

Transcript of Presentation

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

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1	COMMONWEALTH OF VIRGINIA
2	STATE CORPORATION COMMISSION
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5	COMMONWEALTH OF VIRGINIA, ex rel.
6	STATE CORPORATION COMMISSION
7	CASE NO. INS-2018-00083
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9	Ex Parte: In the matter of
10	presentations of premium rates
11	in connection with health insurance
12	coverage issued in the individual
13	and small group markets
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17	TRANSCRIPT OF PROCEEDINGS BEFORE
18	THE HONORABLE MARK C. CHRISTIE, Chairman
19	THE HONORABLE JUDITH WILLIAMS JAGDMANN, Commissioner
20	
21	Tuesday, July 24, 2018
22	9:00 a.m 1:13 p.m.
23	Richmond, Virginia
24	
25	REPORTED BY: LESLIE D. ETHEREDGE, RMR, CCR

	Conducted on July 24, 2016 2
1	APPEARANCES:
2	The Honorable Judith Williams Jagdmann, Presiding
3	The Honorable Mark C. Christie, Chairman
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	Transcript of Presentation Conducted on July 24, 2018		3
1	I N D E X		
2			
3	PRESENTERS:	PAGE	
4			
5	Scott A. White, Commissioner of Insurance	8	
6	David Shea, Health Actuary	32	
7	Cigna Health Group	72	
8	Kaiser Foundation Group	86	
9	Anthem, Inc. Group	97	
10	Sentara Health Management Group	119	
11	Piedmont Community Health Group	150	
12	CareFirst, Inc. Group	155	
13	Virginia Premier	168	
14	Aetna Group	175	
15	UnitedHealth Group	182	
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
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1	THE CLERK: Today's case is INS-2018-00083.
2	We are here today to hear presentations from carriers
3	regarding the proposed 2019 rates in the individual
4	and small group markets.
5	The Honorable Judith Williams Jagdmann,
6	Commissioner, presiding.
7	COMMISSIONER JAGDMANN: Good morning,
8	everyone.
9	We are here today for the annual rate
10	presentations on insurance plans to be offered in the
11	individual and small group markets as of January 1st
12	of next year.
13	As you know, under Virginia law, the
14	Commission is required to review and approve the
15	premium rates and forms for these health benefit
16	plans, whether they are sold on the Federal Exchange
17	for Virginia or off exchange.
18	The Commission must also perform plan
19	management functions required to certify
20	participation in the Federal Exchange pursuant to
21	Virginia Code Section 38.2-326. There are legal
22	deadlines that govern our process.
23	First, the United States Department of
24	Health and Human Services requires the Commission's
25	Bureau of Insurance to complete its review and

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1	recommendations of plans on their rates for
2	certification to the Federal Exchange no later than
3	August 22, 2018.
4	Second, Virginia law requires insurance
5	carriers to notify their customers of increases in
6	annual premiums or deductibles at least 75 days
7	before the proposed renewal of their health
8	insurance. The deadline for notifying customers this
9	year is October 18th.
10	To meet these deadlines, insurance
11	companies recently filed their rates and forms for
12	insurance plans proposed to be offered for use as of
13	January 1st.
14	Given the importance of the cost of
15	health insurance to Virginia's small businesses and
16	individuals, the Commission is reviewing these health
17	insurance premium rates and increases in deductibles
18	prior to any ultimate approval for use in Virginia.
19	Today's presentations are part of that
20	review and are designed to serve as an overview of
21	the range of rate impact or change for plans on the
22	individual and small group markets.
23	The Commission's May 9, 2018, Order
24	directing presentations directed the Bureau of
25	Insurance to detail for each company the scenarios

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1	that should be covered today.
2	The Bureau has done this and will also
3	participate by providing background information and
4	presenting a summary of recent Bureau activities in
5	its review of the latest rate and form filings for
6	health insurance plans.
7	Today, we will hear first from Scott
8	White, who is the Commissioner of Insurance, and the
9	head of the Bureau of Insurance.
10	After Mr. White's introductory comments,
11	we will hear from the Bureau's health actuary, David
12	Shea, who will discuss the Bureau's review of recent
13	filings.
14	Afterwards, the insurance companies will
15	provide individual presentations about their proposed
16	rate changes.
17	For each company that is presenting here
18	today, please be prepared to speak to your proposed
19	rate filings for plans both on and off the Federal
20	Exchange and for plans in the individual and small
21	group markets.
22	Let me note that today's proceeding is
23	open to the public. Members of the public who wish
24	to provide comments on one or more specific rate or
25	form filings may do so in writing.

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1	You can go to the Bureau of Insurance
2	website, and we have also prepared some instructions
3	on how to submit those comments, and those
4	instructions are available in hard copy at the back
5	of the courtroom.
6	I also want to note that this session is
7	being webcast.
8	For those of you who are going to speak,
9	please come to the podium, speak into the microphone
10	and speak clearly. You are encouraged to use the
11	audiovisual equipment to display any charts or other
12	material you are discussing.
13	While the Commissioners, Judge Christie
14	and I, may have questions for the speakers, this is
15	not an evidentiary hearing. There will be no
16	swearing in of witnesses or cross-examination.
17	Are there any preliminary matters that
18	we need to address?
19	Okay. Hearing none, I note that I have
20	an order of presentation that we will follow.
21	When you come up to speak, please give
22	your name and address for our court reporter so they
23	can record who is making these presentations.
24	With that, we will begin with the
25	Commissioner of Insurance, Scott White.

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1	MR. WHITE: Good morning, Judges. Thank	
2	you.	
3	So this is the sixth presentation that	
4	we have asked the carriers to come in and discuss	
5	their proposed rates in the individual and small	
6	group market. You are going to hear from these	
7	carriers in a few minutes.	
8	But before they make their	
9	presentations, I thought it would be good to provide	
10	a little bit of information that I hope will be	
11	helpful in our discussions this morning.	
12	First, I'd like to spend just a few	
13	minutes briefly explaining what carriers have to	
14	demonstrate	
15	COMMISSIONER JAGDMANN: Commissioner, we	
16	are having a little trouble hearing you.	
17	Is your mic on? Maybe you need to	
18	speak	
19	MR. WHITE: Can everybody hear me?	
20	COMMISSIONER JAGDMANN: That's better.	
21	MR. WHITE: Great. Thank you.	
22	COMMISSIONER CHRISTIE: That's a lot	
23	better.	
24	MR. WHITE: I'd like to spend a few	
25	minutes just briefly explaining what carriers have to	

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1	demonstrate to the Bureau in order to obtain approval
2	for their rates.
3	The second thing I would like to talk
4	about is just to provide a general overview of the
5	small group and individual markets as we move into
6	our sixth year of this rate review process under the
7	ACA.
8	So, first of all, when we receive our
9	rate filings back in May of each year, they are
10	reviewed by our staff of three examiners and our
11	supervisor in our form and rate section, and they
12	also work closely with a number of our outside
13	consulting actuaries, who work under the direction of
14	our chief health actuary, David Shea.
15	So our staff works closely with the
16	actuaries as we review the filings, and we also have
17	a lot of back and forth with the carriers as
18	questions arise during the process.
19	So when a carrier submits its rate, its
20	proposed rates, it has to provide the Bureau with an
21	actuarial memorandum, and this is important. This is
22	really what I would describe as the core of the rate
23	submission.
24	So it contains a summary of the analysis
25	and the specific information that the carriers'

1	actuaries are relying on as they develop their rates.
2	So, in addition to that memorandum, they
3	have to provide a lot of supporting documentation.
4	Again, the information that they have relied upon in
5	developing their rates.
6	The type of information that has to be
7	included in the memorandum is prescribed by
8	Commission regulation, specifically 14 VAC 5-130-10.
9	It requires that carriers provide a lot of different
10	information such as the scope and purpose of the rate
11	revision, historical and projected experience, a
12	description of how the rates were determined, along
13	with the source of each assumption.
14	They have to provide a comparison with
15	their current premiums, and they also have to provide
16	their anticipated loss ratio, which, as you know, has
17	to be at least 75 percent.
18	So the other thing I want to point out
19	is the regulation and the memorandum require the
20	actuary to certify to the Bureau that the filing is
21	in compliance with all applicable laws and
22	regulations, and that the premiums are reasonable in
23	relation to the benefit provided.
24	So within that certification, that's
25	really what I would describe is the legal standard

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1	that convious much actisfy in ander to obtain
	that carriers must satisfy in order to obtain
2	approval by the Bureau for their rates.
3	First, the rates have to be reasonable
4	in relation to the benefits provided, and they also
5	have to be actuarially justified, and I would add
6	they have to meet that 75 percent loss ratio
7	standard.
8	So that's really the broad legal
9	standard that the Bureau that underlies the
10	Bureau's analysis and review of these rate filings.
11	That's at a very high level.
12	David is going to get into a little bit
13	more about the specifics of the review itself.
14	So where are we right now? Right now,
15	our actuaries on staff, they're working very hard to
16	complete their review of the rates. I will note that
17	many of the carriers filed revisions to the rates on
18	July 17th, so we are working very hard to make sure
19	we can complete our review by August 22nd, I believe
20	it is the 22nd. That's when we have to provide our
21	recommendations regarding QHP submissions to CMS.
22	So I am going to leave the rest of the
23	discussion to our expert, David Shea, regarding the
24	rate review process. I know he is going to have a
25	lot more to add.

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1	What I would like to turn to now is just
2	to provide a general overview of our individual and
3	small group rates, our markets. You know, I thought
4	this would be a really good time, as we enter our
5	sixth year of this process.
6	What I am going to do, I am going to
7	walk you through ten slides that I think help
8	illustrate where the markets are today and how
9	they've developed with the last 5 years, and I will
10	walk through these very quickly.
11	I know there is a lot we need to get
12	through this morning. So let me see if I can work
13	this thing and go through these presentations.
14	All right. It worked.
15	So, as you see from this slide, this
16	represents a level of participation by carriers
17	Can everybody hear me? in the individual market
18	and how that has changed as we enter our sixth year.
19	If you see the orange, that represents
20	on exchange or marketplace, and I am going to use
21	those terms interchangeably. The blue represents off
22	exchange only.
23	If you look at the last column, you can
24	see we're currently projected to have nine carriers
25	participating in the market in the upcoming year,

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1	that's one more than last year with the entry of
2	Virginia Premiere Health Plan.
3	One thing I would note about this chart,
4	you can see it reflects some measure of volatility in
5	the individual market over the years. We started
6	with 11 carriers in 2014, it went all the way up to
7	16 carriers in 2016 before dropping sharply in the
8	next year, next two years to half that number.
9	I would also say the fact that we have
10	nine carriers participating in the market this year
11	and eight last year can be viewed somewhat as a
12	positive development. It does show some measure of
13	relative stability, and we are encouraged by having
14	this level of participation by carriers in this
15	market, although it does come with some important
16	caveats that I am going to discuss in a few minutes.
17	The other thing I would say is Virginia
18	ranked nationally in terms of the number of carriers
19	providing products on the exchange, so, again, that's
20	a positive development.
21	Historically, we have been above the
22	national average in terms of that particular
23	category.
24	COMMISSIONER JAGDMANN: But it is
25	relatively small nationwide. I mean it

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1	MR. WHITE: It is relatively small,
2	particularly when
3	COMMISSIONER JAGDMANN: It is hard to
4	call it robust.
5	MR. WHITE: Yeah, it is not robust. I
6	don't want to oversell it.
7	But when you go out into the western
8	states and some states in the Midwest, you might find
9	only one carrier offering coverage in the entire
10	state, so we are not in that situation at least.
11	COMMISSIONER JAGDMANN: Although we have
12	some areas that are.
13	MR. WHITE: And yes, and that's one of
14	the caveats I will explain. That's a good point.
15	CHAIRMAN CHRISTIE: But we had a
16	situation last year, I remember it very well, where
17	at one point after Anthem had pulled out
18	MR. WHITE: Yes.
19	COMMISSIONER CHRISTIE: of many
20	markets, we had a substantial number of Virginia
21	markets with no coverage whatsoever; correct?
22	MR. WHITE: Yes. I can discuss that
23	now, but I have it on a later slide.
24	COMMISSIONER CHRISTIE: All right. You
25	can save it for later.

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1	MR. WHITE: That's definitely something
2	we need to talk about. So this is this is the
3	number of carriers writing the small group market,
4	both on and off exchange, from since 2014.
5	As you turn to the last column, you can
6	see, we are projected to have 16 carriers
7	participating in the market this year, that's the
8	same as last year.
9	We started off in 2014 with 19 carriers,
10	that rose to 23 the next year before leveling off at
11	18 the next two years, so the value in these two
12	slides together, I think it shows important
13	differences between the individual and the small
14	group market.
15	First, the obvious thing is there is a
16	lot more carriers participating in the small group
17	market. Second, the small group market has
18	experienced many years of relative stability with
19	smaller declines and carrier participation.
20	In many respects, I think this is
21	because you could say the small group market has not
22	been as affected as many of the individual market
23	disruptions that occurred in the last several years.
24	David is going to talk a little bit more about that.
25	And the other thing I would just point

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1	out is you can see there is a lot more carriers
2	writing strictly in the off exchange markets, so, you
3	know, I asked yesterday why that was, and the answer
4	is there is really no benefit to being in the on $$
5	in the shop as you find in the individual market,
6	where you have to be in the marketplace in order to
7	be eligible for a subsidy, so I think that explains
8	that variance.
9	Okay. So this is going to get to your
10	question, Judge Christie. This slide represents
11	the this is a list of all carriers that have
12	exited the market both in the individual and small
13	group market in the last 6 years.
14	As you can see, there has been one
15	individual market entry this year, with Virginia
16	Premiere Health Plan. It includes nine carriers in
17	the individual market, seven carriers in the small
18	group market.
19	So, if you look, you can see, in the
20	individual market, eight of the nine carriers left in
21	the last two years. That included several carriers.
22	I will point out Aetna, Innovation Health,
23	UnitedHealthcare.
24	These were big writers in the state,
25	Judges, and so that had a major impact on our market
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1	when they exited.
2	Anthem's HMO HealthKeepers also made the
3	decision to leave the market except for a small
4	section in Southwest Virginia, so what the upshot of
5	that was, it left potentially thousands of Virginia
6	consumers without, potentially uninsured, and it
7	created a situation where no carriers were offering
8	coverage in any part of the state for well over half
9	of the market.
10	This was a unique situation compared to
11	the rest of the country. We were the only state that
12	had any bare counties at one point, much less over
13	half of the state.
14	Eventually, Anthem did come back in to
15	cover many of the bare counties it had left, and
16	other carriers had to adjust their networks and
17	operating plans in order to ensure that Virginia
18	consumers had at least one option in every area in
19	the state, and that's where we ended up, so, in that
20	sense, it was a positive development.
21	So you heard me just talk about the fact
22	that we have nine carriers operating in the
23	individual market this year. We can view that as
24	somewhat of a positive development.
25	This slide shows how the carriers are

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1	distributed throughout the state for the 2019
2	individual market, that's projected, of course.
3	So the counties represented the
4	counties that are represented on the map. Below
5	that, you have the cities within those counties.
6	Unfortunately, what you can see, it is
7	not very evenly distributed among the carriers. What
8	this map shows is that consumers in over 70 percent
9	of Virginia will continue to have only one carrier
10	offering writing in their area, and that's
11	represented by the orange. I think that's in orange.
12	In most cases, that's going to be
13	HealthKeepers, but I think Optima and Piedmont also
14	came back in or are offering coverage in one rating
15	area and being the only one there.
16	If you look at the Central Virginia
17	area, you can see there are in most of that area,
18	there are at least two to three carriers as
19	represented by the green and the blue, and it is not
20	until you get to Northern Virginia, that one section
21	up there, where you have four carriers offering plans
22	in that area as represented by the purple.
23	I think it is fair to say, overall, we
24	prefer a situation where there was a little more
25	competition and where you had multiple carriers

1	offering coverage throughout the state; but, right
2	now, as you can see, we just don't have that.
3	COMMISSIONER JAGDMANN: Is this a
4	convenient time to talk about the group of one that
5	may be an option for some of these individual
6	carriers or individual business individuals to
7	move into the small group, if they so choose?
8	MR. WHITE: Right. That does give
9	consumers a new option this year, and it is going to
10	be reflected, when I talk about the small group,
11	where there is more competition, you have you are
12	going to have situations, Charlottesville is one that
13	has come up, where they have one carrier writing in
14	that area, Optima, so if they feel like the rates are
15	too expensive or unaffordable and they are a sole
16	proprietor, they now have the option to go into the
17	small group market and, hopefully, obtain coverage
18	that they may find more affordable, and that's I
19	haven't really seen what the impact of that is going
20	to be, but that's one more option they are going to
21	have.
22	David is going to talk about other
23	options that may be coming down the pike in terms of
24	associated health plans or short-term limited
25	duration plans, so we are going to see how the market

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1	develops with some of these options and how that is
2	going to impact, the individual market is perhaps
3	younger and healthier people, decide that they want
4	to leave that market, but it will create a situation
5	where they have more options in some cases.
6	CHAIRMAN CHRISTIE: Really, what we have
7	then, according to this chart, is over 70 percent of
8	the counties in Virginia only have one carrier.
9	MR. WHITE: That's right, and that's not
10	good.
11	COMMISSIONER CHRISTIE: No, it is not
12	no, it is not good. It is a monopoly situation.
13	MR. WHITE: Right.
14	COMMISSIONER CHRISTIE: But that's been
15	what has been happening under the ACA.
16	MR. WHITE: Yes. You have seen a
17	gradual erosion, and I would point out, there was a
18	major impact a few years ago, when some of these
19	major writers decided to exit, Aetna and
20	UnitedHealth, Innovation, I think they were writing
21	in many of these areas across the state, along with
22	HealthKeepers, so there was more robust competition,
23	and I think that probably had a positive development
24	on the rates, if you are a consumer.
25	So we do need to get back to a situation

1	where there is more competition, clearly.
2	COMMISSIONER JAGDMANN: But this is what
3	has been happening under the ACA, is the competition
4	has been
5	MR. WHITE: Well, you are seeing a
6	couple different
7	COMMISSIONER CHRISTIE: diminished at
8	best.
9	MR. WHITE: You are seeing enrollment
10	decline, you are seeing premiums increase, and you
11	are seeing carriers exit the market, and there is a
12	correlation, I think I think all of those are
13	somewhat connected, so the trend lines in certain of
14	these data points are not favorable.
15	I will also say there is a certain
16	amount of resiliency in the individual market, from
17	what I can tell, given all the disruptions that have
18	occurred in the last several years; but it is
19	clearly it is not where we want to be right now.
20	Did that answer your question?
21	COMMISSIONER CHRISTIE: Well, it's an
22	answer.
23	MR. WHITE: It's an answer.
24	COMMISSIONER CHRISTIE: I mean it's a
25	description.

