.

It includes I think the -- the favorable profile we are getting, which we are paying for in
risk adjustment, but it also reflects better experience than we expected in the 2017 period.

All right. And I think the other lines have been pretty well detailed. The moratorium on the health insurer fee is reflected. Again, we reflected that for the one-year period. As it stands now, as the law stands, we would have to reinstate that in 2020 unless, again, something changes.

But I will scroll to the other products as well. Generally, our silver plans are carrying a little bit higher increase, and I think that is reflective of how we have reassessed what expense we have to pay through the CSR, but even so, those silver plans are seeing a 5 and a half and a 6 percent increase going over to the -- this plan is our minimum increase, but there are very few members, and it is our catastrophic plan, and that is seeing the lowest decrease, although the decrease there is similar to what we are seeing in some of our bronze plans.

COMMISSIONER CHRISTIE: Well, it looks like your catastrophic is actually going down.

MR. CONNELL: It is. It is a decrease, yep.

And overall, our increase that we are

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filing is a positive 3.6. Where the silvers are going up a little bit, we are seeing generally the other products are flat or slightly negative.

Any more questions?
COMMISSIONER CHRISTIE: Well, if you
could address the very issue I brought up with Cigna, which is -- is Anthem doing anything to protect your covered lives from getting hit with these non-network charges?

COMMISSIONER JAGDMANN: It looks like he is getting a lifeline here.

MR. CONNELL: I don't have to phone a friend, I have a friend here in the room, who might be able to answer that.

COMMISSIONER CHRISTIE: Again, logic -well, not that logic enters into this; but, you know, an ER type charge is a different ball game than a discretionary service. So what can you tell us about that?

MS. BERRY WINTER: Lindsay Berry Winter with Anthem.

First, I want to make sure you are aware that the Health Insurance Reform Commission is currently studying this issue. The chairwoman of that Commission actually got hit by a surprise
balance bill herself, and I believe Deputy
Commissioner Blauvelt actually participated in a panel.

Anthem had a colleague of mine, who actually represents provider contracting for Anthem, and she spoke in the committee meeting about her own experience with a balance bill, and that shows the big issue is making sure that the everyday person understands the complexities of, you know, health insurance contracting, to -- so to specifically answer your question, we contract, obviously, with facilities and independent physician groups separately.

The issue is when a hospital gives a physician group a monopoly on all of our members that go to that particular facility, so, for instance, anesthesiologists, emergency room physicians, air ambulance providers, radiologists, those type of provider groups for some reason chronically choose not to contract with health insurers, and those are the instances that we feel like are probably most problematic.

COMMISSIONER JAGDMANN: Is that because there is a shortage of them and they don't have to?

MS. BERRY WINTER: No. We don't believe
it is a rates issue. We actually are seeing a trend in which private equity firms are gobbling up ER physician groups.

Once again, we believe it is because they basically have a captive market, and so the Health Insurance Reform Commission is currently deciding on what type of legislation should be answered in the 2019 legislative session.

Some of the legislation we have
discussed, whether or not a facility -- so, basically, if a health insurer contracts with a facility, we think there should be the requirement that a facility-based physician group should also be required to contract with the same insurers, so that would get at your particular issue, Judge Christie.

COMMISSIONER CHRISTIE: Well, because I am aware that legislative committee has been looking at this issue, at least $I$ am aware it from a newspaper article, but -- and they could legislate on it, and maybe they will, but we regulate insurance companies, we don't regulate hospitals.

MS. BERRY WINTER: Absolutely.
COMMISSIONER CHRISTIE: But we regulate insurance companies, and while you have bargaining power, you don't have unlimited bargaining power, you
don't have -- obviously, it is a bargaining process. It seems like -- and I know you probably are already trying to do this. I mean you are not averse to this at all, obviously, because you are the purchaser of the healthcare services. You probably prefer they didn't do this.

But the hospital allows this to take
place. I mean, you know, you may be -- you may contract with the hospital chain, and they're all chains now, and the hospital facility services, as you know, are in network and subject to your bargaining, you know, approved charge, but then they let these non -- the hospital, I mean, not you, non-network providers, as you say, because of the concentration in that industry, you know, some of the ER groups and anesthesiology groups apparently are -in this particular incident, it wasn't anesthesiology, it was this hospitalist thing.

MS. BERRY WINTER: Right.

COMMISSIONER CHRISTIE: So I know you have limited -- you don't have absolute bargaining power, but it seems like, from an insurance company standpoint, you could certainly exert, you know, to the extent you have bargaining power with the hospital, that, if you want to be in our network, and

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they all do, because you do have the lives, and that's ultimately what they need, is it that you have to agree that our covered lives at least are notified that you are going to allow them to be charged non-network services, if they come into your hospital.

I mean I know that, you know, to a certain extent, you are the middle person there, you know, you are not the hospital, but at least -- but you do have the bargaining power with the hospital, to the extent to say we don't want our covered lives being subject to a non-network charge, at least without being told.

MS. BERRY WINTER: And educating healthcare consumers is definitely a big part of it, and that could be something that the Health Insurance Reform Commission chooses to advance.

We do have language in our provider contracts that do try to protect our members wherever hospital, so basically, if a provider like a dermatologist, for instance, uses or refers something to an out-of-network provider like a lab, we do have language in our provider contracts today that is supposed to protect against that.

The issue is when we have two separate

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contracts, as I mentioned before, with an anesthesiology group and then with the facility.

And I just want to make sure, you know that we want the most robust network possible of providers, that is the key consumer protection mechanism, and so that is our ultimate goal. Like I said before, it really doesn't even come down to rates in many instances, it is just there are certain provider types that refuse to contract with insurers.

COMMISSIONER CHRISTIE: And you are between a rock and a hard spot because you, obviously, need to cover the array of necessary services for your covered lives, I mean no one wants to be covered by Anthem and find out well, this doesn't include anesthesiology, so when you do surgery, you do it without anesthesiology.

MS. BERRY WINTER: Absolutely.

COMMISSIONER CHRISTIE: No one wants to
hear that. And so you do have to get those necessary services, so you are under pressure, obviously, to contract with every necessary provider.

But the thing about the hospital, the
hospital -- they allow the use of their facility.
MS. BERRY WINTER: Absolutely.
COMMISSIONER CHRISTIE: So they're
consciously allowing -- you know, they may be in your network, but they're allowing the use of -- well, you know, the hospital just says you got to go talk to the anesthesiologist and see if you can sign them up, so they're not even a party.

MS. BERRY WINTER: Right.
COMMISSIONER CHRISTIE: But it is their facility, and they're letting them us it; and I understand you don't control the hospital, you just bargain with the hospital, and this is part and indicative of the concentration in provider services that is going on, it makes it harder for you to bargain.

So I understand, you don't have --
MS. BERRY WINTER: I wish we had all of the bargaining power.

COMMISSIONER CHRISTIE: But they sure have control over their facility. I mean these people didn't show up unannounced and just start doing these things.

MS. BERRY WINTER: A somewhat related matter that you touched on earlier, when Anthem exited in 2017 in some of the localities, I did want to make sure that you knew that our primary concern was ensuring that we left no bare localities, and so

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when we decided to exit and contract our footprint, we were actually past the $C M S$ service area amendment deadline, and then another carrier took -- decided to amend their service area, and that's why we all scrambled, and we want to thank the Bureau of Insurance.

Again, we wouldn't have been able to come back in and cover those bare localities, if it wasn't for them really working with us. There were a lot of operational regulatory hurdles that we had to overcome.

Also, Judge Christie, some of the questions you had related to monopsony powers, I just wanted to make sure you knew that one of those bare localities that we came back in to cover, their dominant health system in the area, right after we came back in, terminated our contract with them, so, once again, showing that there really is limited bargaining power on our side, when there is a must have in our network too, which is what we are seeing a lot of with significant concentration in the hospital.

COMMISSIONER CHRISTIE: Well, there is no question. One of the big problems in this is national, not just Virginia --

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MS. BERRY WINTER: Absolutely.
COMMISSIONER CHRISTIE: -- is the
tremendous concentration in the hospital industry specifically, which, again, it is not in our regulatory jurisdiction, but you are in the position of having to bargain with an increasing monopolistic industry.

MS. BERRY WINTER: And if you will allow
me to make just one final point, the reason why Virginia has more than the national average of insurers is because some of our strongest competitors in Virginia are actually owned by some of those health systems. Thank you.

MR. CONNELL: Thank you, Lindsay.
COMMISSIONER JAGDMANN: I am sure everybody else wishes they brought a lifeline too.

MR. CONNELL: Yes. I am deeply in her debt.

One other comment I would like to make, just piggy backing off that, about the monopoly situation, it was also mentioned earlier about the Federal MLR restriction, and I think that's a built-in mechanism to insure that there is not any abusive rates or rates that are going to be too high. That mechanism will ensure that, if rates are too
high, they're passed back to customers.
All right. I will move quickly to the small group, and we have two legal entities, and their story is similar, so $I$ will probably go through them fairly quickly.

We are using our most popular plan here on our PPO legal entity, Anthem Health Plans of Virginia, it is a platinum plan.

I would like to preface by saying we file rates in the small group a little differently in that we file not just a first quarter of '19 rate, but we file ahead to the 2 nd, 3 rd and 4 th quarter as well.

What you are seeing on the screen here is a first quarter rate, but we have also prefiled the $2 Q, 3 Q$ and $4 Q$ rates, but there is an opportunity to refile at a later time, as we might see experience or other factors change.

I will just make one point of concern that I will mention, the morbidity number, as a positive increase.

We are looking at some different market dynamics that are concerning to us, and we are reflecting a little bit higher number than last year, and I think there are several things going on there,
one of which could be that small employers might be finding ways to remove themselves from the ACA market.

They might be finding ways to
self-insure. We think that kind of market dynamic is happening.

We have seen it in other states that Anthem participates in, and we think some of that is happening in Virginia.

If groups are choosing to self-insure, we would expect those to be relatively healthier groups that are choosing to do that and finding some way to lower their costs; but the result would be the rest of the pool that remains in small group would be less healthy, and I believe the charts earlier did show, not to the individual, but the small group market, after the initial couple of years went by, has been shrinking a little bit.

And another concern on the morbidity side is what we talked about earlier, with the groups of one, we saw some activity like this in January during the open enrollment period where some smaller employers came in, and we suspect they might have been members of the individual population, before finding that individual coverage to be unaffordable,
they might be a business owner that only covers themselves and is allowed to waive participation requirements and come into the mall group market at open enrollment time, so we did see activity along those lines as well.

Our suspicion is that these might be -the individual market generally is of a higher morbidity than the small group market, so it might actually have what you think is a contradiction of perhaps making the individual market worse, but it might also be making the small group market worse, if it is bringing relatively less healthy people into the small group market.

So that's a concern we are watching. I just wanted to point that out though.

Still, we are seeing base experience has been pretty good in this market, and the removal of the health insurer fee as well is helping to keep these rate increases very modest on an annual basis.

And like I mentioned, we file future quarters. We think some of this favorable experience and also the HIT moratorium will wear off over the quarters, and some of this -- some of these negative numbers will shrink, and that was going to start to bring some of these annual increases up over time a
little bit.
And we didn't see as wide of a variation in the rates, so we have our minimum and our maximum, which was due to some reevaluation of the benefit plan here.

And I will scroll down quickly to our HealthKeepers legal entity, which is showing generally the same story as our PPO. We evaluate the base experience together. We did see slightly better experience on the HealthKeepers block, and we are going to reflect a little bit lower rate change there.

Some of our most popular plans are actually seeing a slight negative for $1 Q$ '19, but generally, those other items that we addressed are a similar story between the HealthKeepers and our Anthem Health Plans of Virginia.

And like the Anthem Health Plans of Virginia, we would expect these rate increases to move up a little bit as we progress into 2019.

Any questions? Thank you.
COMMISSIONER CHRISTIE: I would just say we are very glad you did come back last year into some of the markets you left, because we were really facing a horrible prospect of having completely

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uncovered counties, which would have been the worst of the worst. Hopefully, you will come back into more.

MR. SHEA: Okay. Our next presenting company is the Sentara Health Management Group, and one of their consulting actuaries could not be with us today, but they will be presenting on the phone, and I believe we have some folks from Sentara here. Correct?

If you wouldn't mind coming up here and working the visuals, that would be wonderful. I got you all set up right here.

MR. JUILLERAT: Hello. I am James Juillerat, I am the chief actuary with Optima Health.

Optima is owner by Sentara Healthcare Hospital System, hence, we are under that name.

And I believe on the phone we have Milliman and Scott. Are you there?

MR. BENTLEY: I am here.
MR. JUILLERAT: Go ahead and introduce yourself, and we can start.

MR. BENTLEY: Okay. My name is Scott Bentley, and I am a principal and consulting actuary with Milliman. Basically, I am filling in for Margaret Chance, who had a conflict and couldn't be
here today.
Margaret is actually the certifying actuary for these plans, and she is also a principal and consulting actuary, and I am also here with Ken Laskowski, who helped develop the rates, just in case there is some questions.

I can answer things at a high level, but
if there is any detail, I might have to refer to him, because he is the one that really helped develop a lot of this stuff.

So James, are you going to go through
the small group first, or do you want me to go through the individual?

MR. JUILLERAT: Yes, if we could go through the individual first, please.

MR. BENTLEY: Okay. So I'm here today to discuss the individual rates for 2019, there are two entities, there is Optima Health Plan, which is the HMO version of the filings, and then there is Optima Health Insurance, which has the PPO plan, so I will walk through the exhibits, hopefully you are going to see the first one is showing the HMO plan.

For this plan, we have a composite increase or a composite change of a minus
7.4 percent. Showing up there, we have the three
plans, the most popular, which is the OptimaFit Silver 4500, and then we have the minimum rate change plan, which is the catastrophic, and the maximum rate change, which is the OptimaFit Silver 1800.

So, for the most part, a lot of these are very similar as far as the rate increases and the rate changes that go along with each, so I am going to go through each piece.

Mainly, the most popular plan we have makes up 63 percent of Optima's business, so that's where a majority of the changes are happening, so the first two lines there, the individual mandate and other morbidity --

COMMISSIONER CHRISTIE: Before you leave that, back up under the top of the column, the other carriers in the box with the deductible and the coinsurance had the maximum out of pocket. Where is your maximum out of pocket? Because that's what is really important.

I know, as a consumer, I want to know what is my maximum exposure, and the others had the maximum out-of-pocket number in that box as well as the deductible and the coinsurance.

MR. BENTLEY: I think that's -- you got
it, James?

MR. JUILLERAT: Yes.
This is the product name, I think primarily. We are not listing the out-of-pocket max right here.

COMMISSIONER CHRISTIE: Where do you
list that? Because we want to know it. That's a big
thing to a consumer is what is my out-of-pocket exposure.

MR. JUILLERAT: Well, and I don't see it on here. I can tell you it is limited to the 7400 . I think it is 7400 this year, which is the federal maximum.

COMMISSIONER CHRISTIE: Okay.
COMMISSIONER JAGDMANN: So that's what it is.

COMMISSIONER CHRISTIE: So that's what it is.

MR. JUILLERAT: Well, there might be some that are lower, $I$ don't know, but it cannot be higher than that.

COMMISSIONER JAGDMANN: Well, if you'd sort of refile these and put -- for the file, and just put those in, that would be helpful.

MR. JUILLERAT: Yes, ma'am.
MR. BENTLEY: Okay. So the first two
lines, the individual mandate and other morbidity, we combine those two, so the individual mandate is really part of that other morbidity factor.

And in there, we actually have a rate decrease of 7.3, that is made up of two components, one is when we did the 2018 rates, the experience came in just a tad higher than what it did in 2016 experience based by a little less than a half a percent or a little less than 1 percent, so that was a slight increase.

And then we also changed the individual mandate assumption that we had in there from 2018, and we reduced that based on some additional information that has come out since the 2018 rates were developed, and we reduced that factor by 8 percent.

So the 8 percent reduction and a slight increase in the experience comes up with that 7.3 percent reduction.

Next, we have the trend. Our trend in the overall allowed costs are about 6.9 percent. What you see there in the trend line, that varies by product, is due to other nuances that are going on there, can be deductible leveraging and so forth, because it can vary by the size of the deductible,
but, in general, you know, it is around that 6.9 percent.

Risk adjustment, there is really no change in the fee of that 3 cents, so there was no big change there.

The next item is the HIT moratorium is included with the other non-benefit expenses, that was included, should have been separated there, but it is included in both of those. That HIT moratorium was a decrease of about . 9 percent, and that's really the whole change in that line.

And then the next line is the benefit changes, so, for the most part, there has been some decreases in the benefits that we applied here. On this silver plan, the most popular plan, we have a 7.3 percent decrease. As you can see from up on top, where we have the plan name, the deductible didn't really change that much, but what did change is the prescription drug benefit. That prescription drug benefit we had previously was -- had a separate deductible, and now, for the generic and brand, it has got a specific co-pay, and then for the nonpreferred brand and specialty, there is -- it falls underneath the medical deductible now, so there is a little bit more cost sharing for the individual,

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because they have to satisfy the overall deductible first, which, in this case, is 4500 before some of those benefits would start going. So that composite --

COMMISSIONER JAGDMANN: If I can ask you
a question. This is rating area 9. And what is that, rating area 9?

MR. LASKOWSKI: That's Hampton Roads and
Virginia Beach.
COMMISSIONER JAGDMANN: Okay. And we
don't have the rating area. I guess, this year, we don't have the rating area changes on here by rating area. I don't see that as --

MR. SHEA: Oh, that's in another file.
We could submit that later.
COMMISSIONER JAGDMANN: Okay.
COMMISSIONER CHRISTIE: So what is
rating area 4 ?
MR. LASKOWSKI: Harrisonburg.
COMMISSIONER CHRISTIE: Harrisonburg.
So which one is Charlottesville?
MR. JUILLERAT: Charlottesville is rating area 2.

COMMISSIONER JAGDMANN: So how does it compare to rating area 9, let's say for this most
popular plan?
MR. LASKOWSKI: Charlottesville would
have -- it is -- the decrease will be a little bit more.

COMMISSIONER CHRISTIE: The decrease?
MR. LASKOWSKI: Right.
MR. BENTLEY: So we have got a 1 and a half percent increase overall.

COMMISSIONER JAGDMANN: So it would be a
1 and a half percent increase overall, you said.
COMMISSIONER CHRISTIE: On the Silver
plan?
MR. BENTLEY: Yes, the OptimaFit Silver, this is -- sorry.

I don't have that in front of me, the Charlottesville, how these plans would fare in Charlottesville.