1	MR. WHITE: It's a description, fairly
2	depressing description.
3	COMMISSIONER CHRISTIE: And that's the
4	unfortunate part about it, that's where we are under
5	the ACA now.
6	MR. WHITE: I think that's absolutely
7	fair.
8	So turning to the next slide I just
9	went over the one; right?
10	Okay. So what this does is this
11	provides carriers' 2019 projections for covered lives
12	in the individual market.
13	What I would point out here is that 4 of
14	the 9 carriers are writing over 90 percent of the
15	business in this market, with Cigna projecting the
16	largest market share.
17	So both, again, in terms of geography
18	and market share, it is just not as evenly
19	distributed as you would like in a well-functioning
20	market.
21	The other thing I would point out is
22	that if you looked at this map a couple years ago,
23	you would have seen a much different picture. Cigna
24	did not enter the market until 2017; and, as I just
25	indicated, a few years ago, the market leaders have

1	either exited or significantly reduced their
2	footprint.
3	So this is another comparison. This
4	slide provides the carriers' 2019 projections for
5	covered lives in the small group market.
6	The green in these areas represents 10
7	to 11 carriers, while the blue represents 12 to 13
8	carriers, and the orange represents 14 to 15
9	carriers, so in every area of Virginia, Judge, you
10	have between 10 and 14 carriers that have filed to
11	offer plans in the state. This, obviously, reflects
12	more competition in the small group market than what
13	we have in the individual markets so, to me, that's
14	the big takeaway.
15	So what this slide shows is the
16	carriers' 2019 projections for covered lives in the
17	small group market. Like the individual market, it
18	is fairly concentrated among several carriers.
19	For example, Anthem is projected to have
20	43.5 percent of the small group market through Anthem
21	health plans in HealthKeepers, and they're
22	represented by the first two columns on that graph.
23	So this slide provides a snapshot of
24	total enrollment in both the individual and small
25	group markets, both on and off the exchange, between

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1	2014 and 2019.
2	Looking at the blue, which represents
3	the individual market, what this chart illustrates is
4	steady growth in the market from 2014 to 2016, you
5	can see where it peeked at a little over 418,000 in
6	2016. After that, you see a sharp drop-off the next
7	year followed by, you know, more modest declines the
8	next 2 years.
9	So one thing I would note is, if you
10	compare where we are today with the projected lives,
11	358,000 to its peak in 2016 three years ago, you are
12	talking about a decline of almost 60,000 covered
13	lives.
14	For the small group market, which is
15	represented by orange, you know, except for an
16	outlier year in 2015, where you saw kind of a spike,
17	enrollment has held somewhat steady, between 350,000
18	and a little over 365,000 covered lives; and, if you
19	look at the last column, you can see it is roughly
20	the size of the individual market with several
21	thousand fewer enrollees, and I would add these
22	numbers are updated from I think the July 17th
23	revisions.
24	Turning to the next slide, this combines
25	the enrollment data for the individual market with

1	the total weighted average premium data over the
2	years.
3	The blue represents the enrollment
4	numbers for the individual market. These are the
5	same numbers that showed up on the previous slide,
6	and the orange line represents the total weighted
7	average premium.
8	David is going to talk a little bit more
9	about the premium increases and some of the drivers
10	for that.
11	So what you can see, in terms of the
12	premiums, it rose steadily. It begins in 2014, it
13	rises steadily the next 3 years, then you have that
14	sharp spike in 2018 followed by a double digit
15	increase projected right now for 2019.
16	I would say the takeaway from this slide
17	is that, as you observe premiums rising, there is a
18	corresponding decline in enrollment. I am not saying
19	that's the only factor in declining enrollment, but I
20	think it is fair to say there may be some level of
21	correlation there.
22	CHAIRMAN CHRISTIE: But is it accurate
23	to say that a big component of the drop in
24	enrollment, because you have combined on and off
25	exchange

1	MR. WHITE: Yes.
2	CHAIRMAN CHRISTIE: are people who
3	are not subsidized.
4	MR. WHITE: Yes, and that is
5	CHAIRMAN CHRISTIE: They are making
6	\$50,000 a year, \$55,000 a year, they have never been
7	subsidized under the ACA, they have had to bear the
8	full cost of their premiums.
9	MR. WHITE: Yes.
10	COMMISSIONER CHRISTIE: They have no
11	subsidies, and, as these prices continue to go up,
12	MR. WHITE: They can't afford it.
13	COMMISSIONER CHRISTIE: these people
14	are being doing what every consumer does faced
15	with rising prices, demand goes down as the price
16	goes up. So that's what we are seeing; correct?
17	To a large degree, we are seeing
18	unsubsidized consumers, the landscaper, the
19	carpenter, the plumber who is making 50 to \$60,000 a
20	year, who is getting no subsidies, they're the ones
21	who are being pushed out of the market because they
22	simply cannot afford the premiums.
23	MR. WHITE: I think, if you look at the
24	cost of insurance coverage, if you are eligible for a
25	subsidy, you would be crazy to leave the marketplace.

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1	On the other hand, if you're and I am going to
2	talk about this in the next slide. If you are over
3	the 400 percent federal poverty level,
4	COMMISSIONER CHRISTIE: Right.
5	MR. WHITE: you have this what we
6	call the subsidy cliff. Premiums, I don't think
7	anybody would argue are affordable right now in many
8	cases, and so you are left with very limited options.
9	That's one thing you know, there are
10	two schools of thought on that, but one policy
11	argument is well, we provide alternatives such as
12	associated health plans or short-term limited
13	duration plans, where, hopefully, some of these
14	people can get into these markets and they have more
15	affordable options.
16	On the other hand, some policy experts
17	say well, to the extent you are taking the younger
18	and healthier people out of the individual market,
19	that increases prices because of increased morbidity
20	and creates a potential death spiral.
21	I don't think there is one solid
22	proposed policy solution that fixes both those
23	problems right now out there on the landscape.
24	COMMISSIONER CHRISTIE: Well, it does,
25	but at the same time, I mean let's take a guy, again,

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1	he is a landscaper or a carpenter, making 50,000 or
2	55,000, unsubsidized under the ACA, and healthy
3	because he is working, implicit in that, but the ACA
4	premiums have been going up for years by double
5	digits.
6	MR. WHITE: Yes.
7	COMMISSIONER CHRISTIE: It didn't start
8	last year, it has been going up for years, and that
9	\$55,000 a year landscaper or carpenter just simply
10	cannot afford it, so the price has driven him out of
11	the market, but you lose again, you are losing
12	healthy consumers, which decreases the health of the
13	remaining pool, so it is
14	MR. WHITE: That's exactly right. I
15	think a rational actor in that situation may look at
16	with this group of one change and say hey, maybe I am
17	better off in the small group market, right, so that
18	is what is occurring to some degree, absolutely.
19	So this is my last slide, at least, and
20	this is going to get to some of your observations,
21	Judge. This provides on exchange enrollment numbers
22	along with the subsidy analysis developed by CMS.
23	There are numbers for both Virginia and
24	nationally. First, if you look at the first, I guess
25	it's the second column, enrollment increased slightly

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1	in both Virginia and nationally between 2017 and
2	2018, that's on exchange, I would note.
3	So remember, since enrollment decreased
4	overall both on and off exchange, that tells us that
5	most of the enrollees leaving the market were off
6	exchange.
7	COMMISSIONER CHRISTIE: Unsubsidized.
8	MR. WHITE: Exactly. These enrollees
9	are not eligible for tax credits.
10	COMMISSIONER CHRISTIE: Right.
11	MR. WHITE: I would suggest they left
12	the market because premiums were not affordable.
13	COMMISSIONER CHRISTIE: Right.
14	MR. WHITE: Yes. So the fourth column
15	tells us what percentage of enrollees receive tax
16	credits, so in both Virginia and nationally, it is
17	87 percent of enrollees this year, that represents an
18	increase of 4 percent and 3 percent respectively,
19	when you are talking about Virginia and nationally.
20	If I could point you to the next-to-last
21	column, that shows the average premium per month rose
22	in 2018 from 2017; however, the average premium for
23	individuals receiving tax credits, as shown in that
24	last column, it actually decreased in both Virginia
25	and nationally, and, if you note, look at the average

1	monthly premium, for 80 percent on exchange enrollees
2	receiving tax credits, is \$58.78; and David can talk
3	a little bit more, but that's largely a result of the
4	loading of the CSR payments onto the silver plans by
5	carriers, which increases the level of subsidies.
6	COMMISSIONER JAGDMANN: But, as
7	Judge Christie said, to the plumber making 50 plus
8	thousand dollars, he is going to be paying 640.
9	MR. WHITE: Yes, right, the average
10	total monthly premium per month, and so it is going
11	to increase, if you have a larger family, obviously,
12	it is going to be more than that, and, depending on
13	where you are, whether there is competition in a
14	particular rating area, there are a number of
15	variables.
16	But, clearly, you are going to be you
17	are going to want to have a tax credit, if you are
18	buying insurance in the individual market, in order
19	for it to be affordable right now.
20	The cost of insurance, as you point out,
21	it is going to be dramatically different if you are
22	above the 400 percent federal poverty level, and,
23	again, ineligible for any tax credits. This is
24	commonly referred to as the subsidy cliff, you may
25	have read about this in the news.

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1	I will say the Virginia legislature, we
2	hope they are definitely aware of the situation.
3	One thing they have done this past year is they've
4	established several working groups, bringing together
5	various stakeholders, including the Bureau of
6	Insurance, the purpose of these working groups is to
7	help find solutions to make, you know, coverage in
8	the individual market a little bit more affordable.
9	And I will point out just one proposal
10	that is being looked at and that has generated a lot
11	of discussion is the creation of a state reinsurance
12	program. The benefit to that program, it is going to
13	help all policyholders in the individual market, and
14	not just those who are eligible for tax credits.
15	So, you know, the working groups haven't
16	started, we have to provide a report or HHR has to
17	provide a report to the legislature by the end of
18	November, and we will see where it develops.
19	So that basically concludes my portion
20	of the presentation. I know David is going to have
21	more to talk about in terms of the rate review
22	process, and, in particular, our new rating tool, so
23	I am hopeful that will provide some useful
24	information to the audience today as we continue our
25	discussion.

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1	COMMISSIONER JAGDMANN: Okay.
2	MR. WHITE: Thank you.
3	COMMISSIONER JAGDMANN: Thank you.
4	Mr. Shea.
5	MR. SHEA: Thank you, Scott.
6	This is David Shea with the Bureau
7	health actuary, with the Bureau of Insurance.
8	Good morning, Judges.
9	Before we leave this slide on the
10	amount the folks who received tax credits and
11	several other pieces of information there, let me
12	give you just a little quick example of the
13	calculation of the tax subsidy, physically how it
14	works.
15	I don't have all of the specific numbers
16	committed to memory, so forgive me out there, if I
17	get a few of the absolute numbers wrong, but take an
18	example of someone who makes \$20,000 a year, that is
19	above that's probably 70 percent above the federal
20	poverty level. I am using 20,000 because it is an
21	easy number to work with.
22	And let's say, according to the ACA,
23	that person is expected to pay 4 percent of their
24	income for health insurance, so for a person making
25	\$20,000 a year, they are expected to have \$800 to pay

1	for their health insurance, and what they do is they
2	look at the silver plan rate, the second-lowest
3	silver plan, where the person lives, and they compare
4	that to the \$800; and let's say the silver plan rate
5	for this person is a thousand dollars let's say it
6	is \$2,000 a year.
7	When you subtract the \$800 that their
8	income is supposed to go towards premiums, you have
9	\$1,200 left on an annual basis, so they get a tax
10	credit every month of \$100 toward their premium.
11	As their age goes up but not their
12	income, their subsidy goes up, because the premium
13	goes up with age, so a person who is 30 years old
14	making \$20,000 gets one amount of subsidy, but a
15	60-year-old gets a much higher subsidy because their
16	premium is higher, so that's generally how they do
17	the calculation on the subsidies, if that helps kind
18	of understand how that all works.
19	COMMISSIONER JAGDMANN: Thank you.
20	MR. SHEA: Now, Scott did mention
21	briefly our staff approach to rate reviews and the
22	actuarial analysis. Just as a reminder, initial rate
23	submissions were due in Virginia May 4th, and the
24	Bureau's deadline to submit our QHP recommendations
25	to CMS is August 27.

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1	Generally, over the years, we have also
2	completed our reviews of non-QHPs at that point as
3	well.
4	When the rate filings come in, the
5	Bureau staff looks very closely at the contents of
6	every filing. There are numerous documents, exhibits
7	for analysis and supporting documentation for the
8	rates, the rates themselves.
9	There is a lot of pieces of information
10	that gets submitted with each rate filing, so the
11	staff goes through and combs through those to ensure
12	that all the required documentation has been
13	submitted, that it has been filled out as best as
14	possible and as accurately as possible, and that all
15	of the certifications and other subsequent
16	information complies with Federal and State rate
17	filing requirements for the ACA.
18	And during this process, the staff is in
19	contact with the companies, and there is a bit of
20	back and forth, to ensure that the filing itself is
21	complete and ready to be sent to the consulting
22	actuaries for their review.
23	Now, when we get to the actuarial
24	analysis, a portion of the carriers are required to
25	submit actuarial justification for any rate change in

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1	plans and silver plans compared to bronze plans and
2	ensure that a lot all of the Federal requirements
3	have been baked into those plan relativities.
4	These assumptions are reviewed for
5	reasonableness, consistency, accuracy, and to ensure
6	that everything ties together. Quite a number of the
7	calculations are reverified and reproduced by our
8	consulting actuaries, and the calculations are
9	compared to the narratives, the physical description
10	of what went into those numbers, to ensure that the
11	description is consistent with the numbers that
12	they're looking at.
13	And some, as you can imagine, inaccurate
14	calculations, irreconcilable differences,
15	inconsistent assumptions, these are some examples
16	that would trigger additional actuarial scrutiny.
17	And, as you can well imagine, during
18	this process this is a considerable amount of back
19	and forth between the Bureau and the companies during
20	the rate review, and as Scott mentioned earlier, the
21	companies had resubmitted their filings July 17th,
22	and in a couple of minutes, I will explain the
23	contents of some of those resubmissions.
24	COMMISSIONER CHRISTIE: Let me ask you,
25	David, about your general approach.

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1	We just saw a slide, 70 percent of
2	Virginia and that's by geography, not population, but
3	70 percent of Virginia counties have one carrier,
4	which is
5	MR. SHEA: In the individual market.
6	COMMISSIONER CHRISTIE: In the
7	individual market. And the problem is, obviously,
8	centered in the individual market. No one large
9	group is not really a problem.
10	MR. SHEA: No.
11	COMMISSIONER JAGDMANN: Relatively
12	speaking.
13	COMMISSIONER CHRISTIE: Relatively
14	speaking, large group is not a problem.
15	MR. SHEA: Right.
16	COMMISSIONER CHRISTIE: And frankly has
17	been largely immune from ACA. So the heart of the
18	problem is in individual market.
19	So 70 percent of the counties in
20	Virginia have only one carrier in the individual
21	market, which is the textbook definition of a
22	monopoly situation. Now, this commission,
23	interestingly enough, the only one in America, in
24	addition to regulating insurance, we also regulate
25	public utilities. Nobody else does that.

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1	And one thing you learn from public
2	utility regulation is you regulate public utilities
3	on the assumption they're a natural monopoly, and
4	what you try to do in utility regulation and, see,
5	the best price regulator is competition; but you
6	don't have competition, obviously, when you have one
7	seller.
8	MR. SHEA: Right.
9	COMMISSIONER CHRISTIE: The same thing
10	applies in utility regulation, you only have one
11	seller, so what we do in rate regulating a monopoly
12	utility is the goal is, when you do not have
13	competition, you try to rate regulate to duplicate
14	the results of competition, if you had it.
15	Now, that's impossible, but you try to
16	come as close as you can, as I had a law student one
17	time who said that's like trying to paint a rainbow,
18	it won't be the rainbow, but you try to make it look
19	as close as you can to the rainbow.
20	Is your approach here We have a
21	monopoly situation in 70 percent of Virginia. Are
22	you Are you trying to create the price levels that
23	would exist if we had competition, is that fair to
24	say, or is it not the same as utility regulation?
25	MR. SHEA: Well, no.

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1	COMMISSIONER CHRISTIE: I know it is not
2	the same as utility regulation, obviously; but except
3	for the fact you have a monopoly situation, how do
4	you try to duplicate a price level that might if
5	you did have competition, because when one insurance
6	company files, you can't compare it to somebody else,
7	obviously, like you can when you have two or three
8	carriers.
9	MR. SHEA: Well, that's a good question.
10	You actually can compare a few elements of the rate
11	filings among carriers, and I will show you that in
12	just a few minutes.
13	But I think what can really address the
14	issue of monopoly and help foster some more
15	competition is what Scott had mentioned earlier, the
16	working group set up here in Virginia is basically to
17	help stabilize the individual market, and one way of
18	going about that that Scott mentioned is to introduce
19	a reinsurance program, and what the effect of that on
20	rates is to lower them, because you are taking out
21	the cost of certain amount of high dollar claims and
22	having some other entity pay for that, so that
23	naturally lowers the premiums.
24	Now, it naturally lowers the premiums
25	for the year that you do that reinsurance, so in

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1	order to keep those premiums at least at that level
2	and try to mitigate the rate increases over time is
3	you want that reinsurance program to stay in place
4	and be permanent and somehow keep up with the
5	underlying rising costs to continue to dampen down
6	the premiums.
7	The market stabilization activities are
8	a way to go about that, to help bring in more
9	competition.
10	COMMISSIONER CHRISTIE: Well,
11	reinsurance clearly brings down rates, because it
12	subsidizes the risk, but it is really just shifting
13	the cost.
14	MR. SHEA: Absolutely.
15	COMMISSIONER CHRISTIE: It is not
16	increasing competition, it is just shifting the cost.
17	How does it increase competition?
18	MR. SHEA: Well, you would hope, with
19	the ability to have lower rates in the market, that
20	would attract more carriers into the market, and to
21	show that Virginia is committed to stabilizing the
22	individual market and to try to remove as much
23	uncertainty as possible. That has been the killer in
24	the individual market over the last few years is the
25	amount of uncertainty, and the sources of that

1	uncertainty has changed every year.
2	So most companies, most anybody really
3	doesn't like a high degree of uncertainty when they
4	go into a venture, and, unfortunately, with the
5	things that have happened over the last few years,
6	that uncertainty has just been pervasive and has
7	plagued the individual market over time, and that has
8	driven away a number of carriers, and also the
9	underlying costs are continuing to grow.
10	You are right, a reinsurance program
11	does not get at the underlying cost of healthcare,
12	but it is a first step to help lower the premiums,
13	particularly for those who are unsubsidized.
14	COMMISSIONER CHRISTIE: Well, it clearly
15	does that, and it is a transfer of cost, but how is
16	the reinsurance just not the old high risk pools
17	under a different name?
18	MR. SHEA: It depends on how you craft
19	the reinsurance program and how you reflect that
20	cost.
21	In the past, in some states with the
22	high risk pools, they also charge the subsequent
23	premium to those individuals, which usually is quite
24	high, and that just is not sustainable, and there are
25	many different elements that have gone into those

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	Conducted on July 21, 2010
1	high risk pools that industry has learned from over
2	the years to hopefully not make the same mistakes
3	again, but efforts to focus on stabilizing the
4	individual market, there is one state who is actually
5	providing subsidies to individuals themselves. I
6	believe it is the state of Minnesota, and I believe
7	they add an additional \$50 per month to an
8	individual's subsidy, I believe they funded it out of
9	general revenues, so it is all a matter of how state
10	budgets are crafted and things like that, but we have
11	work groups actively looking at ways to help
12	stabilize the individual market.
13	COMMISSIONER CHRISTIE: Well, can
14	insurance companies set up reinsurance pools
15	themselves like in hurricane markets? I mean Warren
16	Buffet owns General Re, I mean he has gotten very
17	wealthy well, he got wealthy on a lot of other
18	things.
19	MR. SHEA: Sure.
20	COMMISSIONER CHRISTIE: But among
21	others, the reinsurance, private sector reinsurance,
22	is that something that can be set up absent immediate
23	government action?
24	MR. SHEA: I mean they can set that up,
25	but each individual company would have to do that

1	themselves and go to a reinsurance company and go
2	through the contracting process and how they're going
3	to be charged and the impact on the premiums, they
4	would have to do it on the ones.
5	What Virginia would hope to do is to
6	create a reinsurance program, a separate entity, a
7	single entity that processes reinsurance claims and
8	takes in the revenue to support those claims. You
9	would probably want to set up something separate as
10	opposed to have because carriers can do that
11	today, but, again, that's expensive, because they're
12	lowering their rates, to get at the reinsurance
13	amount level, whatever is in there, but then they
14	have to pay the reinsurance company.
15	So and you don't really want each
16	company going out and doing it. It is much more
17	efficient to have a single entity take care of
18	reinsurance claims, that would be the best approach
19	in my opinion.
20	COMMISSIONER JAGDMANN: David, you maybe
21	are going to talk about this in a minute; but let's
22	talk about just the standards in general for the
23	premiums.
24	Now, you know, looking at Virginia regs,
25	and it says the benefits shall be deemed reasonable

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1	in relation to the premiums; and, of course, we have
2	some Federal mandates with respect to premiums too.
3	MR. SHEA: Yes.
4	COMMISSIONER JAGDMANN: So what are we
5	looking for here generally?
6	MR. SHEA: Generally, that's the legal
7	standard, and from a regulatory standpoint, what that
8	interpretation of that standard means is that
9	carriers in the individual and the small group market
10	there, the benefits are considered reasonable in
11	relation to the premiums, if they meet a 75 percent
12	loss ratio in the state of Virginia.
13	The Federal loss ratio is 80 percent for
14	both of those, and there is one other difference
15	between those two loss ratio measures. The Virginia
16	loss ratio measure of 75 percent is on a projected
17	basis looking into the future, so all of these
18	carriers must certify that their 2019 rates are
19	expected to meet at least a 75 percent loss ratio in
20	the state of Virginia in the individual and small
21	group markets.
22	The federal loss ratio standard is
23	really a retrospective standard, you look back at how
24	your claims have come in relative to your premiums,
25	and if you have fallen below 80 percent in the past,

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1	that is when you refund the money to the customer.
2	COMMISSIONER JAGDMANN: So the insurance
3	
	carrier does not get to keep that money, if they
4	MR. SHEA: They get to keep it, if their
5	experience is at least an 80 percent loss ratio or
6	greater.
7	COMMISSIONER JAGDMANN: Okay. Well,
8	let's say that their experience is they have made a
9	lot of money and that their loss let's say their
10	loss was 50 percent, then would they have to give
11	back some money?
12	MR. SHEA: They would have to give back
13	a considerable amount of money in that case.
14	COMMISSIONER JAGDMANN: To whom?
15	MR. SHEA: To the individuals who drove
16	that loss ratio to 50 percent, it would be the
17	individuals enrolled in their plans
18	COMMISSIONER JAGDMANN: Okay.
19	MR. SHEA: for that period of time.
20	COMMISSIONER JAGDMANN: I think that's
21	worth emphasizing, as we are seeing these rates going
22	up. That they have to actually be losing or paying
23	out
24	MR. SHEA: It has kind of been an
25	interesting dynamic, Judge Jagdmann, because when the
25	inceresting dynamic, sudge sagumann, because when the

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1	Federal loss ratio standard first came into play in
2	2010 or 2011, generally, a few carriers in the
3	individual market were below and in some cases a few
4	were well below the 80 percent standard, so the first
5	2 or 3 years, there was a good amount of refund money
6	going back to consumers, but that has abated quite a
7	bit in the recent past.
8	A good number of companies now are
9	experiencing loss ratios of 80 percent or more, there
10	are still a few that come in below that; but,
11	generally speaking, companies are pricing toward the
12	Federal and the State standards, so even though the
13	premiums are going up, the claims are going up with
14	them.
15	The dollar amounts gets bigger on the
16	premium side, but they also get bigger on the claim
17	side, so they can certify and experience the fact
18	that the rates that they set back then met an 80
19	percent standard.
20	COMMISSIONER JAGDMANN: I heard
21	Commissioner White mention that sometimes there is
22	repricing for competition. Does that mean that
23	they're pricing to lose more than the 80 percent?
24	MR. SHEA: I don't not necessarily.
25	There is a lot of stuff that goes into that.