COMMISSIONER CHRISTIE: Well, we would like to know how that compares, because you have got, in your Virginia Beach, Hampton Roads area, which, of course, is your home base, you are actually showing a decrease on the silver plan, 7.4 down. For your catastrophic, rating area 4, which is Harrisonburg, you are showing almost a 25 percent decrease, so we would like to know how Charlottesville compares --

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Charlottesville rating area compares to these.
These are -- I mean these are good news,
I mean this is down, this is actually decreases. So
how is Charlottesville comparing to that?
MR. BENTLEY: So the Charlottesville
will be --
COMMISSIONER CHRISTIE: Let's start with
your most popular plan, silver plan, individual.
MR. BENTLEY: That's the 7.4.
COMMISSIONER CHRISTIE: Well, Virginia
Beach, Hampton Roads, you are showing a 7.4 percent decrease, which is great for the consumer.

MR. BENTLEY: Yes. Charlottesville, that will be a 4.6 percent decrease.

COMMISSIONER CHRISTIE: 4.6 percent
decrease.
MR. BENTLEY: Yes.
COMMISSIONER CHRISTIE: Reduction.
MR. BENTLEY: Correct.
COMMISSIONER CHRISTIE: For
Charlottesville.
MR. BENTLEY: Correct.
COMMISSIONER CHRISTIE: The most popular silver plan.

MR. BENTLEY: Correct.

COMMISSIONER JAGDMANN: And what is that premium for that one, this most popular one? I guess it is 4 percent decrease over what it was last year.

MR. BENTLEY: Right. Correct.
COMMISSIONER JAGDMANN: So it is not
going -- is it 4 percent less than $\$ 640$ ? That's not what you are saying, is it?

MR. BENTLEY: No.
COMMISSIONER JAGDMANN: I didn't think
so. So it is 4.6 percent less than?
MR. BENTLEY: It is 4.6 percent less than 792. So 4.6 percent less than that is about 755.

COMMISSIONER CHRISTIE: All right. So you started out higher than the other rating areas. Do you know yet what your MLR is in Charlottesville? Because the MLR, of course, is the actual claims paid, and that is what -- you know, utility regulation, we call the true-up mechanism, we don't call it here, but it is the same thing, same principal.

Do you know what your MLR is so far, based on that rate, or is it too soon to tell. Because that -- I mean the MLR is like -- you know, it is the true-up mechanism, if you -- if your claims

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paid are less than you actually projected, then you refund it to the cover -- pardon me -- the customer. MR. BENTLEY: You are talking about the 2018 MLR.

MR. JUILLERAT: Yes, I have got this. Through the first quarter year-to-date, the first quarter, it is 74.9 percent for statewide, and it is very immature, there is several factors for why that doesn't have a lot of credibility, one, it is only 3 months.

COMMISSIONER CHRISTIE: Right.
MR. JUILLERAT: Two, these people are all, for the most part, in their deductible period, so they're not spending as they likely would.

Then we also see just the opposite typically in the 4th quarter, where people are meeting their deductibles and everything is paid, plus a lot of folks, if you are on a subsidy, you get a 90 day grace period for premiums, so they can actually quit paying their premium in October. If they have a service, well, then, they retrospectively pay their October premium. If they don't have a service, they just wait until January and re-enroll, so that hurts our loss ratio.

So we have looked at historical years,

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and the second half of the year is like 27 percent more costly than the first half of the year, but right now, it is a quarterly filing we are required to do, and it is 74.9 through the first quarter.

COMMISSIONER JAGDMANN: You are paying
out $\$ 0.74$ on the dollar right now, is what it sounds like.

MR. JUILLERAT: Correct. The second quarter will be available in mid August sometime.

COMMISSIONER JAGDMANN: Thank you.
COMMISSIONER CHRISTIE: All right. And
to the extent you don't meet the MLR, you have to refund it.

MR. JUILLERAT: Correct.
COMMISSIONER CHRISTIE: Correct.
MR. JUILLERAT: Back to you guys.
MR. BENTLEY: Okay. So I think that takes us through the benefit changes.

Now, moving down to the profit and risk margin, a slight change there of .2 percent, I think last year the profit margin varied by metal tier, and now we have one margin across all, which is the reason for the . 2 percent change.

The next item, metallic sloping, that is one where we look at the experience and see what is
going on between, you know, the bronze, silver, gold and platinum, and try and bring those plans a little bit more into line based on experience including risk adjustment, because risk adjustment is the mechanism that kind of levels the playing field for the morbidity, so there is a small change there of 2.6 percent on this most popular plan.

The next one, network changes, so just like any other company, there is constantly contracting negotiations that are going on with the hospitals and the providers and so forth, and that represents about a 3 percent increase in cost, due to those network changes.

The CSR shortfall, on that one, we are looking at -- that's a combination of the Medicaid expansion and, you know, the CSR there, so we are reducing the cost by approximately 2 percent because some of the people that were in the 94 percent plan, which is the most subsidized plan, will likely be going to Medicaid, which their benefits now would get pulled from there, and we pay out the most on them, so that CSR factor will come down slightly, so that is worth a 2 percent decrease.

And then the last area there is the area and geographic mix, which, again, there is just a mix

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of business change that is creating a reduction of about 2 and a half percent.

So that's the HMO. Is there any
questions on that?
COMMISSIONER JAGDMANN: I don't have
any. No. Please proceed.
MR. BENTLEY: Okay. On the next slide,
we have the PPO, so a lot of this stuff is very similar. We don't have any business on the PPO plan yet, so some of the changes that we made, like for the individual mandate and so forth, we didn't make a change, we just left that the way it was.

MR. JUILLERAT: Scott.
MR. BENTLEY: Yes.
MR. JUILLERAT: I am not on the right slide yet. Hold on. Okay. Go ahead.

MR. BENTLEY: Okay. So, again, this is very similar to the other one, the most popular plan, here being a $\$ 5500$ bronze plan.

The minimum, the same thing, there is basically one plan for this. There is no experience out there, we have no members, so we took a simplified approach and used 2018 and just kind of brought that forward.

With trend, you will see the 8.9 trend

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is a little bit higher, because there is a little bit more leverage on a little bit higher deductible plan, and there could be some other, you know, co-pay things that are going on there that has created a little bit higher trend than you see in the HMO plan.

The same thing on HIT moratorium, it's a
reduction of 2 percent because, if that has gone away for 2019, and then, again, benefit changes, which changing the deductible slightly, I think the last year, you seen on the plan name up there, the $\$ 5000$ deductible went to 5500, which is a decrease in benefits, which is causing part of that 4 percent, and then there is also the RX benefit, again, similar to the HMO, where I believe it is underneath the medical deductible now.

And then capitation change, there is a small decrease due to changes in the PMPM for those capitated services of .5 percent, and then the Federal taxes. With decreasing the corporate tax rate from 35 percent to 21 percent, resulting in a 7.4 percent reduction, so, on that plan, we have a 4.9 percent decrease for that plan.

So I think that covers the PPO plan.
Any there any questions there?
COMMISSIONER JAGDMANN: No.

MR. JUILLERAT: I see a nod of head no. Should we move on to small group?

MR. SHEA: Sure.
COMMISSIONER JAGDMANN: Yes, that would be great.

MR. JUILLERAT: I will turn it over to my colleague, Dean Ratzlaff.

MR. RATZLAFF: Thank you, Mr. Juillerat.
As mentioned, my name is Dean Ratzlaff. I am a managing actuary with Optima, a subsidiary of Sentara Health Plan.

Briefly, I would like to respond to the Commission's excellent concern regarding the network status of a hospitalist versus a hospital.

Last year -- last year, my wife had a procedure done with her orthopedic surgeon, who was a in-network surgeon, it just so happened that the hospital was in network, but our payment was much higher than it would have been had the hospital been part of an inner network called a clinically integrated network, and it did set us back many thousands of dollars, and it was a hard pill to swallow, but there is really no recourse. The information was out there.

And I am not saying that it is easy for
anybody to access, and $I$ am not saying that it is not an unfortunate situation.

When I called my insurance company about it, they explained the situation to me, and I think one of the things that goes to show is that we who work in insurance companies face these same problems that the average person faces who is not in the industry.

COMMISSIONER JAGDMANN: I got one of those letters recently. My husband was having a procedure and it basically said yes, you are going to be covered unless you are not basically. The hospital -- unless they employ someone who is not. So, you know, you don't really know a lot of times whether -- you are just not going to know.

COMMISSIONER CHRISTIE: Well, did you ask -- I mean did you know before the charge was incurred that your wife was going to be treated with a non-network or inner-network -- I haven't heard that term before -- provider that was going to charge you thousands of dollars, did you at least know that going in?

MR. RATZLAFF: She has had an ongoing relationship with this orthopaedic surgeon, who was part of that clinically integrated network, so we
knew that, and it was at a hospital close to our house, and we kind of made the erroneous assumption that it would also be part of this clinically integrated network as well.

Afterwards, we kind of talked to this orthopedic surgeon and had a little discussion with him and he said well, $I$ chose that hospital because it is closer to your house and there is only one other hospital that $I$ have privileges to do it at, so we said next time we do it, please choose a hospital further away from our house.

COMMISSIONER CHRISTIE: Yes, because I mean you know, to bring a few miles -- to save a few miles drive and pay $\$ 10,000$ is not -- you know, the cost benefit analysis on that doesn't really work out.