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1	Conception componing and pricing to at least most
1	Generally, companies are pricing to at least meet
2	those loss ratio standards.
3	COMMISSIONER JAGDMANN: And not more?
4	MR. SHEA: You know, they
5	COMMISSIONER JAGDMANN: For competitive
6	reasons
7	MR. SHEA: They can go more, they just
8	can't go
9	COMMISSIONER JAGDMANN: And they might
10	do that for competitive reasons.
11	MR. SHEA: That's possible. That's
12	possible.
13	COMMISSIONER JAGDMANN: But, in general,
14	are you
15	MR. SHEA: But you got to be able to
16	certify that those adjustments were valid and
17	reasonable.
18	COMMISSIONER JAGDMANN: Right. Right.
19	So in your experience, are you seeing people pricing
20	to those numbers and not to generally? I mean
21	sometimes you could price to pay out more. I am
22	just asking, are you seeing, in general, people
23	pricing or companies pricing to those numbers?
24	MR. SHEA: Again, I am seeing that they
25	are pricing at least to a 75 or 80 percent loss ratio

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1	standard
2	COMMISSIONER JAGDMANN: And maybe to pay
3	out more.
4	MR. SHEA: And maybe to pay out more.
5	And what do you mean by saying pay out more?
6	COMMISSIONER JAGDMANN: In the year, to
7	experience more loss.
8	MR. SHEA: Oh, okay. Well, yes,
9	certainly, if they're pricing to a higher loss ratio.
10	COMMISSIONER JAGDMANN: Right, to a
11	higher loss ratio.
12	MR. SHEA: There is a possibility
13	that
14	COMMISSIONER JAGDMANN: And you might do
15	that for competitive reasons.
16	MR. SHEA: You could do that for many
17	reasons. Your expense structure, some places are
18	a lot of companies have fixed expenses that don't
19	change regardless of the growth in membership. And
20	so those costs will always be there, and then you lay
21	on top claims and other variable expenses and things
22	like that.
23	They're generally pricing to meet the
24	loss ratios or exceed them, when they're looking into
25	the future, and then, when they look in the past, my

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1	noint boing is that they started out refunding a bit
	point being is that they started out refunding a bit
2	of money over time, but that has gone down quite a
3	bit as companies are pricing more toward than 75 and
4	80 percent standard.
5	COMMISSIONER JAGDMANN: Okay. Thank
6	you.
7	MR. SHEA: Scott mentioned that we
8	have a new rate filing template, we worked with one
9	of our consultants, we introduced it for this
10	season's ACA rate filings.
11	The template is a standardized format
12	for all carrier experience data, all of their
13	projections, the sources of their rate changes, and
14	many other things. We also included prior exhibits
15	that were required with each rate filing including
16	the presentations that you will see today, that is
17	part of the rate filing template.
18	The benefit from there is, when a
19	company makes changes like they did recently and
20	resubmitted their filings July 17th, the changes that
21	they make directly feed into the rate presentation
22	templates, so there is not a lot of checking and
23	going back and forth, there is an automatic feed,
24	where they don't have to sit there and separately
25	enter things for that.

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1	The template is also consistent with the
2	definitions of the Federal template, the unified rate
3	review template, which is all carriers are required
4	to submit.
5	The summary also allows us to create the
6	graphs in the charts that you saw recently, that we
7	can aggregate things for an entire market and do some
8	statewide analysis. It also allows us to spot any
9	outliers and how things have changed from the last
10	year's rates that were approved.
11	Now, we are well aware that this was a
12	bit burdensome on carriers at the beginning, but it
13	went fairly smoothly, given the size of the template
14	and what it contains; and, going forward, the 2019
15	templates can be completed once the rates have been
16	approved for this year, and so, going forward, there
17	is just a matter of updating the template each year.
18	I thought I would give you a sample of a
19	couple of questions that came up during rate review.
20	Companies' identities are hidden. But here is one
21	question that the consultant actuary asked.
22	They looked at the company's trend
23	experience, and this is medical trend, this is your
24	underlying change in the cost of services and the
25	utilization of those services. This is not some

1	general economic data point.
2	Trends are specific to each carrier, and
3	they experience different trends at different points
4	in time, but those changes represent the underlying
5	cost and utilization for healthcare services.
6	And in this particular example, the
7	consultant noticed that the experience trends for the
8	carrier, shown up there, were all lower than their
9	proposed trend of 8.9 percent, so this is an example
10	of you could say it is not exactly consistent with
11	their experience, so the consultant asked them to
12	provide qualitative, meaning provide a narrative,
13	provide a description of what went into your trend,
14	and quantitative support, show me how you calculated
15	it to justify the use of the increased trend.
16	The second one gets real technical, but
17	basically this is another example of a carrier was
18	calculating age and gender changes, and the
19	consultant simply wanted to know were those
20	calculations internally consistent, and, in
21	particular, did you use the Federal age factors to
22	develop these.
23	And so, again, those were just a couple
24	of examples of questions that we see that come up
25	during the rate review process.

1	Every year presents pricing challenges.
2	And what do we mean by pricing challenges? Well, it
3	used to be years ago that medical trend was a pricing
4	challenge every year for actuaries. Those were the
5	good old days. We look back fondly on those.
6	Now, there are many different
7	challenges. Every year, the population morbidity
8	that a carrier has to anticipate is probably one of
9	the bigger challenges that carriers face each year,
10	because they have to determine the health status of
11	their population compared to the statewide average.
12	It is not just looking solely at
13	individuals that are enrolled with that carrier and
14	their health status, but they have to determine how
15	do the health status of my folks compare to the
16	health status of everyone in the state market, and
17	there are lots of things that can change that.
18	We've mentioned carrier entrances and
19	exits, member movement between carriers, member
20	movement within carriers going from one plan to
21	another, the presence of high cost claimants and
22	whether they are with you and would you expect them
23	to enroll with you next year.
24	A new challenge entered the Virginia
25	market. As you know, Medicaid is being expanded in

1	Virginia January 1, and there are about 89,000
2	individuals currently enrolled in the individual
3	market that will now qualify for Medicaid, so that
4	could change the risk profile for an individual
5	carrier, if they know they have those people. They
6	probably know what those relative health status looks
7	like, and so they would have to factor in how many of
8	those people would they expect to go to Medicaid and
9	how will that change their company's risk profile.
10	Scott mentioned earlier the existence of
11	association health plans and short-term limited
12	duration plans. These were two movements by the
13	Federal government to try to offer more options for
14	those enrolled in the ACA market.
15	The association health plans, those
16	Federal rules have come out, it basically allows
17	individuals or groups to band together to form
18	associations and directly compete with the ACA
19	market.
20	Not exactly sure how that's going to
21	work out. We are not sensing a huge movement afoot
22	on creating these association health plans, because
23	it does get a bit complicated. The more threatening
24	aspect, I would say, with respect to ACA plans, would
25	be the presence of short-term limited duration plans.

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1	Now, these plans have always been
2	available. Generally, they cover 30, 60 or 90 days.
3	They generally do not cover preexisting conditions,
4	and they generally reject individuals that don't pass
5	medical underwriting.
6	Now, that was then. We are not sure
7	what now is, because the Federal rules have not come
8	out. But I would say between association health
9	plans and short-term limited duration plans, the
10	short-term plans probably represent the greatest
11	encroachment into the ACA market, and the net effect
12	could be that it attracts a good number of healthy
13	individuals away from the ACA market, which then go
14	back to the top of the page here, will affect the
15	company's morbidity profile and will probably cause
16	rates to go up, if anything, with the presence of
17	these plans.
18	They're probably, once the Federal
19	rules come out, there is probably going to be a bit
20	more activity on this front, and we will certainly
21	keep our eyes open for anything like that.
22	COMMISSIONER JAGDMANN: You think it
23	would cause rates to go up because sicker people are
24	left behind?
25	MR. SHEA: Yes, ma'am, exactly. Plain

1	and simple.
2	The CSR load. Now, if you might recall,
3	CSR, cost-sharing reductions, this actually occurred
4	last year, right in the middle of rate filing season,
5	where the Federal government decided not to fund
6	cost-sharing reductions, and they're not giving money
7	to the carriers for selling these plans.
8	And so what the reaction that
9	carriers had to have is they had to cover the cost of
10	those claims in their premiums, and the CSR,
11	cost-sharing reduction plans are all silver plans, so
12	this caused an increase, on average, of about 20
13	percent of silver plans.
14	Silver plans went up approximately
15	20 percent to cover the lack of funding for
16	cost-share reductions. Now, this occurred last year,
17	but not all carriers made that attempt to adjust.
18	This year, they have all come up to the
19	same level, to cover those costs.
20	And one last pricing challenge, and,
21	again, the challenges are what are the areas of most
22	uncertainty that are that is going to go into your
23	rates.
24	It is things that have generally never
25	happened. Now, you can study from other states'

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1	experience or other carriers' experience or go with
2	the consulting firm and to have them help you out,
3	but this is why I call them challenges, is because
4	there is new dynamics in the market that raise the
5	level of uncertainty.
6	COMMISSIONER CHRISTIE: Before you
7	leave I don't know if you are getting ready to
8	leave this slide, but back on the short-term health
9	plans and the AHPs, the Association Health Plans, and
10	undoubtedly you are correct, it is an uncertainty
11	because, to the extent that a person in the
12	individual market, who is in the individual market,
13	who is buying an ACA plan, may leave, if offered a
14	short-term plan, or an Association Health Plan, could
15	obviously affect negatively the health of the pool,
16	because they're leaving the pool.
17	MR. SHEA: Correct.
18	COMMISSIONER CHRISTIE: That's true. It
19	is also true that, again, the landscaper, the plumber
20	making \$50,000 a year cannot afford the premiums and
21	they have left the market already or they're going to
22	leave the market already, and so this simply gives
23	them and, again, this decision is going to be made
24	above us, it is not like we are debating whether we
25	are going to have these or not, this is being made at

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1	a higher level up I-95, but it clearly would at least
2	offer an option to
3	MR. SHEA: That's the idea, yes.
4	COMMISSIONER CHRISTIE: the \$50,000 a
5	year working person, who has no option now, they
6	simply cannot afford the premiums.
7	MR. SHEA: Right.
8	COMMISSIONER CHRISTIE: So that's not
9	going to affect the morbidity of the remaining pool
10	because they're not in the pool now, they have left.
11	MR. SHEA: Very true. Now, that is
12	quite true. If they are not there to begin with, it
13	has no impact on the pool. You would like them in
14	the pool anyway, the bigger your pool, the more
15	predictable and stable your costs will be. They'll
16	not necessarily be lower, they'll be more predictable
17	and stable the larger your pool gets; but certainly,
18	what folks need to understand about short-term plans,
19	and, again, I don't want to speak out of school
20	because the regulations have not been released yet or
21	the proposed regulations haven't been released; but,
22	generally speaking, short-term duration plans don't
23	cover things like maternity, and they don't cover
24	things like prescription drugs. They may not cover
25	mental health services. It is uncertain right now.
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1	COMMISSIONER JAGDMANN: Like with any
2	policy, you need to know what is in there.
3	MR. SHEA: Need to read the fine print.
4	But if you go on how these policies operated in the
5	past, they will be available only to healthy people,
6	because they won't cover preexisting conditions.
7	COMMISSIONER CHRISTIE: Right.
8	MR. SHEA: And, in the past, these plans
9	could be medically underwritten, and so you would get
10	to a point where you don't pass underwriting, so
11	those plans aren't available to you, so if you can
12	imagine a scenario where you have those plans
13	operating in concert with the ACA market, where there
14	is guaranteed issue and there is no health status
15	rating, and the plan the short-term duration plans
16	provide less coverage than an ACA plan, so the rates
17	will be incredibly lower and quite attractive, but it
18	is only going to be available to people who don't
19	have preexisting conditions and who can pass medical
20	underwriting, so you can imagine what that pool will
21	look like compared to the ACA pool, so we just have
22	to be very cautious on the development of these plans
23	and the pervasiveness of them, once they get into the
24	market.
25	COMMISSIONER CHRISTIE: That's true;

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1	but, again, if someone cannot even afford a plan now,
2	this may be an option.
3	MR. SHEA: This will provide some
4	temporary coverage.
5	COMMISSIONER CHRISTIE: At least for
6	hospitalization.
7	COMMISSIONER JAGDMANN: The old
8	catastrophic plan.
9	MR. SHEA: It is probably how they will
10	develop, yes.
11	COMMISSIONER CHRISTIE: It is going to
12	be mostly a catastrophic or a hospitalization plan.
13	MR. SHEA: True.
14	COMMISSIONER CHRISTIE: And, again, we
15	are not advocating for or against, because, again,
16	this decision is not going to be made at our level.
17	MR. SHEA: Right.
18	COMMISSIONER CHRISTIE: But the effect
19	here is on, obviously, rates, and you are right, it
20	is the uncertainty in trying to price a product when
21	you have this degree of uncertainty, which is going
22	to be more so.
23	MR. SHEA: Well, and particularly with
24	short-term plans, the uncertainty is we don't know
25	what the rules are.

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1	COMMISSIONER CHRISTIE: Right.
2	MR. SHEA: And the rules could come out
3	a week after our rate filing deadline. Carriers will
4	have no option of just their rates for that, so a lot
5	of this is all gets down to timing sometimes, and I
6	will get to a slide in a minute to show the impact of
7	timing on rate levels from last year.
8	This is just a quick chart on data that
9	we can pull using our new rating tool. We looked at
10	total trend, the trend I described earlier, for the
11	individual and the small group markets.
12	Now, in Virginia, for 2019, carriers are
13	assuming an average of a 6.2 percent trend, the range
14	is anywhere from 5.3 to 9.1.
15	Again, these trends are specific to each
16	carrier, and it is incumbent upon the carrier to
17	justify and support those trends, so the same amount
18	of scrutiny will go into the 5.3 as goes into the
19	9.1.
20	I would say that's a fairly tight range
21	around trend, and, as you can see, because we asked
22	the carriers to provide their 2018 rate filing data,
23	we saw that the change in that trend from 2018 is a
24	slight decrease of three-tenths of a percent; and,
25	again, what is helpful here is we can compare that to

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1	what is going on nationally, and generally what we
2	have seen and heard nationally is the trends and rate
3	filings this year are about the same or a bit lower
4	than they were last year, and that's exactly what we
5	see here in Virginia.
6	We also look to the trends in the small
7	group market, had the same amount of information,
8	and, again, the average dropped about three-tenths of
9	a percent from last year.
10	COMMISSIONER CHRISTIE: As a trend, you
11	are talking healthcare costs.
12	MR. SHEA: Talking the underlying change
13	in cost and use of services, yes, sir.
14	COMMISSIONER JAGDMANN: Meaning it is
15	going up about the same as it did last year.
16	MR. SHEA: Or a little bit less.
17	COMMISSIONER JAGDMANN: Slightly less.
18	Slightly less.
19	MR. SHEA: A little bit less.
20	COMMISSIONER JAGDMANN: It is not that
21	it is staying the same
22	MR. SHEA: Right.
23	COMMISSIONER JAGDMANN: when we say
24	it is not changing.
25	MR. SHEA: Right.

1	COMMISSIONER JAGDMANN: It is going up
2	by about the same percentage.
3	MR. SHEA: It is going up about the
4	same, yes. It is like last year, I got a 5 percent
5	raise and this year, I got a 4 percent raise. I
6	still got a raise, it is 1 percent lower than last
7	year.
8	COMMISSIONER JAGDMANN: Right.
9	COMMISSIONER CHRISTIE: That's the
10	statewide average; correct?
11	MR. SHEA: That's the average that we
12	have seen in our rate filings to the ACA markets.
13	COMMISSIONER CHRISTIE: Well, talk about
14	the role that healthcare costs play in the rate
15	setting.
16	MR. SHEA: They're in all of this.
17	COMMISSIONER CHRISTIE: Okay. Let me
18	ask you this then. Again, we have first of all,
19	let's explain on rating areas, because we talk about
20	counties, but really Virginia is divided into rating
21	areas.
22	MR. SHEA: For the ACA.
23	COMMISSIONER CHRISTIE: For the ACA.
24	And these rating areas are geographic but they're not
25	contiguous necessarily with every individual county,

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1	it is not a rating area.
2	MR. SHEA: That's true.
3	
	COMMISSIONER CHRISTIE: I think we have
4	about 12, don't we?
5	MR. SHEA: Our rating areas are the 11
6	MSAs and the one non-MSA area, which is generally
7	most of that orange that you saw on the individual
8	chart.
9	COMMISSIONER CHRISTIE: So do you look
10	at healthcare costs within a rating area
11	specifically?
12	MR. SHEA: We don't necessarily look at
13	healthcare costs within a rating area specifically.
14	Carriers do not have to certify loss ratios at that
15	level. So it is also a matter of credibility. When
16	you start whittling down carriers' experience into
17	smaller and smaller pieces, a lot of carriers aren't
18	in a lot of our rating areas, and some carriers are
19	only in Northern Virginia, and they don't operate
20	below that.
21	A good number of our carriers, because
22	of where they operate, most of them in Northern
23	Virginia, they don't have rates that vary by area.
24	They're self-contained, and they just assume they
25	aggregate the costs for whatever rating areas they

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1	operate in, there is no requirement that carriers use
2	rates that vary by area, and some do and some don't.
3	COMMISSIONER CHRISTIE: Because a lot of
4	parts of Virginia, and we have had this discussion
5	before in these hearings, have only one and let's
6	talk about the cost of healthcare and the cost to
7	providers, there are a lot of parts of Virginia which
8	we talked about a monopoly situation with regard to
9	the insurance carrier, 70 percent of the counties
10	only have one insurance carrier, which is a
11	definition of monopoly; but a lot of parts of
12	Virginia only have one major hospital chain.
13	MR. SHEA: That's very true.
14	COMMISSIONER CHRISTIE: Which is also
15	monopolistic; and does that factor into your rating
16	determinations?
17	MR. SHEA: How that factors in is from
18	the carrier's perspective. Carriers try to work with
19	hospitals and physicians to come up with
20	reimbursement arrangements and fee schedules that
21	both can agree on, and the impacts of those contracts
22	are contained in all of the healthcare claims that we
23	see.
24	COMMISSIONER CHRISTIE: Well, you know,
25	a healthcare an insurance company or healthcare