But the point is you weren't told. That's what I think galls so many people is they don't find out until it's too late. You know, you can't unring that bell once, you know, the service has been provided, because then you are facing a collections attorney.

COMMISSIONER JAGDMANN: Or you try to be careful, you know you are going to a hospital that is covered, you know your doctor is covered, and they

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said well, you know, yes, this is going to be covered unless the hospital happens to employ a nurse or somebody else who is not, so, you know, that's all you can do is go to the place where the hospital and your primary doctor are covered.

After that, $I$ don't know what else you can do as a consumer.

MR. RATZLAFF: It is an unfortunate occurrence, and, like so many problems, has its own set of knottiness.

COMMISSIONER CHRISTIE: But there is a role for the insurance company, and I know the hospitals aren't here, and so, you know, obviously, y'all have your side of it, and you are not -- you know, you are the one who, you know, contracts for the services with the hospitals, and you obviously pay the claims, you are not the hospital.

But there really isn't a lot of information, even from the standpoint of just delivered to your covered lives about how the possibility -- $I$ mean if you read your benefit, and I am not going to name, you know, our carrier, because it isn't hard to figure out, it is the Commonwealth and it is self-insured, but administered by Anthem.

But there is not, for the average
consumer, a very clear understandable notice up front that you need to ask, and that's the point, you need to -- it is almost like -- you know, most people are not lawyers, probably people think that makes a better world; but I mean, you know, lawyers are used to asking, and most people are not, and they have to be told you have to ask aggressively, you know, when you go into a facility, who is in network and who is not; and people just assume well, that hospital is in network, they took my insurance card, so it is all covered, but, you know, they're not going to aggressively go down the list and conduct a deposition as to who is covered and who is not, which I --

MR. RATZLAFF: There is no question that it is a burden on the consumer. I think, just for purposes of, you know, elaborating our understanding of this issue, I agree with the points that have been made before.

I think one consideration is, when an insurance company has a monopoly in a geographic area for a market such as individual or small group, it is for a market. Now, what portion of that hospital's income comes from that market can vary.

Nationwide, I believe the individual

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market is around 6 to 7 percent of the entire nation. I don't know what that is, you know, in an area by area, when we, you know, cut apart Virginia, and it seems reasonable to assume that a hospital's main source of income will come from the over 65 population, because they tend to, you know, simply, by aging, need more medical services, and then that would be a combination of payments from the Federal government or private insurers, who contract through a program called Medicare Advantage.

COMMISSIONER CHRISTIE: Well, and you make an excellent point.

The individual market, as it continues to shrink, it really is almost a death spiral, because the individual market -- As that market shrinks, you know, you have much -- as you know, as an insurance company, you have much higher bargaining power in the large group market because you are talking about large blocks of lives, and someone mentioned the biggest of the employers are even self-insured, many of them are self-insured, and they're regulated by ERISA and not by anybody else; but, as that individual market continues to shrink, it is getting increasingly hard for you as an insurance company to bargain, even though you may
have a monopoly position in a geographic market, it is a monopoly position with regard to a very small slice of the service market, which, obviously, reduces your bargaining power.

MR. RATZLAFF: And with that, I am going to allow you to --

COMMISSIONER CHRISTIE: But you can
still try. You can still try.
MR. RATZLAFF: Correct. Correct.
Unless there are other comments, I want
to focus on the small group rate change now.
Small group has two divisions, just like individual. We sell our health maintenance organization out of the legal entity called Optima Health Plan, we sell our PPO or preferred provider organization out of our legal entity named Optima Health Insurance Company, so what I am about to talk about now deals just with our HMO, and then $I$ will address the PPO separately.

On average, we have a rate increase of 2.5 percent, that's using the membership distribution that we expect to occur in 2019 , the 3.5 percent uses the same underlying numbers with one difference, it uses the membership distribution as it is currently in 2018, so both valid, two different angles at which
to come at the rate change.
If you look at our plans, we do have the benefits embedded inside of our plan name, although it is a little bit hard to see, and I think next time we will be sure to perhaps widen the columns so we can capture more of that; but the most popular plan is a gold plan with a $\$ 2000$ deductible. If somebody goes to a primary care physician, they have a co-pay of $\$ 25$; and once the deductible is met, outside of certain services like primary care, they would be asked to pay 30 percent of the additional costs.

You can follow that same nomenclature to
the right, as we look at the minimum rate change, which is, incidentally, the exact same benefits, all be it in a different area; and the maximum rate change, which is a lower richness plan, that's a bronze with a $\$ 6000$ deductible, and I believe that the maximum out of pocket on all of these plans is going to be in the neighborhood of about $\$ 7,000$ per year, and we will refile this along with our individual, so that it reflects the maximum out of pocket.

So in small group, we do not have the individual mandate. We do not see significant changes in the morbidity of our population going from

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'18 into '19, so there is no change there.
We are setting our trend at 6.9 percent.
You may recall Mr. Shea's discussion earlier about the range of trends. That is small in relatively to some of the other ranges of variables that affect the rates.

One of those ranges that can be quite large in a risk adjustment. In our case, we are expecting to go from a receiver of a small risk adjustment to a payer.

It is kind of like saying we are one percent above the statewide average in 2018, and we are thinking of going about 1 percent below the statewide average in 2019, probably due to just simple fluctuations, and that is going to increase the premium by approximately 2, 2 and a half percent, and that is across our entire book of small group.

The HIT moratorium is kind of an interesting animal. It is part of the tax that the law requires to help pay for some of the things that the law also requires; and in washington, D.C., they have kind of had an on again and off again relationship with it. It was not present for 2017, it is present currently in 2018, and then again in 2019, it is not going to be present, so going from
having to pay for the tax in 2018 to not having to pay for the tax in 2019 is a small decrease in rates that, again, applies to our entire small group block of business.

When we look at the other non-benefit expenses, we see that the change is very very minor. Benefit changes is where we have a more significant change.

What we have done here is, in order to help manage costs better, we have changed the network status, and this kind of dovetails with our conversation that we have had before, wherein it is identified to the member that certain higher cost providers may have cost sharing that is a little bit higher for them than certain lower cost providers, and what that does is reduces the cost at varying degrees across different plans for everybody, and we are sure to make certain that is on our summary plan description in all of the information described in the plan that the member receives.

The reduction in trend assumption is simply a reduction from what we had assumed during the 2018 pricing, which was a little over 8 percent, so that is a lower trend, which is, in general, a good guide. It means the rate of healthcare cost
increases is not going up quite as fast as we thought it was back when we did the 2018 pricing.

With the change in area factor, you will notice that in rating area 9, which is Hampton Roads, there is no change. You will notice that in area 3, I forget off the top of my head which area that is, that is a very minor change; and then in rating area 2, which is Charlottesville, there is a change that would contribute to increasing the rate, although it is offset by other factors that in total render a rate decrease.

Model calibration refers to the way we determine the financial value of the benefits that we provide. We use what is called a benefit relatively model that says okay, for this service, maybe it is radiology, maybe it is hip replacement, maybe it is a primary care physician, when we look at our cost and utilization, this is how much it would convert to in terms of how much it contributes to the premium.

What we discovered is that our actual paid to allow ratio, which represents the relativity of what those benefits cost Optima base versus what it costs in general, again, the cost to optimize the net, the cost in general also allowed is the net plus, the portion that the member pays.

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We discovered that was actually higher than what our model had been predicting, so we calibrated to our actual experience, which had an across the board increase in premium between 4 and 5 percent.

Experience benefit buy down may perhaps be misnamed, others -- other carriers today have referred to that as the base experience. Basically, what it is saying is that our 2017 experience came in higher than we would have expected it to come in -- I am sorry. Excuse me. Lower than we had expected it to occur when we did the 2018 pricing, so this shows some of the uncertainty within making adjustments for the same year, which in the 2018 pricing was 2017, it is fair to say that while we were halfway through 2017, we overestimated what our 2017 final results would be by roughly 5 percent.

The other is quite insignificant, I am not going to go into that in depth, unless there is a request for it, so you can see our most popular plan has a small rate increase of about 1.5 percent to reach \$412, and you can see the comparison between the minimum rate change and the maximum rate change as well.

Unless there are further questions,

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which I would be happy to discuss, I am going to move to our PPO, you see that right here, that is sold out of our legal entity called Optima Health Insurance Corporation, where there is an average of a 0.9 percent rate increase.

Once again, our most popular plan is the gold plan, as you can see there, the gold plan that is the most popular plan, has a fairly low
deductible, $\$ 500$. The gold kind of connotes in people's mind it is richer than say a bronze, so you would have a lower deductible meaning the member has to pay less, as an insurance company, we pay a bigger portion of the cost.

Once again, the individual mandate and other morbidity do not have any impacts. We have a nearly identical trend here as in our HMO of 6.6 percent versus 6.9 percent. Because of the different structure of those products, they do operate a little bit differently, but in this case, the difference is 0.3 percent.

Risk adjustment -- I earlier mentioned that we had gone down in terms of what we thought the risk adjustment would be. In this case, we underestimated it. So we had to assume that our risk adjustment receivable would be higher than we

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initially expected.
What happened, then when that risk adjustment dollars come to Optima, and, again, we are making a projection of how it will be in 2019, and it is kind of like reaching out on a limb when you really have to link together an awful lot of assumptions, so there is uncertainty, but the basic thrust here is that when we assume we will get more risk adjustment receivable, that gets passed on to the consumer in the form of a lower rate.