1	plan that has a monopoly in 70 percent of these
2	counties, it has a monopoly as a seller to those
3	consumers who are buying insurance plans; but the
4	other side of the monopoly coin is that it has a
5	monopsony, in economic speak, as a purchaser of
6	healthcare services.
7	Now, the hospitals don't want to hear
8	this; but so do you expect healthcare plans that have
9	a monopsony purchasing situation to use that to try
10	to drive down healthcare costs.
11	MR. SHEA: It would benefit everybody,
12	if that were to happen. We had a situation recently
13	with one carrier that was in the Charlottesville
14	area, they actually had planned to sell plans in the
15	Charlottesville area, and they recently resubmitted
16	and withdrew their plans for that area, which we went
17	from two carriers to one carrier there; and so the
18	reason why they left the Charlottesville area, our
19	understanding is they couldn't reach agreement with a
20	certain hospital system in that area, and so they
21	chose not to sell plans there.
22	And so, as a result of that, you have
23	got the one carrier left, and in many of the areas
24	like you said, there is really only one hospital or
25	hospital system someone can choose from without

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1	driving a long way.
2	COMMISSIONER JAGDMANN: That's going to
3	continue to be an issue, we see mergers, hospital
4	mergers that exacerbates that issue.
5	MR. SHEA: I won't go through a lot of
6	these other numbers again. We were able to pull
7	morbidity, and as you would expect, the impact of
8	morbidity, relative health status is much greater in
9	the individual market than it is in small group, and
10	we had we were able to run, for the carriers that
11	increased their silver rates to account for the lack
12	of CSR funding, their silver QHP rates increased an
13	average of 22.7 percent.
14	What this means is if there is funding
15	for CSR, CSR's silver rates would be 22.7 percent
16	lower than they are right now.
17	COMMISSIONER CHRISTIE: Well, and one
18	thing Judge Jagdmann mentioned, which is an important
19	point I think to understand too, because we talked a
20	lot today about concentration in the insurance
21	market, and we are heading towards a monopolistic
22	situation in most of Virginia from insurance
23	companies, but hospitals are concentrating
24	tremendously.
25	Under the ACA, you have had tremendous,

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1	on a national basis, concentration of hospitals, and
2	that's trending towards the monopolistic situation on
3	that side too, and so you have got monopolistic
4	concentration under not only the insurance market
5	but also in the hospital market.
6	Of course, some economists would argue
7	that, you know, a monopoly purchaser is in a better
8	position to bargain with the monopoly seller, but,
9	generally, monopoly is not good for consumers in any
10	situation; and we are seeing not only monopoly the
11	increased concentration in the insurance industry,
12	but we are seeing it in the hospital industry as
13	well.
14	MR. SHEA: And we talk about buyers and
15	sellers, but I would like to point out a major
16	difference in the health insurance product, which has
17	certainly, under the ACA, been commoditized over the
18	last few years.
19	Insurance companies are one of those
20	rare things where they don't know the cost of the
21	product they're selling until it has been out there a
22	long time. All of these rates are in effect
23	estimates, and they hope that the cost of the product
24	that they're selling does not exceed the price of
25	that cost, and so it is an interesting little

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1	dynamic, we do think of it as selling a product and
2	this is the price and that is how much it costs.
3	At that time, that's the expectation of
4	cost. The carriers have to wait a while to figure
5	out that the price that I set was either sufficient
6	or inadequate, but they don't know the cost of their
7	product when they sell it.
8	What I wanted to show you here briefly,
9	there is one obvious bar that jumps out is the one
10	below.
11	The top bars on blue, those are simply
12	reproductions of some information Scott shared
13	earlier, which was the statewide average premiums
14	over the years; and you can see last year, in 2018,
15	the average rate change in Virginia for the
16	individual market was 69.1 percent. What I want to
17	point out for that number is, at the beginning of the
18	2018 rate filing season, that 69.1 percent was
19	29 percent.
20	Now, let's have a little trip down
21	memory lane and figure out why it went from 29
22	percent to 69 percent.
23	After the company submitted their rate
24	filings, the government announced that there would be
25	no more funding for cost share reduction plans. We

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1	see earlier that that drives the silver rates up
2	22 percent or 20 percent on average. Silver plans
3	represent about three-quarters of the company's
4	business, so that factors that drove that 29
5	percent average up immediately.
6	At the time, during the summer, there
7	was a considerable amount of activity in Washington
8	with respect to repeal and replace. Now, while this
9	was all talk and some proposals had more legs than
10	others, this creates an enormous amount of
11	uncertainty as to whether a carrier who is going into
12	this market who is in this market will even have a
13	market, so those things happened.
14	There was enormous amount of talk. They
15	weakened the individual mandate, there was talk that
16	they weren't enforcing it as much as possible, and
17	so, therefore, the compelling reason for people to
18	get insurance, they were whittling away at that.
19	All of those things rolled up, I would
20	say arguably, it was probably the most uncertain year
21	after the first year of the ACA, where everything was
22	brand-new and no one was in the market.
23	So after all of that activity, carriers
24	and then we had market exits, we knew about some at
25	the beginning of the filing season and others

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1	occurred after, and so once carriers had time to
2	assimilate all of this information, the average rate
3	increase in the individual market went from
4	29 percent to 69 percent.
5	And over that period of time, 2014 to
6	2019, the increase in the average premium in the
7	individual market in Virginia increased 158 percent.
8	Similarly, in the small group market,
9	over that same period of time, the average increase
10	in the small group market was at 25 percent increase
11	over that same 5-year period. Obviously, small group
12	is a bit much more stable, you can see the rate
13	changes below.
14	The highest in the last 5 years was
15	approximately 18 percent, but in the first year of
16	filing rate changes, the small group rates actually
17	went down on average, about 5 percent.
18	COMMISSIONER CHRISTIE: Yes, but that's
19	after they had jumped. I mean let's be real here.
20	You are putting 2014 as the baseline,
21	that was the first year of the ACA policies; and our
22	first year we did this, we looked at the comparison
23	between where rates were before the ACA, and you are
24	not putting that in.
25	COMMISSIONER JAGDMANN: '13.

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1	MR. SHEA: Oh, absolutely. We are not
2	putting in any rate changes in the first year of the
3	ACA because, as you recall from those presentations
4	back then, the rate changes were
5	COMMISSIONER CHRISTIE: Huge.
6	MR. SHEA: They were quite varied, and
7	so it really it is apples and oranges, and it is a
8	little bit it was a little bit harder in the past
9	to measure rate increases because carriers filed rate
10	changes at different points in time, their plans were
11	different, the comparisons were virtually impossible.
12	But now, a lot of the things are
13	standardized, and so it is quite easy to measure
14	changes over time.
15	Again, the big takeaway here is that's
16	why there is groups working on stabilizing the
17	individual market because of these changes that we
18	have seen over the last few years.
19	COMMISSIONER JAGDMANN: Okay.
20	MR. SHEA: And now we have our list of
21	presenting companies. We decided this year to go in
22	order of projected market share, so our first
23	presenter happens to be on the phone.
24	COMMISSIONER JAGDMANN: Okay.
25	MR. SHEA: We had a couple of last

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1	minute emergencies yesterday, and so, unfortunately,
2	we have a couple of companies that will be
3	participating by phone. They have been on the whole
4	time here.
5	
	COMMISSIONER JAGDMANN: Okay.
6	MR. SHEA: And I am going to now turn it
7	over to Cigna to present their information on their
8	individual rate filing, and I will be working the
9	slides for them.
10	And, if you could, introduce yourself
11	and provide your title as clearly as possible for
12	Cigna. Thank you.
13	MR. HOFFMAN: Good morning. My name is
14	Zach Hoffman. I am an actuarial manager with Cigna
15	and the signing actuary for our individual
16	COMMISSIONER JAGDMANN: Can you turn
17	that up.
18	MR. HOFFMAN: rate filing in
19	Virginia.
20	COMMISSIONER JAGDMANN: If you would
21	wait just a moment. They are going to try and turn
22	it up just a little bit.
23	MR. HOFFMAN: Okay.
24	COMMISSIONER JAGDMANN: Okay. I think
25	we are ready to try again.

1	If you would start over, please.
2	MR. HOFFMAN: All right. Good morning,
3	everyone. My name is Zach Hoffman. I'm an actuarial
4	manager with Cigna, and I am the signing actuary for
5	our individual filing in Virginia.
6	To walk you through the material that
7	was provided with the rate filing template that David
8	discussed
9	MR. SHEA: Zach, could you hold on just
10	a minute. We have got a little technical issue with
11	our display monitor here.
12	MR. HOFFMAN: Okay.
13	COMMISSIONER JAGDMANN: We are going to
14	take a 10-minute recess while they work with the
15	audiovisual. We will come back at 10:30.
16	MR. SHEA: Thank you.
17	(Recess from 10:21 a.m. to 10:28 a.m.)
18	THE CLERK: The Commission resumes this
19	session. Please be seated.
20	COMMISSIONER CHRISTIE: Did you get it
21	working?
22	MR. SHEA: Perfect. Yes. Thank you
23	very much.
24	We will wait for everybody to get back
25	in.

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1	COMMISSIONER JAGDMANN: All right. We
2	will start again.
3	Would the gentleman from Cigna please
4	identify yourself, please.
5	MR. HOFFMAN: Good morning. My name is
6	Zach Hoffman. I'm an actuarial manager with Cigna,
7	and I am the signing actuary for our individual rate
8	filing in Virginia.
9	COMMISSIONER JAGDMANN: Okay.
10	You may proceed with review of your
11	templates.
12	MR. SHEA: Okay. Go ahead.
13	MR. HOFFMAN: All right. Perfect.
14	So this is Cigna's third year in the
15	Virginia market. We came into rating area 7 and
16	rating area 10 in 2017. We are participating this
17	year and filing rates for the same geographic
18	footprint for 2019.
19	If we are starting at the top of the
20	template, our requested average rate change is
21	15.1 percent. In breaking that out, to look at adult
22	and the child rate change, adults are also
23	15.1 percent, and the child rate change is a little
24	bit different at 15.2 percent.
25	I do want to, you know, cull out there

1	
1	were no differences in assumptions for adults versus
2	children, that's really just an element of, you know,
3	the plan selections that members under the age of 21
4	are currently in.
5	There is no difference in the pricing
6	methodology, just, you know, kind of a technicality
7	of the calculation.
8	Okay. Moving on to the rest of the
9	exhibit, you know, we have three plans laid out here.
10	Our most popular plan, which is our lowest cost
11	silver plan in rating area 7, the minimum rate change
12	plan is our gold plan in rating area 10, and our
13	maximum rate change plan is our lowest cost bronze
14	plan in rating area 7.
15	Looking at the cost sharing description,
16	not a lot of changes. Really, for the most part, you
17	know, the plans are very similar from 2018 to 2019.
18	The main movement is in the
19	out-of-pocket max moving from \$7350 to \$7900. And
20	then also there is some movement in the deductibles
21	for the plan designs as well.
22	COMMISSIONER JAGDMANN: When you say
23	deductibles, 70 percent, what does that mean?
24	MR. HOFFMAN: The 70 percent is actually
25	the coinsurance, so once the deductible is met, Cigna

1	will be picking up 70 percent of the claims.
2	COMMISSIONER JAGDMANN: And what are the
3	deductibles? I don't see that number.
4	MR. SHEA: I think they're up in the
5	description.
6	COMMISSIONER JAGDMANN: Okay.
7	MR. SHEA: Cigna Connect, 6500. I
8	believe that's the deductible for that plan.
9	COMMISSIONER JAGDMANN: Can you point to
10	that on the audiovisual? You can point it on the
11	screen there. Oh, you can't. Never mind. Forget
12	it. Forget it.
13	MR. SHEA: I can point it there.
14	COMMISSIONER JAGDMANN: Okay.
15	MR. SHEA: Right here, where it says
16	plan name.
17	COMMISSIONER JAGDMANN: Okay.
18	MR. SHEA: In this case, their
19	deductible is included in the plan name. So the
20	deductible for the most popular plan for Cigna is
21	\$6500, and afterwards, it picks up 70 percent.
22	And then they have got two other
23	deductible plans here, a \$1500 deductible, where it
24	picks up 85 percent after, and then a \$7000
25	deductible, where it picks up 60 percent after.

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1	COMMISSIONER JAGDMANN: Okay. All
2	right.
3	MR. SHEA: Okay. Zach, you can go on.
4	MR. HOFFMAN: Thank you, David.
5	So moving on, looking at the drivers of
6	the rate changes from 2018 to 2019, you know, I just
7	want to note we are looking at rates for a 40 year
8	old nonsmoker.
9	So the first line item is for the
10	individual mandate, so this is reflecting the penalty
11	going to zero percent for 2019 and just the risk that
12	comes with members leaving the market, since there is
13	no longer that incentive to stay in, if they don't
14	feel like they necessarily need the insurance
15	coverage.
16	The next items, other morbidity.
17	Outside of the individual mandate penalty going to
18	zero percent, we have actually found, you know, since
19	the product came out of the books in 2017, that, you
20	know, the members we have are actually, you know,
21	lower than initially expected morbidity, so that
22	decrease of 11.5 percent is to, you know, bring the
23	rates in line based on the morbidity of the
24	population.
25	The next line item of trend,

1	5.3 percent, this represents expected increases in
2	medical costs year over year.
3	The next line item is for risk
4	adjustment, so this is just reflecting the changes to
5	our projected risk adjustment transfer for 2019.
6	The HIT moratorium, this is reflecting
7	the holiday on the health insurer or the health
8	insurance industry fee from the Federal government.
9	So since that is going away, we are able to actually
10	reduce rates by the cost of that expense.
11	The line item after that has to do with
12	the other non-benefit expenses, which is other fixed
13	expenses and, you know, the cost that we incur to
14	create selling through the policy, that's a very
15	immaterial change, our expense is pretty consistent
16	year over year.
17	And the final line item in the top box
18	is for benefit changes, so going through the
19	cautionary description, the plans are fairly
20	consistent year over year, so they're a little bit
21	leaner in 2019 than in 2018, so there is a slight
22	reduction in premium to reflect that.
23	COMMISSIONER JAGDMANN: You mention
24	benefit changes. What are these? You have got other
25	change 1, 2 and 3. What are

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1	MR. HOFFMAN: Yes.
2	COMMISSIONER CHRISTIE: Okay.
3	MR. HOFFMAN: So the other changes 1, 2
4	and 3, the first one is other change 1, that's
5	reflecting the way last month the Bureau came up with
6	a position on how to reflect reduced demand, which
7	was the fact we apply the pricing based on the cost
8	sharing of a plan will impact how much a member
9	utilizes a plan.
10	Previously, we had been using an
11	internal study and a regression analysis, to come up
12	with that factor. Based on the BLI's position that
13	they published in late June, when we updated the
14	factors, it was actually a pretty significant
15	decrease for the minimum rate change plan for gold.
16	Switching to the factors that are published by CMS
17	and using the risk adjustment transfer calculation
18	lead to actually a pretty significant decrease in the
19	rate for the gold plan.
20	And then the lowest cost silver and the
21	lowest cost bronze plans, our internal analysis
22	actually had the factor coming out below the CMS
23	published factor, so that resulted in a slight rate
24	increase for those two plans.
25	Other change 2 is reflecting the impact

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1	of Medicaid expansion, so that represents the CSR
2	load or the load we put on the silver rates for CSR
3	being defunded, so with Medicaid expansion, you know,
4	a portion of our population on our single risk pool
5	that is eligible for the highest cost sharing
6	variance of the CSR plan will actually be exiting the
7	individual market and moving over to Medicaid.
8	So, as a result, you know, other change
9	2, which only impacts the silver plan, is coming down
10	because, with those members moving to Medicaid, we
11	would actually require less of a load to cover CSR
12	defunding.
13	And other change 3, it's a combination
14	of a few factors, most of them are immaterial on
15	their own.
16	But really, you know, the key highlights
17	of that include would be as we finalize provider
18	contracts with hospital systems over the last few
19	weeks, we were able to reestimate the unit costs for
20	medical services. 2017 was our first year in the
21	market, so part of the rate billed for 2019 were
22	actually able to reflect actual experience as opposed
23	to using manual rating.
24	And then there is just a few other
25	methodology changes in that bucket as well.

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1	COMMISSIONER JAGDMANN: Okay.
2	COMMISSIONER CHRISTIE: Well, before
3	you
4	MR. SHEA: Go ahead, Judge Christie.
5	COMMISSIONER CHRISTIE: Before you
6	leave is it Mr. Hoffman? Did I get your name
7	right?
8	COMMISSIONER JAGDMANN: Yes.
9	MR. SHEA: Yes.
10	COMMISSIONER CHRISTIE: Let me ask you
11	about an issue. It happens to, in this particular
12	antidote, to relate to Cigna, but I am sure it
13	applies I am not singling you out. It applies to
14	other insurance companies as well.
15	And that is I was talking to a person
16	about two months ago whose wife had been in a
17	hospital, and she was a Cigna their family was on
18	a Cigna group plan, and his wife went in the hospital
19	for a surgery and about a couple of weeks later or
20	three weeks later, he got a bill, and there was a
21	\$10,000 charge on there for something called
22	hospitalist services, and he called the hospital and
23	said you are in network, I know you are in network
24	because I checked it out before we, you know, we went
25	in for the surgery, what is this \$10,000 charge, and

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1	the hospital said well, that's a non-network
2	provider, this hospitalist services.
3	And my question is by the way, he is
4	not the only one who has complained about this kind
5	of thing. When you enter into a network contract, as
6	an insurance carrier, are you aware that hospitals
7	are going to allow out-of-network charges to your
8	covered lives, your covered persons, or why don't you
9	require that as part of the bargaining in the
10	contracting, that if a hospital or a provider comes
11	into your network, that means being in your network
12	and not allowing non-network providers, other than
13	maybe an intense emergency situation maybe you could
14	envision, this was not an emergency situation.
15	In other words, use your bargaining
16	power, and we don't regulate hospitals but we
17	regulate insurance companies, use your bargaining
18	power to insist that your covered lives are not hit
19	with non-network charges at least without prior
20	notice.
21	Have you thought about and Cigna,
22	and, you know, and, again, I am not singling you out,
23	it just happens to be this particular incident was
24	involving Cigna, and not even blaming Cigna because
25	you just paid the network charges, you didn't pay the

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1	non-network charges, the hospital allowed it, so what
2	can you do to, in your bargaining power, to make sure
3	these hospitals don't allow these non-network charges
4	at least without notice.
5	Are you there?
6	MR. HOFFMAN: Yes, that is a great
7	question. I do want to say network construction
8	of network negotiations are outside of my realm of
9	expertise, that is something that we are aware of,
10	and, you know, I know that our team that goes out
11	there and negotiates with the hospitals does their
12	best to build a network that will be able to
13	adequately cover our members and provide them the
14	care that they're signing up for and buying insurance
15	for.
16	I know a lot of times with that,
17	sometimes, for whatever reason we are not able to
18	contract with, you know, that hospitalist or
19	whichever independent physician is providing care at
20	the hospital that is not part of the group that we do
21	contract with, so it is something that our network
22	team does work to try to minimize, but sometimes it
23	is just something that is out of our control.
24	COMMISSIONER CHRISTIE: Well, I can
25	certainly understand I mean logic tells you, if it
25	certainly understand I mean logic tells you, if it

1	is in a critical care ER situation, I mean you
1 2	can't that is sort of a different scenario, maybe
3	you can understand that.
4	But this was a discretionary service
5	that was charged in this case I was told about by
6	this individual, and it wasn't an emergency
7	situation, and the hospital, obviously, allowed it,
8	because they included the bill, and so it would seem
9	like that this while, again, we don't regulate
10	hospitals, but we do regulate insurance companies,
11	that this is the kind of thing that, in your
12	bargaining power, which you have got, particularly as
13	we noticed, you got 70 percent of the counties that
14	only have one carrier, but all the hospitals want to
15	be in your networks, I mean we all know that, they
16	got to be in your networks because you have the
17	covered lives, so you do have that bargaining power
18	to protect your covered lives from these non-network
19	charges, certainly at least without notice.
20	I mean it is one thing if the patient
21	checks in and they're told, by the way, you may get
22	charged for this type of service, just wanted to let
23	you know, at least that would be better than the
24	surprise bill a month later.
25	And maybe the person says well, I don't

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1 want hospitalist serv	ices, whatever that is.
2 Apparently, they come	in and read the chart and make
3 sure you are getting	the right medicine or something
4 like that, I don't kn	ow, this was what was described
5 to me.	
6 But, to	the extent it is discretionary,
7 at least the person s	hould have notice that this is
8 not a network covered	service, and you are going to
9 get hit with a big bi	ll, so do you want that.
10 And that	's something I think insurance
11 companies in their ba	rgaining should be doing, is
12 protecting their cove	red lives that way.
13 MR. SHEA	: Thank you. Do you have any
14 more questions for Za	ch?
15 COMMISSI	ONER CHRISTIE: No. That was
16 the question.	
17 MR. SHEA	: Okay.
18 COMMISSI	ONER CHRISTIE: And he said he
19 wasn't the one to ans	wer it. Maybe maybe you can
20 talk to the one who i	s and let us know.
21 And I am	going to pose that same
22 question. I hope the	rest of the insurance carriers
23 today will at least a	ddress that as well.
24 MR. SHEA	: Okay. Fair enough.
25 COMMISSI	ONER CHRISTIE: Okay.