In this case, it had a decreasing impact of roughly 5 percent. I already talked about the HIT moratorium, the other non-benefit expenses, one of the things that is a significant portion of that is the change in the tax law for 2018 and beyond.

When we did the 2018 premiums, for-profit entities were taxed at I believe 35 percent. In December, the Federal government passed a law that reduces that tax rate to $I$ believe 21 percent, and this particular legal entity, Optima Health Insurance Corporation, is a for profit, so it increases the full change in that tax differential, and so that has a decreasing impact upon premiums.

In this case, benefit changes are due to actually changing the standard benefit such as the

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deductible, co-pay, there also is a little bit of an element of tiering in it as well.

Again, that's asking consumers to pay a little bit more for high cost providers if they elect to go to them, and this would just be for elective operations, not for emergency required surgeries.

Reducing our trend assumption here, we had a higher trend assumption when we did the 2018 pricing, so there is more of a reduction here than there was in our HMO block, and the demographics is simply saying that this group of people that is purchasing our PPO small group, they got a little bit older, and so -- and that's older relative to an expectation.

What that means is that when we try to normalize the rates and put them on an average age basis, we will lower it just a little bit.

And you can see, it is by a smidge over
1 percent. Model calibration is the exact same thing, where we calibrated our benefit relativity model to match the actual experience that is what we call the paid to allow factor overall for our small group.

The claims experience exceeding
expectation, again, might be more appropriately

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called the base experience. I appreciate Kaiser for using that term.

We call it base experience because this really refers to the 2017 year, our base year for which we project what 2019 will be, and it came in higher than we expected to come in when we were pricing 2018, which, again, was at about the same time last year.

So with about half of the year to go, it is fair to say that we underestimated our claims experience by roughly 8 to 9 percent. Once again, $I$ am not going to go into detail about the other unless you would request it.

You can see the final rates that we are requesting for 2019 along the bottom.

I am happy to take more questions, comments, if there are any. Otherwise, this will conclude the portion of the presentation from Optima Health.

COMMISSIONER JAGDMANN: Thank you. Thank you.

We are now going to take a 15-minute recess, and we will come back at about 17 after.
(Recess from 12:03 p.m. to 12:23 p.m.)
THE CLERK: The Commission resumes this
session. Please be seated.
COMMISSIONER JAGDMANN: I guess it is
time for Piedmont, is it not?
MR. SHEA: Our next presenter is
Piedmont. And please state your name and your title clearly for the record. Thank you.

MR. DAVIS: Good afternoon, Judges. My
name is Zach Davis, I am a consulting actuary with the Atlanta Milliman practice.

I guess, before I go into the rates, to delve into the in and out of network services, I have one other additional point to add. In the 2018 draft letter to issuers, they clarified that any in or out of network service provided in an in network facility would be covered at the in network benefit level unless the consumer was notified within 48 hours of the service being provided.

COMMISSIONER JAGDMANN: Before or after?
MR. DAVIS: Before.
COMMISSIONER CHRISTIE: That's key.
Because that's what -- the really -- the heart of a lot of the complaints are that you don't know until after you have had the service, which, again, you can't unring that bell, and you got to pay for it.

So it really is about advanced notification, knowing
advance notification, not a little four point, you know, font stuck on the bottom of a 20-page, you know, list of benefits, but you might be charged more, but letting the consumer know in advance, and hospitals need to do this or the providers need to do it.

MR. DAVIS: Yes.
COMMISSIONER CHRISTIE: That you may be billed not the network rate or not what your insurance carrier is going to pay for, but substantially more, so that's key that that be done in advance.

MR. DAVIS: Yes, so in 2018 and beyond, the ACA now has that built in, so if you aren't notified within 48 hours, you will be charged at the in network cost sharing levels.

COMMISSIONER JAGDMANN: But that's only for plans on the exchange, I guess.

MR. DAVIS: That's the ACA, so that's small group and individual, and so anybody that had a large -- you know, if you are in your company's plan, I am not sure where your example came from, but if you are in the large group market or the self-insured market, you might not have those same protections.

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So, with this, I will jump in here. So
this is the Piedmont's individual rate filing. In 2019, we are proposing 11.9 percent rate increase. Jumping right in here, the most popular plan is the silver plan with a $\$ 6600$ deductible and a 7600 MOOP . That has about 50 percent of the membership.

Going down to the percentage of rate increases here, the individual mandate, we are estimating about 5.7 percent, which is in range with some of the other carriers.

The other morbidity kind of reflects some of the Federal regulations in addition to the change of the individual mandate, reducing the advertising budget, shortening the open enrollment period, so that is what is responsible for the additional 2.4 percent there.

With the trend, Piedmont is kind of at the high end of the range, at 9.1 percent.

For risk adjustment, there was really not much change from 2018.

For the HIT, Piedmont is in a similarly -- or is a unique situation since they don't write as much total dollars in the premium. The way the formula works, they don't -- aren't responsible for a lot of that HIT tax, so there is

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not a large impact there.
There were some other non-benefit
expense changes.
And there were some benefit changes to the plan that accounted for about 1.9 percent.

And then similar to the other carriers, the other change 1 are experience period, so the '17 experience came in a little better than expected.

COMMISSIONER JAGDMANN: Okay. Any other
questions?
MR. DAVIS: So moving on to small group, overall, we are requesting a 8 percent decrease in the rates over 2018. Piedmont doesn't have a very large small group membership, as you can see here. Our most popular plan has 32 members, so we are really trying to make a move into the small group market and be competitive, so we've reduced the rates by 8 percent.

Looking at the drivers here, there was a 7.4 percent increase due to trend, which I think in the small group, that was about the middle of the road, so we are doing pretty good there.

The risk adjustment, we changed -- we changed how we are pricing our rates this year. Since we don't have any experience from Piedmont
members, we need to use a manual rate as a proxy, and so we are using a different manual rate this year, and so that has caused -- so that sets -- we are assuming what we are going to get is around the statewide average risk, so there is no change in the risk adjustment.

The HIT is less than most carriers because of unique, Piedmont's unique situation, where they are writing much less total dollars in premium.

For the non-benefit expenses, they -Piedmont had a significant increase in their exchange membership for 2018, so that helped cover the fixed costs across the whole, all lines of business including small group, so there was a big change there for their administrative costs.

We have some benefit changes from 2018 to 2019 , which are worth about 3.4 percent on this -on their most popular plan.

And then the other impact, down at the bottom, as I mentioned, there was a change in the manual experience, so that caused a decrease across all plans.

COMMISSIONER JAGDMANN: Okay. All right.

MR. DAVIS: Any other questions?

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COMMISSIONER JAGDMANN: I don't think
so.
MR. DAVIS: All right. Thank you.
COMMISSIONER JAGDMANN: Thank you very
much.
MR. SHEA: And next we have CareFirst.
MR. BERRY: If it is okay, I will start
with individual.
Good afternoon.
COMMISSIONER JAGDMANN: Good afternoon.
MR. BERRY: My name is Peter Berry. I
am the chief actuary for CareFirst. My address is
10455 Mill Run Circle, Owings Mills, Maryland 21117.
I will be addressing two segments and two entities today, so we have individual HMO and PPO and small group $H M O$ and PPO, and the first one we have on the screen is the individual HMO under BlueChoice.

COMMISSIONER JAGDMANN: Is this a family plan?

MR. BERRY: This is the individual plan.
COMMISSIONER JAGDMANN: Yes, but is it
just for the individual himself or --
MR. BERRY: No, no. It is in the
individual market.

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COMMISSIONER JAGDMANN: Yes. Right. I
am just curious, is this a premium for the one person
or one person's family?
MR. BERRY: The 34 percent increase?
COMMISSIONER JAGDMANN: Yes, the one you
have in front of me, the most popular.
MR. BERRY: This is a 40 year old.
COMMISSIONER JAGDMANN: One person. Not
their family.
MR. BERRY: Yes, one person.
COMMISSIONER JAGDMANN: Okay.
MR. BERRY: Yes, that's right.
So you will see here, that the increase at the top is a 34 percent increase; and if you look down, I want to point out the base period index rate of about 29 percent. That is the change in -- that's down just below the line there.

That is the changes other carriers have talked about. In our per member per cost from 2016 to 2017, we saw that go up 30 percent.

COMMISSIONER JAGDMANN: Where is that?
Base period. That's just year over year.
MR. BERRY: That's year over year actual cost increase that we observed. So I want to start there.

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In the individual market, CareFirst is a first small player. This represents about 2 percent of the market, our PPO represents about 1 percent of the market.

Our BlueChoice HMO product, in the last two and a half years -- we have today about a third of the membership we had two and a half years ago, and what is happening is something called end of selection, and that is we are seeing our healthy members leave in dramatic waves and leaving behind sicker members.

Part of the dynamic there is we are in rating area 10, we have a relatively small footprint there, and we contract with all hospitals, we have an HMO network that is very broad. In fact, there is -for our PPO and our HMO network has overlap with our PPO network of over 80 percent, so it is a very broad network.

The other competitors in that area like Kaiser have, obviously, a closed system and only contract with some of the hospitals, and so, as you can imagine, someone who knows they're going to be needing services and want to be able to have access to as many doctors as possible are going to chose CareFirst in that area, and so that's why we believe
we are getting the sicker members.
So what we have seen is the membership
has shrunk over the last two and a half years is things like a 29 percent trend in our per member per month costs from one year to the next, and that's something we have to consider as we move forward.