1	MR. SHEA: All right. Anything else for
2	Zach and Cigna? Okay. Thank you.
3	COMMISSIONER JAGDMANN: Unless they want
4	to talk about ambulance rates as well.
5	MR. SHEA: I would say probably not.
6	COMMISSIONER JAGDMANN: Okay.
7	MR. SHEA: All right. Our next
8	presenter is Kaiser.
9	MS. SCHROER: All right. Good morning.
10	My name is Sheila Schroer, I am chief actuary and
11	executive director of actuarial services for Kaiser's
12	Mid-Atlantic Region.
13	My address is, if I can remember it
14	right, is 2101 East Jefferson Street, Rockville,
15	Maryland, 20852.
16	All right. So this is we formatted
17	the template a little bit so that it was bigger,
18	excuse me, bigger on the screen, and we lost a few
19	COMMISSIONER JAGDMANN: We appreciate
20	it, by the way.
21	MS. SCHROER: I was looking at it, and I
22	couldn't see it, so I was like I have to be able to
23	see it.
24	So we lost the overall average increase,
25	which we are proposing at 39 percent. And that, of

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1	course, varies by plan.
2	We are ranging from a low of
3	14.2 percent up to a high of 49 percent. And then,
4	for our most popular plan, with 58 percent of our
5	enrollment, we have a 44.4 percent rate increase.
6	The changes in the plan design, it's
7	it's hard to see what is changing just from the brief
8	description we have up there.
9	For the most popular plan, we do have an
10	average increase in benefit or improvement in cost
11	sharing, a net combination of that. And a 6000
12	deductible sounds really big, but for this particular
13	plan, most of the services are actually co-pay
14	driven, it is really only the inpatient stays that
15	are subject to deductible.
16	The minimum rate change is an HSA high
17	deductible plan, where the majority of services are
18	subject to deductible and coinsurance, and we do have
19	an increase in deductible there.
20	And then the maximum rate change plan is
21	similar to the 6000 plan in that a lot of the
22	services are not subject to deductible; but, even
23	with that, we did lower the deductible, which
24	increases the cost of the plan.
25	All right. So jumping down to the rate

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1	change section, first, we have the loss of the
2	individual mandate, we are estimating it at
3	6.6 percent; and this is primarily driven by an
4	assumption that we are going to lose over 15 percent
5	of our enrollment, and those members are going to be
6	the younger and healthier members that will drop out
7	of the pool.
8	The other morbidity is like the regular
9	morbidity factor, we have a reduction there of
10	7.7 percent. And that is because Kaiser's enrollment
11	growth is exceeding expectations, and we are
12	expecting to grow again in 2019.
13	And what we have seen historically, when
14	new members come in, we don't actually see a full
15	year's worth of medical claims for new members, it
16	takes time for that annual membership to mature.
17	So we are applying a dampening effect
18	for the expected new members coming into our pool.
19	The flip side to that is risk
20	adjustment, I will come back to trend in just a
21	moment. Until members actually come in and go to the
22	doctor, we don't know if they're really sick or not,
23	and if we don't have a diagnosis for new members,
24	that means we don't really have a good solid risk
25	score. And that is important, because risk scores

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1	drive the amount of risk adjustment payments or
2	transfers you are going to either pay or receive, so
3	if we think the the new members are going to drive
4	or suppress claims cost, the flip side is it means it
5	is going to increase our risk adjustment payment.
6	So the two things aren't one for one,
7	you don't have a minus ten and a plus ten, but they
8	are usually in opposite directions from each other,
9	and there is some offsetting effect there.
10	All right. Going back to trend, we have
11	a 7.2 percent increase there, that is a combination
12	of a five and a half percent annual trend plus an
13	increase in trend from what we had assumed last year.
14	All right. Health insurance provider
15	fee. We have about a 1 percent reduction there, and
16	just a reminder, whether we are loading or taking
17	away the health insurance fee, our the impact to
18	Kaiser is less than it would be for other carriers
19	because of the way we are structured and the way the
20	formula calculates the amount of HIT fee.
21	AND then other non-benefit expenses, we
22	have a reduction on the screen, and that is
23	reflecting that the other non-benefit expenses as a
24	percent of revenue is less than it was in our 2018
25	rates.

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1	And then down, for benefit exchanges, we
2	talked a little bit about that when we talked at the
3	plan descriptions up there. We've got an improvement
4	in benefit for the most popular and the maximum rate
5	change plan and then a reduction in benefit for the
6	minimum.
7	In going down into the other
8	miscellaneous section, base experience is increasing
9	15 percent, and what that means is our 2017
10	experience was 15 percent higher than we projected it
11	to be a year ago. And that's unfortunate, but it
12	happened.
13	Then going down to the CSR impact, we
14	have got
15	COMMISSIONER CHRISTIE: What do you
16	mean, your payout for healthcare?
17	MS. SCHROER: Yes. So that's not an
18	assumption, it is just what happened looking back.
19	COMMISSIONER CHRISTIE: Retrospectively.
20	MS. SCHROER: Yes, we missed it last
21	year.
22	The CSR impact, what you see there is a
23	combination of two things. First, in our 2018, we
24	applied the CSR load across all silver plans, whether
25	it was on exchange or off exchange.

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1	So now we have applied that load only to
2	those HIOS IDs that are on exchange, and for
3	different HIOS IDs off exchange, we are not applying
4	that load.
5	So what that does is it takes the load
6	off of the off exchange silver plans rates and then
7	increases the load on the on exchange rates a little
8	bit, so that's one of the CSR impacts.
9	The other impact is we just
10	underestimated the value of the impact in our 2018,
11	so we need to correct for that, and so the 10 percent
12	increase here isn't the load, it is the correction
13	for the load.
14	COMMISSIONER JAGDMANN: But you
15	intend
16	MS. SCHROER: That we should have put in
17	last year.
18	COMMISSIONER JAGDMANN: But you expect
19	to continue.
20	MS. SCHROER: Yes. So, if you get it
21	right, then the future CSR impact would be zero, if
22	we get it right this time.
23	And then I have to admit, I am not sure
24	what is in all other. It is between 1 and 2 percent,
25	it is just everything else that is miscellaneous.

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1	All right. Any questions on individual?
2	COMMISSIONER CHRISTIE: Because Kaiser
3	is unique, I think, I mean compared to everybody
4	else, you don't really have this problem with the
5	balance billing, right, because everybody is in
6	network for you; correct?
7	MS. SCHROER: Not everybody. We do have
, 8	a very small portion I was taking notes when you
9	were asking questions. I am glad Cigna went first.
10	But the majority of our
11	hospitalizations, we contract with those hospitals
12	for the facilities, but the people conducting those
13	services are Kaiser employees.
14	COMMISSIONER CHRISTIE: Right.
15	MS. SCHROER: And that's fixed for the
16	employee or for the people part of those
17	hospitalizations and the facility costs, but we do
18	have a handful of products that do have non-network
19	benefits and
20	COMMISSIONER CHRISTIE: Are they
21	disclosed to the consumer before
22	MS. SCHROER: They know that they're
23	going to buy it, and I have to say we don't offer
24	those in our individual pool.
25	COMMISSIONER CHRISTIE: Okay.

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1	MS. SCHROER: So our individuals don't
2	have to worry about it; but our groups, they are
3	they're pretty savvy in what they're purchasing for
4	the employees.
5	COMMISSIONER CHRISTIE: Well, group
6	purchase is totally different.
7	MS. SCHROER: Yes.
8	COMMISSIONER CHRISTIE: But it can still
9	be a group covered life who gets hit In
10	the incident I relayed, it was a Cigna covered group
11	policy, but
12	MS. SCHROER: Yes. I can tell it is
13	not my area of expertise either, but I know Kaiser,
14	the culture of the company, if that happened and
15	Kaiser wasn't aware that that was going to happen,
16	Kaiser would most likely hold the member harmless
17	from that and eat the cost themselves, but then go
18	back and fix the contracting or the network
19	management for that. Okay.
20	All right. Do you want to go on to
21	small group?
22	COMMISSIONER CHRISTIE: Sure.
23	COMMISSIONER JAGDMANN: What type of
24	services typically aren't contracted for with the
25	hospital?

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1	MS. SCHROER: If there is a very unique
2	kind of surgery that you need that is not very
3	common.
4	COMMISSIONER JAGDMANN: Not a
5	hospitalist type surgery. I am not sure what they do
6	either.
7	MS. SCHROER: I know. I know. Like if
8	you have a rare diagnosis and Kaiser doesn't have the
9	expertise for that rare diagnosis, you might be sent
10	to like Children's National, for example.
11	COMMISSIONER JAGDMANN: But if you
12	contract with the hospital and you know this hospital
13	uses hospitalists, that's not unforeseen, I would
14	think from an insurance company point of view.
15	MS. SCHROER: Yes.
16	COMMISSIONER JAGDMANN: Thank you.
17	On to small groups.
18	MS. SCHROER: Small group is less
19	interesting, and that's a good thing.
20	So small group, our average filed
21	increase is a zero, that is ranging from a decrease
22	of minus 3.3 percent up to an increase of plus 5.2.
23	We have 21 percent of our membership is in the
24	popular plan, which is a minus 1.6 percent increase.
25	The benefit changes here are not as wide

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1	ag on individual - Tagtually don't know what is
	as on individual. I actually don't know what is
2	changing in the most popular plan. There is nothing
3	in the description there, so there is going to be
4	something underlying that is not shown there.
5	And that's actually the case oh, no.
6	We have got a deductible change and out-of-pocket
7	change and an office visit co-pay change, and some
8	are are less of a benefit or more of a benefit, so
9	it flip flops, but it is small changes relatively
10	speaking.
11	Individual mandate, I shouldn't have
12	shown that, it doesn't apply here.
13	Other morbidity, we have a minus
14	7.6 percent there, and that is for small group, it
15	is larger than what we would normally have, but we
16	are projecting a very aggressive enrollment growth in
17	the small group business; and, as I said before, as
18	those new members come in, they don't utilize
19	services immediately, so it takes a while to really
20	see what their claims costs are going to be, so, in
21	the first year, we are expecting a reduction there.
22	COMMISSIONER JAGDMANN: Because of the
23	individuals that can come in under the group of one,
24	or why are you projecting this increase?
25	MS. SCHROER: Or decrease.

1	COMMISSIONER JAGDMANN: Oh, decrease.
2	MS. SCHROER: Decrease.
3	COMMISSIONER JAGDMANN: Oh, decrease.
4	MS. SCHROER: Yes, it is a decrease. I
5	may have said increase, but it is a decrease.
6	No, it is the new members coming, it is
7	the same concept
8	COMMISSIONER JAGDMANN: Why are you
9	expecting more members coming in?
10	MS. SCHROER: For competitive reasons.
11	We have an aggressive rate increase at zero, and we
12	have internally, we have a marketing and sales
13	effort to go after small business employers.
14	COMMISSIONER JAGDMANN: Okay.
15	MS. SCHROER: So we are basing off
16	the projections off of what the projection team is
17	suggesting.
18	COMMISSIONER JAGDMANN: Okay.
19	MS. SCHROER: All right. Trend, it is
20	at 4 percent, that's is just a teensy bit higher than
21	the trend from last year. I think it was 3.8 last
22	year, now we are at 4 percent.
23	And our risk adjustment is an increase,
24	and you can see it is in the opposite direction as
25	the other morbidity factor.

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1	Then the health insurance fee, removing
2	that is the same impact as individual, and then
3	non-benefit expenses is there is just a very small
4	increase in other benefit expenses as a percent of
5	premium for small group.
6	The benefit changes, we talked about
7	that. Base experience here, sometimes I wonder if we
8	are not identifying individual small group correctly,
9	just because, in individual, the base experience got
10	worse by 15 percent. Here, the base experience
11	improved by 9 percent, so we have a big downward push
12	because of the change in 2017 experience.
13	And then last, all other, it is the
14	miscellaneous items that go into the formula.
15	COMMISSIONER JAGDMANN: Thank you.
16	MR. SHEA: Okay. Our next carrier
17	presenting will be Anthem.
18	MR. CONNELL: Good morning. I am Tim
19	Connell, director and actuary with Anthem, located at
20	2221 Edward Holland Drive in Richmond, and I am here
21	to talk to you about our ACA rates.
22	I will first walk you through the
23	schedules and try to tell you our main considerations
24	and our pricing and along the way try to address the
25	items here in the template and also mention our going

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1	concerns with that have been already discussed
2	here in some of the previous presentations.
3	COMMISSIONER CHRISTIE: Could you expand
4	that?
5	Debbie, help him. See if you can't blow
6	that up a little bit. Hit zoom out or whatever it
7	is. Make those a little bit bigger. It is like you
8	used 6 point type for the numbers.
9	MR. SHEA: Yes. I don't know if
10	let's see what happens here. Is that any bigger?
11	How is that?
12	COMMISSIONER CHRISTIE: That's a lot
13	better, if that's your most popular plan column.
14	That's the silver plan.
15	MR. CONNELL: I can try to scroll, if
16	you want to look at
17	COMMISSIONER CHRISTIE: Scroll on down
18	as you go. That's your most popular plan, so it
19	would be good to see those numbers up front.
20	MR. CONNELL: Yes. All right.
21	COMMISSIONER CHRISTIE: It is easier to
22	see those numbers, yes.
23	MR. CONNELL: I will enlarge it, if we
24	need to. Also, I can scroll to the other sides.
25	So we talked a little bit about the lack

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1 of CSR fundings, so that's definitely a consideration 2 in our rates. 3 We had to -- Since the change -- Since 4 our meeting last year here, we have had to build that 5 into the rates and try to estimate what that cost 6 burden was on the silver plans, as was mentioned 7 earlier. 8 And we are still trying to refine that 9 estimate and trying to see if we got the pricing 10 right. I think that was also mentioned in the last 11 presentation. 12 COMMISSIONER JAGDMANN: But all of these 13 are bronze, it appears. Correct? MR. CONNELL: Right. The first one we 14 15 are looking at is a silver plan. 16 COMMISSIONER CHRISTIE: Oh. 17 MR. CONNELL: Or a 6100 plan. I didn't start with the benefit design. We can look at that. 18 COMMISSIONER JAGDMANN: I've got the 19 20 wrong one. 21 COMMISSIONER CHRISTIE: And that's your 22 most popular is your silver. MR. CONNELL: Right, this is our most 23 popular, and we tend to look at the benefit designs 24 25 in the individual every year.

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1	For a couple of reasons, we want to make
2	
	sure we stay within the designated actuarial value
3	that is allowed, and the AV calculator will change
4	every year, we need to revise sometimes based on
5	that, and we look at just, you know, maybe slight
6	decreases to benefits and helping with the
7	affordability a little bit, so, for this plan in
8	particular, many of the items were left the same, but
9	the out-of-pocket maximum was increased.
10	And I would say that's fairly typical
11	with what we do in the individual market.
12	In the small group market, we look at
13	that as well, but we may try to promote a little more
14	stability and leave some plans alone from year to
15	year.
16	All right. So you can see in these
17	plans, the 6100 deductible, what happens in these
18	cost-sharing plans is they the member will see
19	something quite lower than the \$6100 deductible.
20	The members with the most cost sharing
21	might only see say a 7 or \$800 deductible, that's the
22	extra expense that we are trying to cover when those
23	members reach their deductibles and out of pockets
24	much faster.
25	It continues to be a challenge, though,

1	to price it, as we observe the what the market
2	looks like from our experience period and now
3	looking, you know, to 2017 and the 2018.
4	What we have seen is that the proportion
5	of members in the CSR plans has grown. We think the
6	reason for that is these members are also premium
7	subsidized, and it might be that they're insulated a
8	little bit from some of the high increases, and they
9	may be the ones that are, you know, being retained
10	and not lapsing.
11	COMMISSIONER CHRISTIE: Now, you have
12	absolutely zero for the individual mandate, which is
13	very different than the previous two we just saw.
14	MR. CONNELL: Yes, and I will discuss
15	that, and I would probably just wrap the individual
16	mandate together with what is in the other morbidity
17	column, row.
18	We didn't in particular cull out what
19	the individual mandate was worth, but we've also
20	observed what was on the slides earlier, about the
21	market shrinking; and the market shrinking to us is a
22	signal that the healthier members are leaving and
23	that the pool left over is relatively less healthy,
24	and we kind of equate that in the rate filing to the
25	morbidity increase.

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1	So I would characterize the way we
2	looked at it as bucketing many factors together in
3	trying to come up with this morbidity, which would
4	include the individual mandate being repealed, but
5	also I would include the things that were also
6	mentioned in earlier discussions.
7	The availability of association health
8	plans may be taking individuals out of the market,
9	the short-term policies, which may come into play for
10	2019, and just a lack of CSR funding.
11	Some of the other Federal support around
12	the ACA has been a concern to us, and we think it is
13	causing the market to shrink at probably an
14	accelerated rate.
15	COMMISSIONER CHRISTIE: But you are
16	coming in at only 5 and a half percent increase,
17	that's a very moderate, and certainly, from a
18	consumer standpoint, welcome low number. And it
19	looks like that the biggest two factors that have
20	kept that low are other change 1, other change 2,
21	where you have got some pretty big negatives.
22	What are other change 1, other change 2,
23	that reduce that increase?
24	MR. CONNELL: Yes. And yeah, we are
25	glad you know, it looks like these forces are

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1	helping to bring the rates down.
2	The other change 1 is the Medicaid
3	expansion adjustment that we made, this was a fairly
4	recent one, which was mentioned earlier, that
5	carriers have adjusted their rates in the last few
6	weeks for that; and I think the reason was also
7	mentioned earlier that we considered was that in
8	pricing for the CSR expense, which we now have to do,
9	we think that expense will be a little bit lower when
10	these Medicaid members move out.
11	We think a lot of these members will be
12	on plans with high CSR subsidy, and as they exit,
13	that CSR expense burden that we had to put into the
14	rates gets decreased a little bit.
15	COMMISSIONER CHRISTIE: So that's other
16	change 2?
17	MR. CONNELL: That's other change 1.
18	Other change 2 is, I would say is a combination of
19	factors, and one of them is, if you notice the risk
20	adjustment being a positive number above, that's
21	indicative of, as we withdrew some markets in the
22	state last year, we think the profile of those people
23	left was different than what we had in the 2017
24	period.
25	We think that profile is slightly

1	healthier from the Federal risk adjustment
2	standpoint, and that we would switch from being a
3	receiver in risk adjustment to a payer, and we
4	reflected that as an increase to our rates because we
5	have to reflect what we think is really going to
6	happen on risk adjustment.
7	The other side of that, and I think this
8	was mentioned earlier too, that risk adjustment is
9	tied to the health and morbidity of the population,
10	and I think one of the things helping bring down
11	rates is, if it is that healthier population that
12	makes us pay more in risk adjustment, I think there
13	is an offsetting, which we lumped in together with
14	other, maybe about the same magnitude of 4 percent.
15	COMMISSIONER CHRISTIE: So your gain in
16	morbidity, from pulling out of some of the market,
17	you get a healthier population, of course, the other
18	side, you have to pay more into risk adjustment; but
19	it looks like you gain more from morbidity than you
20	are going to pay out in risk adjustment.
21	MR. CONNELL: Well, I would also
22	characterize the Other 2 was base experience too, so
23	other change 2 was a combination of factors.
24	It includes I think the the favorable
25	profile we are getting, which we are paying for in

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1	risk adjustment, but it also reflects better
2	experience than we expected in the 2017 period.
3	All right. And I think the other lines
4	have been pretty well detailed. The moratorium on
5	the health insurer fee is reflected. Again, we
6	reflected that for the one-year period. As it stands
7	now, as the law stands, we would have to reinstate
8	that in 2020 unless, again, something changes.
9	But I will scroll to the other products
10	as well. Generally, our silver plans are carrying a
11	little bit higher increase, and I think that is
12	reflective of how we have reassessed what expense we
13	have to pay through the CSR, but even so, those
14	silver plans are seeing a 5 and a half and a
15	6 percent increase going over to the this plan is
16	our minimum increase, but there are very few members,
17	and it is our catastrophic plan, and that is seeing
18	the lowest decrease, although the decrease there is
19	similar to what we are seeing in some of our bronze
20	plans.
21	COMMISSIONER CHRISTIE: Well, it looks
22	like your catastrophic is actually going down.
23	MR. CONNELL: It is. It is a decrease,
24	yep.
25	And overall, our increase that we are

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1	filing is a positive 3.6. Where the silvers are
2	going up a little bit, we are seeing generally the
3	other products are flat or slightly negative.
4	Any more questions?
5	COMMISSIONER CHRISTIE: Well, if you
6	could address the very issue I brought up with Cigna,
7	which is is Anthem doing anything to protect your
8	covered lives from getting hit with these non-network
9	charges?
10	COMMISSIONER JAGDMANN: It looks like he
11	is getting a lifeline here.
12	MR. CONNELL: I don't have to phone a
13	friend, I have a friend here in the room, who might
14	be able to answer that.
15	COMMISSIONER CHRISTIE: Again, logic
16	well, not that logic enters into this; but, you know,
17	an ER type charge is a different ball game than a
18	discretionary service. So what can you tell us about
19	that?
20	MS. BERRY WINTER: Lindsay Berry Winter
21	with Anthem.
22	First, I want to make sure you are aware
23	that the Health Insurance Reform Commission is
24	currently studying this issue. The chairwoman of
25	that Commission actually got hit by a surprise

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1	belonce bill benealf, and I believe Deputy
1	balance bill herself, and I believe Deputy
2	Commissioner Blauvelt actually participated in a
3	panel.
4	Anthem had a colleague of mine, who
5	actually represents provider contracting for Anthem,
6	and she spoke in the committee meeting about her own
7	experience with a balance bill, and that shows the
8	big issue is making sure that the everyday person
9	understands the complexities of, you know, health
10	insurance contracting, to so to specifically
11	answer your question, we contract, obviously, with
12	facilities and independent physician groups
13	separately.
14	The issue is when a hospital gives a
15	physician group a monopoly on all of our members that
16	go to that particular facility, so, for instance,
17	anesthesiologists, emergency room physicians, air
18	ambulance providers, radiologists, those type of
19	provider groups for some reason chronically choose
20	not to contract with health insurers, and those are
21	the instances that we feel like are probably most
22	problematic.
23	COMMISSIONER JAGDMANN: Is that because
24	there is a shortage of them and they don't have to?
25	MS. BERRY WINTER: No. We don't believe

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1	it is a rates issue. We actually are seeing a trend
2	in which private equity firms are gobbling up ER
3	physician groups.
4	Once again, we believe it is because
5	they basically have a captive market, and so the
6	Health Insurance Reform Commission is currently
7	deciding on what type of legislation should be
8	answered in the 2019 legislative session.
9	Some of the legislation we have
10	discussed, whether or not a facility so,
11	basically, if a health insurer contracts with a
12	facility, we think there should be the requirement
13	that a facility-based physician group should also be
14	required to contract with the same insurers, so that
15	would get at your particular issue, Judge Christie.
16	COMMISSIONER CHRISTIE: Well, because I
17	am aware that legislative committee has been looking
18	at this issue, at least I am aware it from a
19	newspaper article, but and they could legislate on
20	it, and maybe they will, but we regulate insurance
21	companies, we don't regulate hospitals.
22	MS. BERRY WINTER: Absolutely.
23	COMMISSIONER CHRISTIE: But we regulate
24	insurance companies, and while you have bargaining
25	power, you don't have unlimited bargaining power, you

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1don't have obviously, it is a bargaining process.2It seems like and I know you probably are already3trying to do this. I mean you are not averse to this4at all, obviously, because you are the purchaser of5the healthcare services. You probably prefer they6didn't do this.7But the hospital allows this to take8place. I mean, you know, you may be you may9contract with the hospital chain, and they're all10chains now, and the hospital facility services, as11you know, are in network and subject to your12bargaining, you know, approved charge, but then they13let these non the hospital, I mean, not you,14non-network providers, as you say, because of the15concentration in that industry, you know, some of the16ER groups and anesthesiology groups apparently are17in this particular incident, it wasn't18anesthesiology, it was this hospitalist thing.19MS. BERRY WINTER: Right.20COMMISSIONER CHRISTIE: So I know you21have limited you don't have absolute bargaining22power, but it seems like, from an insurance company23standpoint, you could certainly exert, you know, to24the extent you have bargaining power with the25hospital, that, if you want to be in our network, and		
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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	19	MS. BERRY WINTER: Right.
22 power, but it seems like, from an insurance company 23 standpoint, you could certainly exert, you know, to 24 the extent you have bargaining power with the	20	COMMISSIONER CHRISTIE: So I know you
<pre>23 standpoint, you could certainly exert, you know, to 24 the extent you have bargaining power with the</pre>	21	have limited you don't have absolute bargaining
24 the extent you have bargaining power with the	22	power, but it seems like, from an insurance company
	23	standpoint, you could certainly exert, you know, to
25 hospital, that, if you want to be in our network, and	24	the extent you have bargaining power with the
	25	hospital, that, if you want to be in our network, and

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1	they all do, because you do have the lives, and
2	that's ultimately what they need, is it that you have
3	to agree that our covered lives at least are notified
4	that you are going to allow them to be charged
5	non-network services, if they come into your
6	hospital.
7	I mean I know that, you know, to a
8	certain extent, you are the middle person there, you
9	know, you are not the hospital, but at least but
10	you do have the bargaining power with the hospital,
11	to the extent to say we don't want our covered lives
12	being subject to a non-network charge, at least
13	without being told.
14	MS. BERRY WINTER: And educating
15	healthcare consumers is definitely a big part of it,
16	and that could be something that the Health Insurance
17	Reform Commission chooses to advance.
18	We do have language in our provider
19	contracts that do try to protect our members wherever
20	hospital, so basically, if a provider like a
21	dermatologist, for instance, uses or refers something
22	to an out-of-network provider like a lab, we do have
23	language in our provider contracts today that is
24	supposed to protect against that.
25	The issue is when we have two separate

1	contracts, as I mentioned before, with an
2	anesthesiology group and then with the facility.
3	And I just want to make sure, you know
4	that we want the most robust network possible of
5	providers, that is the key consumer protection
6	mechanism, and so that is our ultimate goal. Like I
7	said before, it really doesn't even come down to
8	rates in many instances, it is just there are certain
9	provider types that refuse to contract with insurers.
10	COMMISSIONER CHRISTIE: And you are
11	between a rock and a hard spot because you,
12	obviously, need to cover the array of necessary
13	services for your covered lives, I mean no one wants
14	to be covered by Anthem and find out well, this
15	doesn't include anesthesiology, so when you do
16	surgery, you do it without anesthesiology.
17	MS. BERRY WINTER: Absolutely.
18	COMMISSIONER CHRISTIE: No one wants to
19	hear that. And so you do have to get those necessary
20	services, so you are under pressure, obviously, to
21	contract with every necessary provider.
22	But the thing about the hospital, the
23	hospital they allow the use of their facility.
24	MS. BERRY WINTER: Absolutely.
25	COMMISSIONER CHRISTIE: So they're

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1	consciously allowing you know, they may be in your
2	network, but they're allowing the use of well, you
3	know, the hospital just says you got to go talk to
4	the anesthesiologist and see if you can sign them up,
5	so they're not even a party.
6	MS. BERRY WINTER: Right.
7	COMMISSIONER CHRISTIE: But it is their
8	facility, and they're letting them us it; and I
9	understand you don't control the hospital, you just
10	bargain with the hospital, and this is part and
11	indicative of the concentration in provider services
12	that is going on, it makes it harder for you to
13	bargain.
14	So I understand, you don't have
15	MS. BERRY WINTER: I wish we had all of
16	the bargaining power.
17	COMMISSIONER CHRISTIE: But they sure
18	have control over their facility. I mean these
19	people didn't show up unannounced and just start
20	doing these things.
21	MS. BERRY WINTER: A somewhat related
22	matter that you touched on earlier, when Anthem
23	exited in 2017 in some of the localities, I did want
24	to make sure that you knew that our primary concern
25	was ensuring that we left no bare localities, and so

1	when we decided to exit and contract our footprint,
2	we were actually past the CMS service area amendment
3	deadline, and then another carrier took decided to
4	amend their service area, and that's why we all
5	scrambled, and we want to thank the Bureau of
6	Insurance.
7	Again, we wouldn't have been able to
8	come back in and cover those bare localities, if it
9	wasn't for them really working with us. There were a
10	lot of operational regulatory hurdles that we had to
11	overcome.
12	Also, Judge Christie, some of the
13	questions you had related to monopsony powers, I just
14	wanted to make sure you knew that one of those bare
15	localities that we came back in to cover, their
16	dominant health system in the area, right after we
17	came back in, terminated our contract with them, so,
18	once again, showing that there really is limited
19	bargaining power on our side, when there is a must
20	have in our network too, which is what we are seeing
21	a lot of with significant concentration in the
22	hospital.
23	COMMISSIONER CHRISTIE: Well, there is
24	no question. One of the big problems in this is
25	national, not just Virginia

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1	MS. BERRY WINTER: Absolutely.
2	COMMISSIONER CHRISTIE: is the
3	tremendous concentration in the hospital industry
4	specifically, which, again, it is not in our
5	regulatory jurisdiction, but you are in the position
6	of having to bargain with an increasing monopolistic
7	industry.
8	MS. BERRY WINTER: And if you will allow
9	me to make just one final point, the reason why
10	Virginia has more than the national average of
11	insurers is because some of our strongest competitors
12	in Virginia are actually owned by some of those
13	health systems. Thank you.
14	MR. CONNELL: Thank you, Lindsay.
15	COMMISSIONER JAGDMANN: I am sure
16	everybody else wishes they brought a lifeline too.
17	MR. CONNELL: Yes. I am deeply in her
18	debt.
19	One other comment I would like to make,
20	just piggy backing off that, about the monopoly
21	situation, it was also mentioned earlier about the
22	Federal MLR restriction, and I think that's a
23	built-in mechanism to insure that there is not any
24	abusive rates or rates that are going to be too high.
25	That mechanism will ensure that, if rates are too

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1	high, they're passed back to customers.
2	All right. I will move quickly to the
3	small group, and we have two legal entities, and
4	their story is similar, so I will probably go through
5	them fairly quickly.
6	We are using our most popular plan here
7	on our PPO legal entity, Anthem Health Plans of
8	Virginia, it is a platinum plan.
9	I would like to preface by saying we
10	file rates in the small group a little differently in
11	that we file not just a first quarter of '19 rate,
12	but we file ahead to the 2nd, 3rd and 4th quarter as
13	well.
14	What you are seeing on the screen here
15	is a first quarter rate, but we have also prefiled
16	the 2Q, 3Q and 4Q rates, but there is an opportunity
17	to refile at a later time, as we might see experience
18	or other factors change.
19	I will just make one point of concern
20	that I will mention, the morbidity number, as a
21	positive increase.
22	We are looking at some different market
23	dynamics that are concerning to us, and we are
24	reflecting a little bit higher number than last year,
25	and I think there are several things going on there,

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1	one of which could be that small employers might be
2	finding ways to remove themselves from the ACA
3	market.
4	They might be finding ways to
5	self-insure. We think that kind of market dynamic is
6	happening.
7	We have seen it in other states that
8	Anthem participates in, and we think some of that is
9	happening in Virginia.
10	If groups are choosing to self-insure,
11	we would expect those to be relatively healthier
12	groups that are choosing to do that and finding some
13	way to lower their costs; but the result would be the
14	rest of the pool that remains in small group would be
15	less healthy, and I believe the charts earlier did
16	show, not to the individual, but the small group
17	market, after the initial couple of years went by,
18	has been shrinking a little bit.
19	And another concern on the morbidity
20	side is what we talked about earlier, with the groups
21	of one, we saw some activity like this in January
22	during the open enrollment period where some smaller
23	employers came in, and we suspect they might have
24	been members of the individual population, before
25	finding that individual coverage to be unaffordable,

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116

1	they might be a business owner that only covers
2	themselves and is allowed to waive participation
3	requirements and come into the mall group market at
4	open enrollment time, so we did see activity along
5	those lines as well.
6	Our suspicion is that these might be
7	the individual market generally is of a higher
8	morbidity than the small group market, so it might
9	actually have what you think is a contradiction of
10	perhaps making the individual market worse, but it
11	might also be making the small group market worse, if
12	it is bringing relatively less healthy people into
13	the small group market.
14	So that's a concern we are watching. I
15	just wanted to point that out though.
16	Still, we are seeing base experience has
17	been pretty good in this market, and the removal of
18	the health insurer fee as well is helping to keep
19	these rate increases very modest on an annual basis.
20	And like I mentioned, we file future
21	quarters. We think some of this favorable experience
22	and also the HIT moratorium will wear off over the
23	quarters, and some of this some of these negative
24	numbers will shrink, and that was going to start to
25	bring some of these annual increases up over time a

1	little bit.
2	And we didn't see as wide of a variation
3	in the rates, so we have our minimum and our maximum,
4	which was due to some reevaluation of the benefit
5	plan here.
6	And I will scroll down quickly to our
7	HealthKeepers legal entity, which is showing
8	generally the same story as our PPO. We evaluate the
9	base experience together. We did see slightly better
10	experience on the HealthKeepers block, and we are
11	going to reflect a little bit lower rate change
12	there.
13	Some of our most popular plans are
14	actually seeing a slight negative for 1Q '19, but
15	generally, those other items that we addressed are a
16	similar story between the HealthKeepers and our
17	Anthem Health Plans of Virginia.
18	And like the Anthem Health Plans of
19	Virginia, we would expect these rate increases to
20	move up a little bit as we progress into 2019.
21	Any questions? Thank you.
22	COMMISSIONER CHRISTIE: I would just say
23	we are very glad you did come back last year into
24	some of the markets you left, because we were really
25	facing a horrible prospect of having completely

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1	uncovered counties, which would have been the worst
2	of the worst. Hopefully, you will come back into
3	more.
4	MR. SHEA: Okay. Our next presenting
5	company is the Sentara Health Management Group, and
6	one of their consulting actuaries could not be with
7	us today, but they will be presenting on the phone,
8	and I believe we have some folks from Sentara here.
9	Correct?
10	If you wouldn't mind coming up here and
11	working the visuals, that would be wonderful. I got
12	you all set up right here.
13	MR. JUILLERAT: Hello. I am James
14	Juillerat, I am the chief actuary with Optima Health.
15	Optima is owner by Sentara Healthcare
16	Hospital System, hence, we are under that name.
17	And I believe on the phone we have
18	Milliman and Scott. Are you there?
19	MR. BENTLEY: I am here.
20	MR. JUILLERAT: Go ahead and introduce
21	yourself, and we can start.
22	MR. BENTLEY: Okay. My name is Scott
23	Bentley, and I am a principal and consulting actuary
24	with Milliman. Basically, I am filling in for
25	Margaret Chance, who had a conflict and couldn't be

1	here today.
2	Margaret is actually the certifying
3	actuary for these plans, and she is also a principal
4	and consulting actuary, and I am also here with Ken
5	Laskowski, who helped develop the rates, just in case
6	there is some questions.
7	I can answer things at a high level, but
8	if there is any detail, I might have to refer to him,
9	because he is the one that really helped develop a
10	lot of this stuff.
11	So James, are you going to go through
12	the small group first, or do you want me to go
13	through the individual?
14	MR. JUILLERAT: Yes, if we could go
15	through the individual first, please.
16	MR. BENTLEY: Okay. So I'm here today
17	to discuss the individual rates for 2019, there are
18	two entities, there is Optima Health Plan, which is
19	the HMO version of the filings, and then there is
20	Optima Health Insurance, which has the PPO plan, so I
21	will walk through the exhibits, hopefully you are
22	going to see the first one is showing the HMO plan.
23	For this plan, we have a composite
24	increase or a composite change of a minus
25	7.4 percent. Showing up there, we have the three

1	plans, the most popular, which is the OptimaFit
2	Silver 4500, and then we have the minimum rate change
3	plan, which is the catastrophic, and the maximum rate
4	change, which is the OptimaFit Silver 1800.
5	So, for the most part, a lot of these
6	are very similar as far as the rate increases and the
7	rate changes that go along with each, so I am going
8	to go through each piece.
9	Mainly, the most popular plan we have
10	makes up 63 percent of Optima's business, so that's
11	where a majority of the changes are happening, so the
12	first two lines there, the individual mandate and
13	other morbidity
14	COMMISSIONER CHRISTIE: Before you leave
15	that, back up under the top of the column, the other
16	carriers in the box with the deductible and the
17	coinsurance had the maximum out of pocket. Where is
18	your maximum out of pocket? Because that's what is
19	really important.
20	I know, as a consumer, I want to know
21	what is my maximum exposure, and the others had the
22	maximum out-of-pocket number in that box as well as
23	the deductible and the coinsurance.
24	MR. BENTLEY: I think that's you got
25	it, James?

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1	MR. JUILLERAT: Yes.
2	This is the product name, I think
3	primarily. We are not listing the out-of-pocket max
4	right here.
5	COMMISSIONER CHRISTIE: Where do you
6	list that? Because we want to know it. That's a big
7	thing to a consumer is what is my out-of-pocket
8	exposure.
9	MR. JUILLERAT: Well, and I don't see it
10	on here. I can tell you it is limited to the 7400.
11	I think it is 7400 this year, which is the federal
12	maximum.
13	COMMISSIONER CHRISTIE: Okay.
14	COMMISSIONER JAGDMANN: So that's what
15	it is.
16	COMMISSIONER CHRISTIE: So that's what
17	it is.
18	MR. JUILLERAT: Well, there might be
19	some that are lower, I don't know, but it cannot be
20	higher than that.
21	COMMISSIONER JAGDMANN: Well, if you'd
22	sort of refile these and put for the file, and
23	just put those in, that would be helpful.
24	MR. JUILLERAT: Yes, ma'am.
25	MR. BENTLEY: Okay. So the first two

1	lines, the individual mandate and other morbidity, we
2	combine those two, so the individual mandate is
3	really part of that other morbidity factor.
4	And in there, we actually have a rate
5	decrease of 7.3, that is made up of two components,
6	one is when we did the 2018 rates, the experience
7	came in just a tad higher than what it did in 2016
8	experience based by a little less than a half a
9	percent or a little less than 1 percent, so that was
10	a slight increase.
11	And then we also changed the individual
12	mandate assumption that we had in there from 2018,
13	and we reduced that based on some additional
14	information that has come out since the 2018 rates
15	were developed, and we reduced that factor by
16	8 percent.
17	So the 8 percent reduction and a slight
18	increase in the experience comes up with that
19	7.3 percent reduction.
20	Next, we have the trend. Our trend in
21	the overall allowed costs are about 6.9 percent.
22	What you see there in the trend line, that varies by
23	product, is due to other nuances that are going on
24	there, can be deductible leveraging and so forth,
25	because it can vary by the size of the deductible,

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1	but, in general, you know, it is around that 6.9
2	percent.
3	Risk adjustment, there is really no
4	change in the fee of that 3 cents, so there was no
5	big change there.
6	The next item is the HIT moratorium is
7	included with the other non-benefit expenses, that
8	was included, should have been separated there, but
9	it is included in both of those. That HIT moratorium
10	was a decrease of about .9 percent, and that's really
11	the whole change in that line.
12	And then the next line is the benefit
13	changes, so, for the most part, there has been some
14	decreases in the benefits that we applied here. On
15	this silver plan, the most popular plan, we have a
16	7.3 percent decrease. As you can see from up on top,
17	where we have the plan name, the deductible didn't
18	really change that much, but what did change is the
19	prescription drug benefit. That prescription drug
20	benefit we had previously was had a separate
21	deductible, and now, for the generic and brand, it
22	has got a specific co-pay, and then for the
23	nonpreferred brand and specialty, there is it
24	falls underneath the medical deductible now, so there
25	is a little bit more cost sharing for the individual,

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

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1	popular plan?
2	MR. LASKOWSKI: Charlottesville would
3	have it is the decrease will be a little bit
4	more.
5	COMMISSIONER CHRISTIE: The decrease?
6	MR. LASKOWSKI: Right.
7	MR. BENTLEY: So we have got a 1 and a
8	half percent increase overall.
9	COMMISSIONER JAGDMANN: So it would be a
10	1 and a half percent increase overall, you said.
11	COMMISSIONER CHRISTIE: On the Silver
12	plan?
13	MR. BENTLEY: Yes, the OptimaFit Silver,
14	this is sorry.
15	I don't have that in front of me, the
16	Charlottesville, how these plans would fare in
17	Charlottesville.
18	COMMISSIONER CHRISTIE: Well, we would
19	like to know how that compares, because you have got,
20	in your Virginia Beach, Hampton Roads area, which, of
21	course, is your home base, you are actually showing a
22	decrease on the silver plan, 7.4 down. For your
23	catastrophic, rating area 4, which is Harrisonburg,
24	you are showing almost a 25 percent decrease, so we
25	would like to know how Charlottesville compares

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1	Charlottesville rating area compares to these.
2	These are I mean these are good news,
3	I mean this is down, this is actually decreases. So
4	how is Charlottesville comparing to that?
5	MR. BENTLEY: So the Charlottesville
6	will be
7	COMMISSIONER CHRISTIE: Let's start with
8	your most popular plan, silver plan, individual.
9	MR. BENTLEY: That's the 7.4.
10	COMMISSIONER CHRISTIE: Well, Virginia
11	Beach, Hampton Roads, you are showing a 7.4 percent
12	decrease, which is great for the consumer.
13	MR. BENTLEY: Yes. Charlottesville,
14	that will be a 4.6 percent decrease.
15	COMMISSIONER CHRISTIE: 4.6 percent
16	decrease.
17	MR. BENTLEY: Yes.
18	COMMISSIONER CHRISTIE: Reduction.
19	MR. BENTLEY: Correct.
20	COMMISSIONER CHRISTIE: For
21	Charlottesville.
22	MR. BENTLEY: Correct.
23	COMMISSIONER CHRISTIE: The most popular
24	silver plan.
25	MR. BENTLEY: Correct.