So as we looked at 2017 to 2018 and then 2018 to 2019, we know who we kept in 2018 , and we can compare their average cost to the average in the previous year, and it was 20 percent higher, so we know that's going to happen again, we can already see that.

We also are still, believe it or not, getting new members joining CareFirst, and when those members come in, they're significantly sicker than the current population, and we can measure that as well, so they're about, in BlueChoice for this, they're about 20 percent sicker on average, so we take that into account.

So a big part of the rate increases we are seeing here is the base period changing at 29 percent but also having to account for that we know the people are going to get sicker.

COMMISSIONER JAGDMANN: All of your plans have the same wide network?

MR. BERRY: Yes.
COMMISSIONER JAGDMANN: Okay.
MR. BERRY: And the PPO actually has an out-of-network component, we will be talking about that one next. And not surprising, just as a little preview, it is smaller, only about 3700 members, and it is much, much sicker with a much much higher increase, so we got that next.

So everything else kind of pales in
comparison to that. The only thing I will mention real quick there, up at the top, where you see other morbidity, that 10 percent factor, that's talking about additional amounts we need in the rates for that continuing deterioration I talked about.

With regards to the individual mandate, like some other carriers talk about, there is . 4 percent up there, but there is some overlap with other.

What we assumed for that was we assumed -- we combined that with consideration of the sole proprietors moving to small group because of the associations, and so we used a total factor of about 10 percent.

What we have not considered yet, which
we are concerned about, is the short-term duration

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plans, and once that rule comes out, whether you are going to see introduction of short-term, 364-day short-term duration plans in Virginia, and realizing that what that means is carriers can now underwrite there, and even if it is over a 6-month long, they have to renew them, and they have to cover mandates, but that's really kind of a pre-ACA view, and we would expect, and I think others would agree, that that is going to do a lot of damage to the ACA market.

I saw an Oliver Wyman carrier survey on this subject, and this would have been nationwide, not just to Virginia, where the results were that 81 percent of carriers are looking at these plans, and a third of them anticipated filing something for them in 2019, so this is very much on everybody's radar.

The OMB currently has a draft of what CMS is proposing on this, we haven't seen it, obviously, because it is still a draft, but we are expecting that it will be released shortly, and then we will have to wait and see, but right now, we have not even reflected any of that in these rates.

So let me pause there and see if you have any questions on individual BlueChoice before I move to PPO.

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Okay. So this is our individual PPO sold under GHMSI. Let me just pull up my notes real quick, if $I$ can.

As of June, we had 3800 members in this product. Again, that's about a little more than a third of what we had two and a half years ago, so this has dropped dramatically.

The similar, not comparable number to what I mentioned for the HMO is that we saw the base period increase 36 percent, so even more than the HMO.

More discerning there, though, is the level of end of selection we are seeing in the PPO. In HMO, the existing members we kept were 19 percent sicker than the base. Here, it is 35 percent.

New people come in to this, people are still buying it, are 60 percent sicker than the existing population when they join, but we haven't reflected that.

Right now, you will see here that we are proposing a 78 percent increase. This is a selection spiral. This is basically going to spiral out, and we just have to figure out a way to manage it.

We used -- we could have justified using
a 60 percent sicker new member, we chose 10 percent.

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COMMISSIONER JAGDMANN: Where is that
reflected?
MR. BERRY: You won't see that in the detail here. I am just telling you a little bit of what is behind the scenes of these numbers. What makes up --

COMMISSIONER JAGDMANN: The individual
number. This isn't a family number?
MR. BERRY: Yes, this is what would have been developing the base rate that would apply to both individuals and families. It would be part of the morbidity line.

You will see here that that number is 28 and a half, it is the second number down in the gray box. So what I am telling you here is what makes up that number.

We could have introduced a 60 percent higher risk for new members, but we only chose 10, and the reason is once you reach this level of a spiral, raising the rates a hundred percent, 120, just makes it worse.

COMMISSIONER CHRISTIE: Right.
MR. BERRY: I don't know what the right
answer is, but probably 78 is going to drive this spiral a little bit slower than 110 , so we are just

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trying to manage this spiral, but these people are very very sick.

COMMISSIONER JAGDMANN: Are you the only plan in the area that offers the width and breadth of coverage of hospital and doctors --

MR. BERRY: I believe we are.
COMMISSIONER JAGDMANN: Is that what you think is driving it --

MR. BERRY: Yeah, I believe we are. I think Cigna is up there, and I think Cigna only has a narrow network, they contract with some hospitals, Kaiser does, so we contract with every hospital, and, like I said, our -- this is a PPO product, so we actually have an out-of-network benefit here as well.

So these people are very sick, there is only 3800 of them. You know, two and a half years ago, there were over 10,000 so this is really just a bad situation we are trying to manage.

Any questions on that one?
Okay. We can move to small group, it is a much nicer story. I am an actuary, not a computer scientist.

COMMISSIONER CHRISTIE: Tell me about it.

MR. BERRY: This is our small group HMO,
still under BlueChoice, and what you see here is a minus 1.2 average rate change.

If we go down, here is all the detail.
Now, for this one, we -- this represents about 10 percent of the small group market, and the membership here is fairly stable.

You will see the change of 16 to 17 in the base period. Remember, we talked about that for individual, it was 29 and 35 here, it was 3.9 percent. So very low.

We have things like the HIT fee coming out, which people have talked about, that's about a 3 percent drop, and so those are some of the things that are dropping this down.

One issue I wanted to mention that falls into the other category, and this will be the same for the PPO, is we have had health savings account plans and non-health savings account plans, and, in the past, we have put an adjustment factor that said okay, if someone has a health savings account, we think they're going to be a better shopper, they're going to be more vigilant with their own money, so we would expect lower utilization.

This year, the VBOI expressed some
concerns that that may not be counted as induced
demand under ACA for allowable rating factor, so they asked us to remove that factor, which we did, that brings up the HSA plans and drops the non-HSA plans, and that's really what is driving the change in the other factor, so I just wanted to mention that.

COMMISSIONER CHRISTIE: Well, I mean
maybe we can hear from the Bureau, but it sounds like you had it right the first place, that an HSA plan would be a more discerning consumer because the HSA requires you to pay up front for certain routine services through the HSA as opposed to just, you know, getting them through the insurance plan.

MR. BERRY: Yes, and historically, we had included it -- we called what is called induced demand, which basically is covered as a -- that's an ACA allowable factor, that says if you have got very low cost shared, you are more likely to go to the doctor than if you are a high cost share --

COMMISSIONER JAGDMANN: Right.
MR. BERRY: And so we figured it is a member act, you know, behavior. That was our justification.

ACA is very prescriptive. Our
interpretation historically was that this would have been allowed under an induced demand. VBOI had
concerns that no, it is not listed as actually in $A C A$ as an allowable rating factor. So, therefore, they asked us not to include it.

COMMISSIONER CHRISTIE: Because we want people to do HSAs. I mean that's a good thing. I mean we shouldn't penalize policies that are HSA policies.

MR. BERRY: Well, we certainly have the ability to price that way. Like I said, we have done it for the last three years, but this year we removed that factor.

COMMISSIONER CHRISTIE: We will ask the Commission to look into that.

Why would -- I mean, as a matter of policy, you want people to do HSAs, you want to encourage HSAs, you want to encourage policies that intertwine with HSAs. I mean that's moving people towards taking care of their own routine expenses.

MR. BERRY: Yes.
COMMISSIONER CHRISTIE: That should be encouraged, not discouraged.

MR. BERRY: What I can say is that we have had a very good relationship with VBOI and very free-flowing discussions, so I am sure that we will be able to have additional conversations about that.

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COMMISSIONER JAGDMANN: Okay.
MR. BERRY: Okay. Well, why don't I move to small group PPO.

This is our small group PPO here. You see, it is 8.1 percent, higher than the HMO, but still fairly moderate single digit. The base period claims went up about 6 percent.

Some other things here is that our population got a little bit sicker than it had been in the past, which isn't surprising, given this is a PPO with an out-of-network benefit. That was about 2.9 percent. We still have the HSA, non-HSA issue here as well.

But overall, we are looking at, you know, a single digit increase for small group, which we're pretty happy about. Thank you very much.

COMMISSIONER JAGDMANN: Thank you.
Okay.
MR. SHEA: And we have next, our new entrant into the individual market for 2019, Virginia Premier.

COMMISSIONER JAGDMANN: Okay. We say welcome and bring some friends.

MR. SHEA: I think that's what they doing.

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COMMISSIONER JAGDMANN: Yes.
COMMISSIONER CHRISTIE: We welcome all
new entrants into the individual market.
COMMISSIONER JAGDMANN: Yes.
MR. SHEA: There you go.
MR. GORDON: Thank you very much.
Good afternoon. My name is Rick Gordon,
and I'm the vice president for Medicare programs in the individual marketplace for Virginia Premier.

I will just take a brief moment to introduce Virginia Premier, hopefully explain our rationale for entering into the market, and then $I$ will turn it over to our actuary, Frank Cestare, to walk us through the rate filing.

So for those who may not be familiar, Virginia Premier is owned by the VCU Health System formed in 1995. We are -- I believe we are the only university-based managed care organization in the Commonwealth, and today we serve a little over 220,000 lives across really four distinct lines of business, three distinct lines of business, our Medicaid population, MLTSS, and most recently with some Medicare products we have started to offer.