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1	COMMISSIONER JAGDMANN: And what is that
2	premium for that one, this most popular one? I guess
3	it is 4 percent decrease over what it was last year.
4	MR. BENTLEY: Right. Correct.
5	COMMISSIONER JAGDMANN: So it is not
6	going is it 4 percent less than \$640? That's not
7	what you are saying, is it?
8	MR. BENTLEY: No.
9	COMMISSIONER JAGDMANN: I didn't think
10	so. So it is 4.6 percent less than?
11	MR. BENTLEY: It is 4.6 percent less
12	than 792. So 4.6 percent less than that is about
13	755.
14	COMMISSIONER CHRISTIE: All right. So
15	you started out higher than the other rating areas.
16	Do you know yet what your MLR is in Charlottesville?
17	Because the MLR, of course, is the actual claims
18	paid, and that is what you know, utility
19	regulation, we call the true-up mechanism, we don't
20	call it here, but it is the same thing, same
21	principal.
22	Do you know what your MLR is so far,
23	based on that rate, or is it too soon to tell.
24	Because that I mean the MLR is like you know,
25	it is the true-up mechanism, if you if your claims

1	paid are less than you actually projected, then you
2	refund it to the cover pardon me the customer.
3	MR. BENTLEY: You are talking about the
4	2018 MLR.
5	MR. JUILLERAT: Yes, I have got this.
6	Through the first quarter year-to-date, the first
7	quarter, it is 74.9 percent for statewide, and it is
8	very immature, there is several factors for why that
9	doesn't have a lot of credibility, one, it is only 3
10	months.
11	COMMISSIONER CHRISTIE: Right.
12	MR. JUILLERAT: Two, these people are
13	all, for the most part, in their deductible period,
14	so they're not spending as they likely would.
15	Then we also see just the opposite
16	typically in the 4th quarter, where people are
17	meeting their deductibles and everything is paid,
18	plus a lot of folks, if you are on a subsidy, you get
19	a 90 day grace period for premiums, so they can
20	actually quit paying their premium in October. If
21	they have a service, well, then, they retrospectively
22	pay their October premium. If they don't have a
23	service, they just wait until January and re-enroll,
24	so that hurts our loss ratio.
25	So we have looked at historical years,

1	and the second half of the year is like 27 percent
2	more costly than the first half of the year, but
3	right now, it is a quarterly filing we are required
4	to do, and it is 74.9 through the first quarter.
5	COMMISSIONER JAGDMANN: You are paying
6	out \$0.74 on the dollar right now, is what it sounds
7	like.
8	MR. JUILLERAT: Correct. The second
9	quarter will be available in mid August sometime.
10	COMMISSIONER JAGDMANN: Thank you.
11	COMMISSIONER CHRISTIE: All right. And
12	to the extent you don't meet the MLR, you have to
13	refund it.
14	MR. JUILLERAT: Correct.
15	COMMISSIONER CHRISTIE: Correct.
16	MR. JUILLERAT: Back to you guys.
17	MR. BENTLEY: Okay. So I think that
18	takes us through the benefit changes.
19	Now, moving down to the profit and risk
20	margin, a slight change there of .2 percent, I think
21	last year the profit margin varied by metal tier, and
22	now we have one margin across all, which is the
23	reason for the .2 percent change.
24	The next item, metallic sloping, that is
25	one where we look at the experience and see what is

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1	going on between, you know, the bronze, silver, gold
2	and platinum, and try and bring those plans a little
3	bit more into line based on experience including risk
4	adjustment, because risk adjustment is the mechanism
5	that kind of levels the playing field for the
6	morbidity, so there is a small change there of
7	2.6 percent on this most popular plan.
8	The next one, network changes, so just
9	like any other company, there is constantly
10	contracting negotiations that are going on with the
11	hospitals and the providers and so forth, and that
12	represents about a 3 percent increase in cost, due to
13	those network changes.
14	The CSR shortfall, on that one, we are
15	looking at that's a combination of the Medicaid
16	expansion and, you know, the CSR there, so we are
17	reducing the cost by approximately 2 percent because
18	some of the people that were in the 94 percent plan,
19	which is the most subsidized plan, will likely be
20	going to Medicaid, which their benefits now would get
21	pulled from there, and we pay out the most on them,
22	so that CSR factor will come down slightly, so that
23	is worth a 2 percent decrease.
24	And then the last area there is the area
25	and geographic mix, which, again, there is just a mix

1	of business change that is creating a reduction of
2	about 2 and a half percent.
3	So that's the HMO. Is there any
4	questions on that?
5	COMMISSIONER JAGDMANN: I don't have
6	any. No. Please proceed.
7	MR. BENTLEY: Okay. On the next slide,
8	we have the PPO, so a lot of this stuff is very
9	similar. We don't have any business on the PPO plan
10	yet, so some of the changes that we made, like for
11	the individual mandate and so forth, we didn't make a
12	change, we just left that the way it was.
13	MR. JUILLERAT: Scott.
14	MR. BENTLEY: Yes.
15	MR. JUILLERAT: I am not on the right
16	slide yet. Hold on. Okay. Go ahead.
17	MR. BENTLEY: Okay. So, again, this is
18	very similar to the other one, the most popular plan,
19	here being a \$5500 bronze plan.
20	The minimum, the same thing, there is
21	basically one plan for this. There is no experience
22	out there, we have no members, so we took a
23	simplified approach and used 2018 and just kind of
24	brought that forward.
25	With trend, you will see the 8.9 trend

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1	is a little bit higher, because there is a little bit
2	more leverage on a little bit higher deductible plan,
3	
	and there could be some other, you know, co-pay
4	things that are going on there that has created a
5	little bit higher trend than you see in the HMO plan.
6	The same thing on HIT moratorium, it's a
7	reduction of 2 percent because, if that has gone away
8	for 2019, and then, again, benefit changes, which
9	changing the deductible slightly, I think the last
10	year, you seen on the plan name up there, the \$5000
11	deductible went to 5500, which is a decrease in
12	benefits, which is causing part of that 4 percent,
13	and then there is also the RX benefit, again, similar
14	to the HMO, where I believe it is underneath the
15	medical deductible now.
16	And then capitation change, there is a
17	small decrease due to changes in the PMPM for those
18	capitated services of .5 percent, and then the
19	Federal taxes. With decreasing the corporate tax
20	rate from 35 percent to 21 percent, resulting in a
21	7.4 percent reduction, so, on that plan, we have a
22	4.9 percent decrease for that plan.
23	So I think that covers the PPO plan.
24	Any there any questions there?
25	COMMISSIONER JAGDMANN: No.

	• •
1	MR. JUILLERAT: I see a nod of head no.
2	Should we move on to small group?
3	MR. SHEA: Sure.
4	COMMISSIONER JAGDMANN: Yes, that would
5	be great.
6	MR. JUILLERAT: I will turn it over to
7	my colleague, Dean Ratzlaff.
8	MR. RATZLAFF: Thank you, Mr. Juillerat.
9	As mentioned, my name is Dean Ratzlaff.
10	I am a managing actuary with Optima, a subsidiary of
11	Sentara Health Plan.
12	Briefly, I would like to respond to the
13	Commission's excellent concern regarding the network
14	status of a hospitalist versus a hospital.
15	Last year last year, my wife had a
16	procedure done with her orthopedic surgeon, who was a
17	in-network surgeon, it just so happened that the
18	hospital was in network, but our payment was much
19	higher than it would have been had the hospital been
20	part of an inner network called a clinically
21	integrated network, and it did set us back many
22	thousands of dollars, and it was a hard pill to
23	swallow, but there is really no recourse. The
24	information was out there.
25	And I am not saying that it is easy for

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1	anybody to access, and I am not saying that it is not
2	an unfortunate situation.
3	When I called my insurance company about
4	it, they explained the situation to me, and I think
5	one of the things that goes to show is that we who
6	work in insurance companies face these same problems
7	that the average person faces who is not in the
8	industry.
9	COMMISSIONER JAGDMANN: I got one of
10	those letters recently. My husband was having a
11	procedure and it basically said yes, you are going to
12	be covered unless you are not basically. The
13	hospital unless they employ someone who is not.
14	So, you know, you don't really know a lot of times
15	whether you are just not going to know.
16	COMMISSIONER CHRISTIE: Well, did you
17	ask I mean did you know before the charge was
18	incurred that your wife was going to be treated with
19	a non-network or inner-network I haven't heard
20	that term before provider that was going to charge
21	you thousands of dollars, did you at least know that
22	going in?
23	MR. RATZLAFF: She has had an ongoing
24	relationship with this orthopaedic surgeon, who was
25	part of that clinically integrated network, so we

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1	said well, you know, yes, this is going to be covered
2	unless the hospital happens to employ a nurse or
3	somebody else who is not, so, you know, that's all
4	you can do is go to the place where the hospital and
5	your primary doctor are covered.
6	After that, I don't know what else you
7	can do as a consumer.
8	MR. RATZLAFF: It is an unfortunate
9	occurrence, and, like so many problems, has its own
10	set of knottiness.
11	COMMISSIONER CHRISTIE: But there is a
12	role for the insurance company, and I know the
13	hospitals aren't here, and so, you know, obviously,
14	y'all have your side of it, and you are not you
15	know, you are the one who, you know, contracts for
16	the services with the hospitals, and you obviously
17	pay the claims, you are not the hospital.
18	But there really isn't a lot of
19	information, even from the standpoint of just
20	delivered to your covered lives about how the
21	possibility I mean if you read your benefit, and I
22	am not going to name, you know, our carrier, because
23	it isn't hard to figure out, it is the Commonwealth
24	and it is self-insured, but administered by Anthem.
25	But there is not, for the average

1	consumer, a very clear understandable notice up front
2	that you need to ask, and that's the point, you need
3	to it is almost like you know, most people are
4	not lawyers, probably people think that makes a
5	better world; but I mean, you know, lawyers are used
6	to asking, and most people are not, and they have to
7	be told you have to ask aggressively, you know, when
8	you go into a facility, who is in network and who is
9	not; and people just assume well, that hospital is in
10	network, they took my insurance card, so it is all
11	covered, but, you know, they're not going to
12	aggressively go down the list and conduct a
13	deposition as to who is covered and who is not, which
14	I
15	MR. RATZLAFF: There is no question that
16	it is a burden on the consumer. I think, just for
17	purposes of, you know, elaborating our understanding
18	of this issue, I agree with the points that have been
19	made before.
20	I think one consideration is, when an
21	insurance company has a monopoly in a geographic area
22	for a market such as individual or small group, it is
23	for a market. Now, what portion of that hospital's
24	income comes from that market can vary.
25	Nationwide, I believe the individual

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1	market is around 6 to 7 percent of the entire nation.
2	I don't know what that is, you know, in an area by
3	area, when we, you know, cut apart Virginia, and it
4	seems reasonable to assume that a hospital's main
5	source of income will come from the over 65
6	population, because they tend to, you know, simply,
7	by aging, need more medical services, and then that
8	would be a combination of payments from the Federal
9	government or private insurers, who contract through
10	a program called Medicare Advantage.
11	COMMISSIONER CHRISTIE: Well, and you
12	make an excellent point.
13	The individual market, as it continues
14	to shrink, it really is almost a death spiral,
15	because the individual market As that market
16	shrinks, you know, you have much as you know, as
17	an insurance company, you have much higher bargaining
18	power in the large group market because you are
19	talking about large blocks of lives, and someone
20	mentioned the biggest of the employers are even
21	self-insured, many of them are self-insured, and
22	they're regulated by ERISA and not by anybody else;
23	but, as that individual market continues to shrink,
24	it is getting increasingly hard for you as an
25	insurance company to bargain, even though you may

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1	have a monopoly position in a geographic market, it
2	is a monopoly position with regard to a very small
3	slice of the service market, which, obviously,
4	reduces your bargaining power.
5	MR. RATZLAFF: And with that, I am going
6	to allow you to
7	COMMISSIONER CHRISTIE: But you can
8	still try. You can still try.
9	MR. RATZLAFF: Correct. Correct.
10	Unless there are other comments, I want
11	to focus on the small group rate change now.
12	Small group has two divisions, just like
13	individual. We sell our health maintenance
14	organization out of the legal entity called Optima
15	Health Plan, we sell our PPO or preferred provider
16	organization out of our legal entity named Optima
17	Health Insurance Company, so what I am about to talk
18	about now deals just with our HMO, and then I will
19	address the PPO separately.
20	On average, we have a rate increase of
21	2.5 percent, that's using the membership distribution
22	that we expect to occur in 2019, the 3.5 percent uses
23	the same underlying numbers with one difference, it
24	uses the membership distribution as it is currently
25	in 2018, so both valid, two different angles at which

1	to come at the rate change.
2	If you look at our plans, we do have the
3	benefits embedded inside of our plan name, although
4	it is a little bit hard to see, and I think next time
5	we will be sure to perhaps widen the columns so we
6	can capture more of that; but the most popular plan
7	is a gold plan with a \$2000 deductible. If somebody
8	goes to a primary care physician, they have a co-pay
9	of \$25; and once the deductible is met, outside of
10	certain services like primary care, they would be
11	asked to pay 30 percent of the additional costs.
12	You can follow that same nomenclature to
13	the right, as we look at the minimum rate change,
14	which is, incidentally, the exact same benefits, all
15	be it in a different area; and the maximum rate
16	change, which is a lower richness plan, that's a
17	bronze with a \$6000 deductible, and I believe that
18	the maximum out of pocket on all of these plans is
19	going to be in the neighborhood of about \$7,000 per
20	year, and we will refile this along with our
21	individual, so that it reflects the maximum out of
22	pocket.
23	So in small group, we do not have the
24	individual mandate. We do not see significant
25	changes in the morbidity of our population going from

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1	'18 into '19, so there is no change there.
2	We are setting our trend at 6.9 percent.
3	You may recall Mr. Shea's discussion earlier about
4	the range of trends. That is small in relatively to
5	some of the other ranges of variables that affect the
6	rates.
7	One of those ranges that can be quite
8	large in a risk adjustment. In our case, we are
9	expecting to go from a receiver of a small risk
10	adjustment to a payer.
11	It is kind of like saying we are one
12	percent above the statewide average in 2018, and we
13	are thinking of going about 1 percent below the
14	statewide average in 2019, probably due to just
15	simple fluctuations, and that is going to increase
16	the premium by approximately 2, 2 and a half percent,
17	and that is across our entire book of small group.
18	The HIT moratorium is kind of an
19	interesting animal. It is part of the tax that the
20	law requires to help pay for some of the things that
21	the law also requires; and in Washington, D.C., they
22	have kind of had an on again and off again
23	relationship with it. It was not present for 2017,
24	it is present currently in 2018, and then again in
25	2019, it is not going to be present, so going from

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1	having to pay for the tax in 2018 to not having to
2	pay for the tax in 2019 is a small decrease in rates
3	that, again, applies to our entire small group block
4	of business.
5	When we look at the other non-benefit
6	expenses, we see that the change is very very minor.
7	Benefit changes is where we have a more significant
8	change.
9	What we have done here is, in order to
10	help manage costs better, we have changed the network
11	status, and this kind of dovetails with our
12	conversation that we have had before, wherein it is
13	identified to the member that certain higher cost
14	providers may have cost sharing that is a little bit
15	higher for them than certain lower cost providers,
16	and what that does is reduces the cost at varying
17	degrees across different plans for everybody, and we
18	are sure to make certain that is on our summary plan
19	description in all of the information described in
20	the plan that the member receives.
21	The reduction in trend assumption is
22	simply a reduction from what we had assumed during
23	the 2018 pricing, which was a little over 8 percent,
24	so that is a lower trend, which is, in general, a
25	good guide. It means the rate of healthcare cost

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1	increases is not going up quite as fast as we thought
2	it was back when we did the 2018 pricing.
3	With the change in area factor, you will
4	notice that in rating area 9, which is Hampton Roads,
5	there is no change. You will notice that in area 3,
6	I forget off the top of my head which area that is,
7	that is a very minor change; and then in rating area
8	2, which is Charlottesville, there is a change that
9	would contribute to increasing the rate, although it
10	is offset by other factors that in total render a
11	rate decrease.
12	Model calibration refers to the way we
13	determine the financial value of the benefits that we
14	provide. We use what is called a benefit relatively
15	model that says okay, for this service, maybe it is
16	radiology, maybe it is hip replacement, maybe it is a
17	primary care physician, when we look at our cost and
18	utilization, this is how much it would convert to in
19	terms of how much it contributes to the premium.
20	What we discovered is that our actual
21	paid to allow ratio, which represents the relativity
22	of what those benefits cost Optima base versus what
23	it costs in general, again, the cost to optimize the
24	net, the cost in general also allowed is the net
25	plus, the portion that the member pays.