And our rationale for $I$ guess pursuing entry into the individual marketplace was really to
continue being able to offer products to the members we serve today across the continuum of their
healthcare journey, so we see this as an opportunity to provide an alternative, should our current members' needs change along their path.

And so with that -- Judge, to your
question earlier, we have been scrambling to come up with answers for you. Fortunately, for us, in this particular instance, we will be offering our product in a closed network model, so we have confirmed that all of our providers in this limited service area will be contracted.

Those providers that Miss Berry
mentioned earlier, the blind providers, in our other lines of business today, we tend to either authorize those services or pay directly, so we have not experienced that instance to date.

COMMISSIONER JAGDMANN: Balance billing.
MR. GORDON: Interesting situation.
COMMISSIONER JAGDMANN: Yes.
MR. GORDON: Frank.
MR. CESTARE: Good afternoon. My name
is Frank Cestare. I am a consulting actuary with Milliman. We have been engaged by Virginia Premier to develop a rate filing for their new individual
product that Rick just discussed.
Chris Ruff is the actuary who prepared and signed the rate filing. Due to a convict, Chris Ruff can't be here today.

Off the record, Chris and his baby had a baby over the weekend, so good for them.

So with Virginia Premier being new to the individual market in 2019, the exhibit that we are going to show here is going to look a little bit different than the other carriers, so we don't have any prior experience, we don't have any prior rates, so there is no such thing as a rate change between '18 and '19.

So what we have been asked to do instead is to show how we developed the rates for 2019, and so when you look at the starting rate for 2018 on the exhibit, that rate was developed using the Milliman health cost guidelines, which is a rating manual that Milliman uses that has claim cost information and various other information that is used to price out health insurance products, and the claim cost information in that manual is based largely on commercial large group experience, it is very different from the individual market.

So we start with that as the 2018 rate,

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and you can see, by the magnitude of it, the $\$ 275$, it is a lot less than the individual market.

And then we have a series of adjustments
that we apply to that rate, to make the rate appropriate for the individual market, and that starting rate was, like I said, it was developed for a large group population, but it does reflect the benefits of this silver plan that we are showing here, which is the plan that we expect to be the most popular plan in 2019. It has a $\$ 6500$ deductible, $\$ 7900$ out-of-pocket max, 30 percent coinsurance except for PCP services that have a $\$ 15$ co-pay without any deductible and coinsurance.

COMMISSIONER CHRISTIE: And that's the silver plan?

MR. CESTARE: That is the silver plan, yes.

COMMISSIONER JAGDMANN: So if you are on the exchange and you qualify for a subsidy, I mean you wouldn't be paying this rate, you would be paying a much lower rate.

MR. CESTARE: Much lower rate, right.
COMMISSIONER JAGDMANN: And I guess
that's the population it is designed for.
MR. CESTARE: Right.

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COMMISSIONER JAGDMANN: Yes.
MR. CESTARE: Yes, this would be -- at the bottom, the $\$ 491$ at the bottom is a rate that someone would pay for the silver plan who did not receive any premium subsidies.

COMMISSIONER JAGDMANN: Okay.
MR. CESTARE: Then the first adjustment that we make to our starting rate is to reflect that the morbidity in the individual market is a whole lot higher than large group, and so we have got, you know, a fairly sizable adjustment to reflect that higher morbidity, and we, you know, split that additional morbidity into the extra morbidity due to the repeal of the individual mandate, and then the rest of it is included is the line that is called other morbidity. Then --

COMMISSIONER CHRISTIE: Because you are new, you don't really know what your claims history is going to be or what your health utilization is going to be.

MR. CESTARE: That's exactly right. So we start out with the claim cost information that we have for large group and then make a number of adjustments based on things that we have seen in the individual market and how that relates to large
group, right.
Trend, that starting 2018 rate, using a
9.3 percent trend.

There is no adjustment for risk adjustment since we don't have any population, we've assumed that the population we will enroll will be comparable to the statewide population, so there is no risk adjustment included in the rate development.

The HIT moratorium is zero, simply
because we haven't reflected any health insurance tax in our starting rate, so there is nothing to take out there.

Other non-benefit expenses doesn't apply since we don't have -- I am sorry. The other non-benefit expenses is shown as zero because, in our starting rate, we have included the non-benefit expenses for the individual market, so there is no change there as well.

Similar, on the benefit changes, we don't have any benefits in '18 so there is no change going into '19.

The other adjustments for the cost-sharing reductions, we split those into two pieces. The first piece that we are calling the CSR non-funding is the non-funding of the cost-sharing
reductions, which end up getting spread over the silver plans. You know, that's a large adjustment of $\$ 96$ PMPM.

And then the other piece of the CSR is the fact that those richer benefits is going to lead to induced utilization, and that higher utilization gets spread across all the plans, so that's an additional load.

And then the last adjustment that we make is for the Medicaid expansion, so there has been discussion around that, in terms of the morbidity of that population being different than the remaining ACA population as well as that population has the richest level of CSR funding, so when we take that out, the load that we need for the CSR non-funding becomes less.

So those series of adjustments gets us to the bottom line rate of $\$ 491$ for this plan.

You know, like I said, this is one of the silver plans that are being offered. Virginia Premier is only offering products in the individual market, and they're only offering products in rating area 7, so that's what this rate represents.

COMMISSIONER JAGDMANN: That's Richmond?

MR. CESTARE: Yes.
Any questions?
COMMISSIONER JAGDMANN: Is this a trend?
I guess are a lot of hospitals or teaching hospitals offering plans through a subsidiary or whatnot?

MR. CESTARE: No, this has not been a trend in the ACA market. It has been a trend in other markets like Medicare Advantage but not ACA.

COMMISSIONER JAGDMANN: Okay. Thank you.

MR. CESTARE: You are welcome.
MR. SHEA: Our two remaining presenting companies are solely in the small group market, so we are going to start with Aetna.

MR. MURAYI: Good afternoon. My name is Regis Murayi, I am with Aetna, and my address is 151 Farmington Avenue, Hartford, Connecticut 06156.

I am director of actuarial for the capitol markets, which includes D.C., Maryland and Virginia.

So today we are going to talk about two companies, our Aetna and our Innovation Health companies, with each of them having two entities, one for an $H M O$ and PPO offerings.

So we have four filings to review today.

I will start by going over our AHI HMO entity. So for our $H M O$ entity, we are requesting a 24.5 percent increase overall, as you can see in table 15.

In table 16, as was presented with
others, we have our most popular plan, our minimum rate change and our maximum rate change.

So our most popular plan is a silver plan
with a $\$ 6000$ deductible and it is in rating area 8 .
So going through the components of the
rate increase, we have seven main components, population morbidity changes from 2018 to 2019, medical trend, risk adjustment, removal of the health insurance fee, benefit changes, area factor changes, and then other changes.

So starting at the top, we are projecting a 7.4 percent increase in morbidity, this reflects the average morbidity for the ACA small group population.

Next, we have a 11.9 percent increase for medical trend. We have a slight adjustment for risk adjustment of 0.2 percent downward adjustment to reflect the difference in our risk adjustment in 2019 that we project versus what we have in 2018.

We have a 3.2 percent decrease to rates to reflect the removal of the health insurance fee,
and then for our most popular plan here, we have a 0.4 percent decrease for benefits reflecting a increase in the deductible from a 5000 to a 6000 as well as an increase in the maximum out-of-pocket amount from 7000 to 7900 .

Next, for this plan in rating area 8, we are reflecting a 1.4 percent decrease for area adjustments. This reflects the fact that we redeveloped new area factors from 2018 to 2019. The magnitude of change varies by area, so for rating area 8 , we have a 1.4 percent decrease, but some areas will have increases, other areas will have decreases, but overall has a revenue neutral impact on our overall rate.

Finally, we have the other bucket, which reflects differences in our base experience versus what we believed it to be at the time of pricing in 2018, as well as some other smaller components such as mix, the mix of business that we have.

So for our overall most popular plan, a 40 year old in rating area 8 would get a 20.2 percent increase.

From the minimum rate change for our AHI entity, we have a 9.5 percent increase and a 32 percent increase for our maximum rate change.

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COMMISSIONER JAGDMANN: I notice that they were all silver. Do you offer predominantly silver in the small group?

MR. MURAYI: Yes. So our AHI entity, we do only have one plan offering, so you will see that the mid, max and popular reflect that same $\$ 6000$ deductible HMO plan.

MR. SHEA: I think if you just scroll the arrow down. There you go. Good job.

MR. MURAYI: Okay. Next I will cover our Aetna Life Insurance Company, which is our PPO entity for Aetna.

In table 15, we have a 23.4 percent rate increase. Again, our most popular plan here is a silver plan with a $\$ 6000$ deductible, so similar to our HMO offering.

The components of the rate increase here are very similar to what I went over for our AHI entity, so the only difference here, I will point out, is the area factor here, we have a downward adjustment of 2.1 percent for this plan, this is in rating area 10 versus the rating area difference in the other $H M O$ entity, but the other components for our Aetna Life Insurance entity remain the same as what I just went over for HMO .

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Next, I will cover our Innovation Health
Insurance Company. This is our legal entity with our joint venture with the Inova Hospital system, so for this entity, we are requesting a 10.9 percent increase, so this entity reflects the benefits of the partnership we have with Inova Health system.

Our most popular plan is a gold plan
with a zero dollar deductible, and next I will go into the premium development components that get us to this rate.

So similar to the other entities, our
morbidity projection remains the same, at 7.4 percent. Our trend is slightly lower, at 11.6 percent.

We are projecting a 2.4 percent change in risk adjustment from our -- what we projected our liability to be in 2019 versus 2018.

Again, we have a reduction for the removal of the HIT.

And slight benefit changes.
The -- then we have a 1.1 percent decrease for network changes, and then finally, the other bucket similar to what has been presented before reflects differences in our base experience from what we priced in 2019 and what we actually got.

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For this entity, this most popular plan
would get a 4.3 percent increase with ranges from 4.3, our most popular plan being this one, up to a 21.4 percent increase.

COMMISSIONER JAGDMANN: Thank you.
MR. MURAYI: Finally, I will cover our Innovation Health Plan entity. Here, we are requesting a 16.6 percent increase. Again, this is our HMO entity with our joint venture partnership with Innova Health system, so it also reflects the benefits of that partnership that we have.

Our most popular plan is a silver plan with a $\$ 3000$ deductible. Again, the components of the rate increases are -- remain similar to what we had before, for morbidity and trend.

Risk adjustment remained -- the component is similar with what we have for our PPO entity.

And then benefit changes, we have a 9 percent increase in benefit changes for increase for richer benefits.

And then that other line, network, is similar to what $I$ just went over with.

And the lower line reflecting
differences is base experience versus what we had
priced in 2018.
COMMISSIONER JAGDMANN: Do you offer
bronze plans as well in your HMO?
MR. MURAYI: Yes. So for this HMO
entity, again, you will notice the plans, max, min
and most popular are the same, and that reflects the fact that we have one silver offering for this entity.

COMMISSIONER JAGDMANN: One silver
offering did you say?
MR. MURAYI: Correct.
COMMISSIONER JAGDMANN: So is this the same plan.

MR. MURAYI: Correct.
COMMISSIONER JAGDMANN: So you only have one plan.

MR. MURAYI: For our HMO entity, we have one plan. For PPO, we have many.

COMMISSIONER JAGDMANN: For your PPO, you have many. Okay. So for the HMO, you only offer one plan, and it is a silver, and so this really -this is just the same plan.

MR. MURAYI: That's correct.
COMMISSIONER JAGDMANN: Okay. All
right. Thank you very much.
MR. MURAYI: Thank you.

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MR. SHEA: And our last presenting
company today is United.
MR. MORGAN: Good afternoon, Judges.
COMMISSIONER JAGDMANN: Good afternoon.
MR. MORGAN: My name is Ryan Morgan. I'm an actuarial director with UnitedHealthcare. My address is 10701 Research Drive, Wauwatosa, Wisconsin 53226.

And I am here to present our filed
Virginia 2019 small group rates, these are off exchange, for United's four legal entities, which are UnitedHealthcare Insurance Company, Optimum Choice, UnitedHealthcare of the Mid-Atlantic and UnitedHealthcare Plan of the River Valley.

Please note, $I$ am the certifying actuary for the first three but not for River Valley, but I will still be covering it in my presentation today.

COMMISSIONER JAGDMANN: Okay.
MR. MORGAN: So let's begin here with the UnitedHealthcare Insurance Company. This is, by far, the largest entity, it constitutes about 85 percent of our total Virginia small group business or membership.

So statewide, as you can see, we are
filing for a 6.6 percent increase; however, that

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varies by plan and by area, so we will begin looking at our most popular plan, the gold plan with the $\$ 750$ deductible.

On the grid, you had see this plan is getting a . 8 percent decrease from first quarter '19 versus first quarter '18.

So there is three main drivers you can see here, I will talk through for the decrease, so first is the benefits changes line, so you can see on there, the out of pocket is going up so the benefits are getting leaner, so that constitutes a 3.3 percent decrease.

Secondly, as many others have mentioned with the insurer fee moratorium, that's also a 3.3 percent decrease shown here.

So -- and a note about that, this is to first quarter specifically, so because, as of now, we are planning on that fee coming back in in 2020, so groups renewing in later quarters, that will be phased back in, so their decrease might not be quite so low but there would still be a decrease.

And then finally, we have a line there, area factor decrease, so everything we are showing here for these first three entities is for region 10, which is Northern Virginia, so we actually in fourth
quarter of '18 had an approved area factor decrease in this region, and then further, in this first quarter filing, our filing for an additional area factor decrease, we chose Northern Virginia, that's about 70 percent of our membership across these first three entities, so that's why we -- definitely why we picked that; but yes, between both of those increases together shown here, that's about minus 5.4 percent.

So those three factors I mentioned are what outweigh I guess the 8.4 percent trend and other factors to get to the negative . 8 percent for this most popular plan.

Any questions on that?
COMMISSIONER JAGDMANN: No.
MR. MORGAN: Okay. And then you can see
here, the min and max, so yes, the increases range from negative 2.1 percent for silver plan is our biggest decrease, and then a platinum plan is going to have a 12.4 percent increase.

COMMISSIONER JAGDMANN: Okay.
MR. MORGAN: So I will move to Optimum
Choice, our second entity. It is about -- I think, yes, it is about 9 percent of our membership statewide, so our second biggest.

So really, you can see, a lot of the

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numbers here are very much the same, so really this slide is just a function of the different benefit changes.

So, for Optimum Choice, our most popular plan is a bronze HSA plan, so that actually is getting a bigger than average increase in the benefit changes line, so that drives that most popular plan to a 6 percent change, and so you can see the range there within OCI, this entity, from negative . 9 percent up to 13.7 percent.

Is there any questions on that one?
COMMISSIONER JAGDMANN: Okay. No.
MR. MORGAN: And then UnitedHealthcare of the Mid-Atlantic, really a similar story.

I guess one thing I did want to cull out, I did notice there was a typo on the benefit cost sharing line, what is being shown there is the family out of pocket, so the true value should be half of this, so 4500 and 4000, not 9000 and 8000 .

COMMISSIONER JAGDMANN: Now, where is that?
MR. MORGAN: Right, up just at the cost sharing descriptions at the top.

COMMISSIONER JAGDMANN: The sharing should be what?

MR. MORGAN: Should be half of those

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numbers, so 4500 out of pocket for 2019 and 4000 out of pocket for 2018.

COMMISSIONER JAGDMANN: Okay.
MR. MORGAN: Yes, the other ones were right, just this most popular plan.

COMMISSIONER JAGDMANN: Okay. And what
kind of plan is this?
MR. MORGAN: The most popular plan is a
gold plan.
COMMISSIONER JAGDMANN: How can you tell
that looking at this?
MR. MORGAN: I have it in my notes.
COMMISSIONER JAGDMANN: Okay. I have
been looking --
MR. MORGAN: You can kind of tell --
COMMISSIONER JAGDMANN: I need a snack or something. I am having trouble finding it.

MR. MORGAN: -- like the max increase is a zero dollar, so that's probably a platinum, because that's very rich.

COMMISSIONER JAGDMANN: Okay.
MR. MORGAN: And these ones that are more 2 or 3000 ish tend to be gold, and then, obviously, up from there.

COMMISSIONER JAGDMANN: Okay. Thank you.

MR. MORGAN: Yes. A good question.
See, it is really similar to our other slides again. Yes, the minus 1.1 percent for the most popular plan because that one was getting a decrease, and then the range from minus 2.6 to 12.6 .

COMMISSIONER JAGDMANN: Okay.
MR. MORGAN: So then the one that is a bit different is our last legal entities, UnitedHealthcare Plan of the River Valley, so this entity only participates in region rating area 5 and parts of rating area 12, so that's the southwest portion of the state.

So River Valley actually has a little bit lower trend, we had 8.4 on the other ones, this one is 7.4, so that's good. But I guess that's kind of where the good news ends.

What this one really had was the risk adjustment, they had a big swing in the results that recently came out. In the past, they had been a slight receiver, and then this year they swung to be in a pretty big payor relative to their size, so that was that 12.12 percent hit there. So really, that is the biggest driver.

And then I guess compounding that, this bronze plan that is the most popular plan, is also

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getting a sizable increase from last year, so all
those factors together come out to 21.7 percent
increase on this most popular plan, and then you can
see the range there from 8.9 percent to 26.8 percent.
COMMISSIONER JAGDMANN: Okay.
MR. MORGAN: So anything else? Any
questions?
COMMISSIONER JAGDMANN: I don't have
any. Do you have any?
COMMISSIONER CHRISTIE: No.
MR. MORGAN: Thank you so much.
COMMISSIONER JAGDMANN: Thank you.
Okay. That concludes the presentations for today, and I want to thank everyone who presented today.

I want to stress that the Bureau's review is ongoing. They're still busy at work reviewing these and working with our actuaries.

Mr. Shea, you are going to see that the rating area information is included for all of these, and I want to thank Commissioner White for your presentation today.

So if there is nothing further to come before the Commission, we are adjourned. Thank you.
(Off the record at 1:13 p.m.)

CERTIFICATE OF REPORTER
I, LESLIE D. ETHEREDGE, RMR, CCR, do hereby certify that the proceedings were heard before me in the State Corporation Commission hearing herein; further, that the foregoing transcript is a true and correct record of the proceedings to the best of my abilities; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome.

Given under my hand, this fth day of August, 2018.


LESLIE D. ETHEREDGE
Registered Merit Reporter and
Certified Court Reporter

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