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1	We discovered that was actually higher
2	than what our model had been predicting, so we
3	calibrated to our actual experience, which had an
4	across the board increase in premium between 4 and
5	5 percent.
6	Experience benefit buy down may perhaps
7	be misnamed, others other carriers today have
8	referred to that as the base experience. Basically,
9	what it is saying is that our 2017 experience came in
10	higher than we would have expected it to come in I
11	am sorry. Excuse me. Lower than we had expected it
12	to occur when we did the 2018 pricing, so this shows
13	some of the uncertainty within making adjustments for
14	the same year, which in the 2018 pricing was 2017, it
15	is fair to say that while we were halfway through
16	2017, we overestimated what our 2017 final results
17	would be by roughly 5 percent.
18	The other is quite insignificant, I am
19	not going to go into that in depth, unless there is a
20	request for it, so you can see our most popular plan
21	has a small rate increase of about 1.5 percent to
22	reach \$412, and you can see the comparison between
23	the minimum rate change and the maximum rate change
24	as well.
25	Unless there are further questions,

1	which I would be happy to discuss, I am going to move
2	to our PPO, you see that right here, that is sold out
3	of our legal entity called Optima Health Insurance
4	Corporation, where there is an average of a 0.9
5	percent rate increase.
6	Once again, our most popular plan is the
7	gold plan, as you can see there, the gold plan that
8	is the most popular plan, has a fairly low
9	deductible, \$500. The gold kind of connotes in
10	people's mind it is richer than say a bronze, so you
11	would have a lower deductible meaning the member has
12	to pay less, as an insurance company, we pay a bigger
13	portion of the cost.
14	Once again, the individual mandate and
15	other morbidity do not have any impacts. We have a
16	nearly identical trend here as in our HMO of
17	6.6 percent versus 6.9 percent. Because of the
18	different structure of those products, they do
19	operate a little bit differently, but in this case,
20	the difference is 0.3 percent.
21	Risk adjustment I earlier mentioned
22	that we had gone down in terms of what we thought the
23	risk adjustment would be. In this case, we
24	underestimated it. So we had to assume that our risk
25	adjustment receivable would be higher than we

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1	initially expected.
2	What happened, then when that risk
3	adjustment dollars come to Optima, and, again, we are
4	making a projection of how it will be in 2019, and it
5	is kind of like reaching out on a limb when you
6	really have to link together an awful lot of
7	assumptions, so there is uncertainty, but the basic
8	thrust here is that when we assume we will get more
9	risk adjustment receivable, that gets passed on to
10	the consumer in the form of a lower rate.
11	In this case, it had a decreasing impact
12	of roughly 5 percent. I already talked about the HIT
13	moratorium, the other non-benefit expenses, one of
14	the things that is a significant portion of that is
15	the change in the tax law for 2018 and beyond.
16	When we did the 2018 premiums,
17	
	for-profit entities were taxed at I believe 35
18	percent. In December, the Federal government passed
19	a law that reduces that tax rate to I believe
20	21 percent, and this particular legal entity, Optima
21	Health Insurance Corporation, is a for profit, so it
22	increases the full change in that tax differential,
23	and so that has a decreasing impact upon premiums.
24	In this case, benefit changes are due to
25	actually changing the standard benefit such as the

1	deductible, co-pay, there also is a little bit of an
2	element of tiering in it as well.
3	Again, that's asking consumers to pay a
4	little bit more for high cost providers if they elect
5	to go to them, and this would just be for elective
6	operations, not for emergency required surgeries.
7	Reducing our trend assumption here, we
, 8	had a higher trend assumption when we did the 2018
9	pricing, so there is more of a reduction here than
10	there was in our HMO block, and the demographics is
11	
	simply saying that this group of people that is
12	purchasing our PPO small group, they got a little bit
13	older, and so and that's older relative to an
14	expectation.
15	What that means is that when we try to
16	normalize the rates and put them on an average age
17	basis, we will lower it just a little bit.
18	And you can see, it is by a smidge over
19	1 percent. Model calibration is the exact same
20	thing, where we calibrated our benefit relativity
21	model to match the actual experience that is what we
22	call the paid to allow factor overall for our small
23	group.
24	The claims experience exceeding
25	expectation, again, might be more appropriately

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1	allad the base succession as Townson to Weisser for
1	called the base experience. I appreciate Kaiser for
2	using that term.
3	We call it base experience because this
4	really refers to the 2017 year, our base year for
5	which we project what 2019 will be, and it came in
6	higher than we expected to come in when we were
7	pricing 2018, which, again, was at about the same
8	time last year.
9	So with about half of the year to go, it
10	is fair to say that we underestimated our claims
11	experience by roughly 8 to 9 percent. Once again, I
12	am not going to go into detail about the other unless
13	you would request it.
14	You can see the final rates that we are
15	requesting for 2019 along the bottom.
16	I am happy to take more questions,
17	comments, if there are any. Otherwise, this will
18	conclude the portion of the presentation from Optima
19	Health.
20	COMMISSIONER JAGDMANN: Thank you.
21	Thank you.
22	We are now going to take a 15-minute
23	recess, and we will come back at about 17 after.
24	(Recess from 12:03 p.m. to 12:23 p.m.)
25	THE CLERK: The Commission resumes this

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1	session. Please be seated.
2	COMMISSIONER JAGDMANN: I guess it is
3	time for Piedmont, is it not?
4	MR. SHEA: Our next presenter is
5	Piedmont. And please state your name and your title
6	clearly for the record. Thank you.
7	MR. DAVIS: Good afternoon, Judges. My
8	name is Zach Davis, I am a consulting actuary with
9	the Atlanta Milliman practice.
10	I guess, before I go into the rates, to
11	delve into the in and out of network services, I have
12	one other additional point to add. In the 2018 draft
13	letter to issuers, they clarified that any in or out
14	of network service provided in an in network facility
15	would be covered at the in network benefit level
16	unless the consumer was notified within 48 hours of
17	the service being provided.
18	COMMISSIONER JAGDMANN: Before or after?
19	MR. DAVIS: Before.
20	COMMISSIONER CHRISTIE: That's key.
21	Because that's what the really the heart of a
22	lot of the complaints are that you don't know until
23	after you have had the service, which, again, you
24	can't unring that bell, and you got to pay for it.
25	So it really is about advanced notification, knowing

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1	advance notification, not a little four point, you
2	know, font stuck on the bottom of a 20-page, you
3	know, list of benefits, but you might be charged
4	more, but letting the consumer know in advance, and
5	hospitals need to do this or the providers need to do
6	it.
7	MR. DAVIS: Yes.
8	COMMISSIONER CHRISTIE: That you may be
9	billed not the network rate or not what your
10	insurance carrier is going to pay for, but
11	substantially more, so that's key that that be done
12	in advance.
13	MR. DAVIS: Yes, so in 2018 and beyond,
14	the ACA now has that built in, so if you aren't
15	notified within 48 hours, you will be charged at the
16	in network cost sharing levels.
17	COMMISSIONER JAGDMANN: But that's only
18	for plans on the exchange, I guess.
19	MR. DAVIS: That's the ACA, so that's
20	small group and individual, and so anybody that had
21	a large you know, if you are in your company's
22	plan, I am not sure where your example came from, but
23	if you are in the large group market or the
24	self-insured market, you might not have those same
25	protections.

1	So, with this, I will jump in here. So
2	this is the Piedmont's individual rate filing. In
3	2019, we are proposing 11.9 percent rate increase.
4	Jumping right in here, the most popular plan is the
5	silver plan with a \$6600 deductible and a 7600 MOOP.
6	That has about 50 percent of the membership.
7	Going down to the percentage of rate
8	increases here, the individual mandate, we are
9	estimating about 5.7 percent, which is in range with
10	some of the other carriers.
11	The other morbidity kind of reflects
12	some of the Federal regulations in addition to the
13	change of the individual mandate, reducing the
14	advertising budget, shortening the open enrollment
15	period, so that is what is responsible for the
16	additional 2.4 percent there.
17	With the trend, Piedmont is kind of at
18	the high end of the range, at 9.1 percent.
19	For risk adjustment, there was really
20	not much change from 2018.
21	For the HIT, Piedmont is in a
22	similarly or is a unique situation since they
23	don't write as much total dollars in the premium.
24	The way the formula works, they don't aren't
25	responsible for a lot of that HIT tax, so there is

1	not a large impact there.
2	There were some other non-benefit
3	expense changes.
4	And there were some benefit changes to
5	the plan that accounted for about 1.9 percent.
6	And then similar to the other carriers,
7	the other change 1 are experience period, so the '17
8	experience came in a little better than expected.
9	COMMISSIONER JAGDMANN: Okay. Any other
10	questions?
11	MR. DAVIS: So moving on to small group,
12	overall, we are requesting a 8 percent decrease in
13	the rates over 2018. Piedmont doesn't have a very
14	large small group membership, as you can see here.
15	Our most popular plan has 32 members, so we are
16	really trying to make a move into the small group
17	market and be competitive, so we've reduced the rates
18	by 8 percent.
19	Looking at the drivers here, there was a
20	7.4 percent increase due to trend, which I think in
21	the small group, that was about the middle of the
22	road, so we are doing pretty good there.
23	The risk adjustment, we changed we
24	changed how we are pricing our rates this year.
25	Since we don't have any experience from Piedmont

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1	members, we need to use a manual rate as a proxy, and
2	so we are using a different manual rate this year,
3	and so that has caused so that sets we are
4	assuming what we are going to get is around the
5	statewide average risk, so there is no change in the
6	risk adjustment.
7	The HIT is less than most carriers
8	because of unique, Piedmont's unique situation, where
9	they are writing much less total dollars in premium.
10	For the non-benefit expenses, they
11	Piedmont had a significant increase in their exchange
12	membership for 2018, so that helped cover the fixed
13	costs across the whole, all lines of business
14	including small group, so there was a big change
15	there for their administrative costs.
16	We have some benefit changes from 2018
17	to 2019, which are worth about 3.4 percent on this
18	on their most popular plan.
19	And then the other impact, down at the
20	bottom, as I mentioned, there was a change in the
21	manual experience, so that caused a decrease across
22	all plans.
23	COMMISSIONER JAGDMANN: Okay. All
24	right.
25	MR. DAVIS: Any other questions?

Transcript of Presentation
Conducted on July 24, 2018

1	COMMISSIONER JAGDMANN: I don't think
2	so.
3	MR. DAVIS: All right. Thank you.
4	COMMISSIONER JAGDMANN: Thank you very
5	much.
6	MR. SHEA: And next we have CareFirst.
7	MR. BERRY: If it is okay, I will start
8	with individual.
9	Good afternoon.
10	COMMISSIONER JAGDMANN: Good afternoon.
11	MR. BERRY: My name is Peter Berry. I
12	am the chief actuary for CareFirst. My address is
13	10455 Mill Run Circle, Owings Mills, Maryland 21117.
14	I will be addressing two segments and
15	two entities today, so we have individual HMO and PPO
16	and small group HMO and PPO, and the first one we
17	have on the screen is the individual HMO under
18	BlueChoice.
19	COMMISSIONER JAGDMANN: Is this a family
20	plan?
21	MR. BERRY: This is the individual plan.
22	COMMISSIONER JAGDMANN: Yes, but is it
23	just for the individual himself or
24	MR. BERRY: No, no. It is in the
25	individual market.

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1	COMMISSIONER JAGDMANN: Yes. Right. I
2	am just curious, is this a premium for the one person
3	or one person's family?
4	MR. BERRY: The 34 percent increase?
5	COMMISSIONER JAGDMANN: Yes, the one you
6	have in front of me, the most popular.
7	MR. BERRY: This is a 40 year old.
8	COMMISSIONER JAGDMANN: One person. Not
9	their family.
10	MR. BERRY: Yes, one person.
11	COMMISSIONER JAGDMANN: Okay.
12	MR. BERRY: Yes, that's right.
13	So you will see here, that the increase
14	at the top is a 34 percent increase; and if you look
15	down, I want to point out the base period index rate
16	of about 29 percent. That is the change in that's
17	down just below the line there.
18	That is the changes other carriers have
19	talked about. In our per member per cost from 2016
20	to 2017, we saw that go up 30 percent.
21	COMMISSIONER JAGDMANN: Where is that?
22	Base period. That's just year over year.
23	MR. BERRY: That's year over year actual
24	cost increase that we observed. So I want to start
25	there.

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1	In the individual market, CareFirst is a
2	first small player. This represents about 2 percent
3	of the market, our PPO represents about 1 percent of
4	the market.
5	Our BlueChoice HMO product, in the last
6	two and a half years we have today about a third
7	of the membership we had two and a half years ago,
8	and what is happening is something called end of
9	selection, and that is we are seeing our healthy
10	members leave in dramatic waves and leaving behind
11	sicker members.
12	Part of the dynamic there is we are in
13	rating area 10, we have a relatively small footprint
14	there, and we contract with all hospitals, we have an
15	HMO network that is very broad. In fact, there is
16	for our PPO and our HMO network has overlap with our
17	PPO network of over 80 percent, so it is a very broad
18	network.
19	The other competitors in that area like
20	Kaiser have, obviously, a closed system and only
21	contract with some of the hospitals, and so, as you
22	can imagine, someone who knows they're going to be
23	needing services and want to be able to have access
24	to as many doctors as possible are going to chose
25	CareFirst in that area, and so that's why we believe

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1	we are getting the sicker members.
2	So what we have seen is the membership
3	has shrunk over the last two and a half years is
4	things like a 29 percent trend in our per member per
5	month costs from one year to the next, and that's
6	something we have to consider as we move forward.
7	So as we looked at 2017 to 2018 and then
8	2018 to 2019, we know who we kept in 2018, and we can
9	compare their average cost to the average in the
10	previous year, and it was 20 percent higher, so we
11	know that's going to happen again, we can already see
12	that.
13	We also are still, believe it or not,
14	getting new members joining CareFirst, and when those
15	members come in, they're significantly sicker than
16	the current population, and we can measure that as
17	well, so they're about, in BlueChoice for this,
18	they're about 20 percent sicker on average, so we
19	take that into account.
20	So a big part of the rate increases we
21	are seeing here is the base period changing at
22	29 percent but also having to account for that we
23	know the people are going to get sicker.
24	COMMISSIONER JAGDMANN: All of your
25	plans have the same wide network?
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1	MR. BERRY: Yes.
2	COMMISSIONER JAGDMANN: Okay.
3	MR. BERRY: And the PPO actually has an
4	out-of-network component, we will be talking about
5	that one next. And not surprising, just as a little
6	preview, it is smaller, only about 3700 members, and
7	it is much, much sicker with a much much higher
8	increase, so we got that next.
9	So everything else kind of pales in
10	comparison to that. The only thing I will mention
11	real quick there, up at the top, where you see other
12	morbidity, that 10 percent factor, that's talking
13	about additional amounts we need in the rates for
14	that continuing deterioration I talked about.
15	With regards to the individual mandate,
16	like some other carriers talk about, there is .4
17	percent up there, but there is some overlap with
18	other.
19	What we assumed for that was we
20	assumed we combined that with consideration of the
21	sole proprietors moving to small group because of the
22	associations, and so we used a total factor of about
23	10 percent.
24	What we have not considered yet, which
25	we are concerned about, is the short-term duration

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1	plans, and once that rule comes out, whether you are
2	going to see introduction of short-term, 364-day
3	short-term duration plans in Virginia, and realizing
4	that what that means is carriers can now underwrite
5	there, and even if it is over a 6-month long, they
6	have to renew them, and they have to cover mandates,
7	but that's really kind of a pre-ACA view, and we
8	would expect, and I think others would agree, that
9	that is going to do a lot of damage to the ACA
10	market.
11	I saw an Oliver Wyman carrier survey on
12	this subject, and this would have been nationwide,
13	not just to Virginia, where the results were that 81
14	percent of carriers are looking at these plans, and a
15	third of them anticipated filing something for them
16	in 2019, so this is very much on everybody's radar.
17	The OMB currently has a draft of what
18	CMS is proposing on this, we haven't seen it,
19	obviously, because it is still a draft, but we are
20	expecting that it will be released shortly, and then
21	we will have to wait and see, but right now, we have
22	not even reflected any of that in these rates.
23	So let me pause there and see if you
24	have any questions on individual BlueChoice before I
25	move to PPO.

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1	Okay. So this is our individual PPO
2	sold under GHMSI. Let me just pull up my notes real
3	quick, if I can.
4	As of June, we had 3800 members in this
5	product. Again, that's about a little more than a
6	third of what we had two and a half years ago, so
7	this has dropped dramatically.
8	The similar, not comparable number to
9	what I mentioned for the HMO is that we saw the base
10	period increase 36 percent, so even more than the
11	HMO.
12	More discerning there, though, is the
13	level of end of selection we are seeing in the PPO.
14	In HMO, the existing members we kept were 19 percent
15	sicker than the base. Here, it is 35 percent.
16	New people come in to this, people are
17	still buying it, are 60 percent sicker than the
18	existing population when they join, but we haven't
19	reflected that.
20	Right now, you will see here that we are
21	proposing a 78 percent increase. This is a selection
22	spiral. This is basically going to spiral out, and
23	we just have to figure out a way to manage it.
24	We used we could have justified using
25	a 60 percent sicker new member, we chose 10 percent.

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1	COMMISSIONER JAGDMANN: Where is that
2	reflected?
3	MR. BERRY: You won't see that in the
4	detail here. I am just telling you a little bit of
5	what is behind the scenes of these numbers. What
6	makes up
7	COMMISSIONER JAGDMANN: The individual
8	number. This isn't a family number?
9	MR. BERRY: Yes, this is what would have
10	been developing the base rate that would apply to
11	both individuals and families. It would be part of
12	the morbidity line.
13	You will see here that that number is 28
14	and a half, it is the second number down in the gray
15	box. So what I am telling you here is what makes up
16	that number.
17	We could have introduced a 60 percent
18	higher risk for new members, but we only chose 10,
19	and the reason is once you reach this level of a
20	spiral, raising the rates a hundred percent, 120,
21	just makes it worse.
22	COMMISSIONER CHRISTIE: Right.
23	MR. BERRY: I don't know what the right
24	answer is, but probably 78 is going to drive this
25	spiral a little bit slower than 110, so we are just

1	trying to manage this spiral, but these people are
2	very very sick.
3	COMMISSIONER JAGDMANN: Are you the only
4	plan in the area that offers the width and breadth of
5	coverage of hospital and doctors
6	MR. BERRY: I believe we are.
7	COMMISSIONER JAGDMANN: Is that what you
8	think is driving it
9	MR. BERRY: Yeah, I believe we are. I
10	think Cigna is up there, and I think Cigna only has a
11	narrow network, they contract with some hospitals,
12	Kaiser does, so we contract with every hospital, and,
13	like I said, our this is a PPO product, so we
14	actually have an out-of-network benefit here as well.
15	So these people are very sick, there is
16	only 3800 of them. You know, two and a half years
17	ago, there were over 10,000 so this is really just a
18	bad situation we are trying to manage.
19	Any questions on that one?
20	Okay. We can move to small group, it is
21	a much nicer story. I am an actuary, not a computer
22	scientist.
23	COMMISSIONER CHRISTIE: Tell me about
24	it.
25	MR. BERRY: This is our small group HMO,

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1	still under BlueChoice, and what you see here is a
2	minus 1.2 average rate change.
3	If we go down, here is all the detail.
4	Now, for this one, we this represents about
5	10 percent of the small group market, and the
6	membership here is fairly stable.
7	You will see the change of 16 to 17 in
8	the base period. Remember, we talked about that for
9	individual, it was 29 and 35 here, it was
10	3.9 percent. So very low.
11	We have things like the HIT fee coming
12	out, which people have talked about, that's about a
13	3 percent drop, and so those are some of the things
14	that are dropping this down.
15	One issue I wanted to mention that falls
16	into the other category, and this will be the same
17	for the PPO, is we have had health savings account
18	plans and non-health savings account plans, and, in
19	the past, we have put an adjustment factor that said
20	okay, if someone has a health savings account, we
21	think they're going to be a better shopper, they're
22	going to be more vigilant with their own money, so we
23	would expect lower utilization.
24	This year, the VBOI expressed some
25	concerns that that may not be counted as induced

1	demand under ACA for allowable rating factor, so they
2	asked us to remove that factor, which we did, that
3	brings up the HSA plans and drops the non-HSA plans,
4	and that's really what is driving the change in the
5	other factor, so I just wanted to mention that.
6	COMMISSIONER CHRISTIE: Well, I mean
7	maybe we can hear from the Bureau, but it sounds like
8	you had it right the first place, that an HSA plan
9	would be a more discerning consumer because the HSA
10	requires you to pay up front for certain routine
11	services through the HSA as opposed to just, you
12	know, getting them through the insurance plan.
13	MR. BERRY: Yes, and historically, we
14	had included it we called what is called induced
15	demand, which basically is covered as a that's an
16	ACA allowable factor, that says if you have got very
17	low cost shared, you are more likely to go to the
18	doctor than if you are a high cost share
19	COMMISSIONER JAGDMANN: Right.
20	MR. BERRY: And so we figured it is a
21	member act, you know, behavior. That was our
22	justification.
23	ACA is very prescriptive. Our
24	interpretation historically was that this would have
25	been allowed under an induced demand. VBOI had

1	concerns that no, it is not listed as actually in ACA
2	as an allowable rating factor. So, therefore, they
3	asked us not to include it.
4	COMMISSIONER CHRISTIE: Because we want
5	people to do HSAs. I mean that's a good thing. I
6	mean we shouldn't penalize policies that are HSA
7	policies.
8	MR. BERRY: Well, we certainly have the
9	ability to price that way. Like I said, we have done
10	it for the last three years, but this year we removed
11	that factor.
12	COMMISSIONER CHRISTIE: We will ask the
13	Commission to look into that.
14	Why would I mean, as a matter of
15	policy, you want people to do HSAs, you want to
16	encourage HSAs, you want to encourage policies that
17	intertwine with HSAs. I mean that's moving people
18	towards taking care of their own routine expenses.
19	MR. BERRY: Yes.
20	COMMISSIONER CHRISTIE: That should be
21	encouraged, not discouraged.
22	MR. BERRY: What I can say is that we
23	have had a very good relationship with VBOI and very
24	free-flowing discussions, so I am sure that we will
25	be able to have additional conversations about that.

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1	COMMISSIONER JAGDMANN: Okay.
2	MR. BERRY: Okay. Well, why don't I
3	move to small group PPO.
4	
	This is our small group PPO here. You
5	see, it is 8.1 percent, higher than the HMO, but
6	still fairly moderate single digit. The base period
7	claims went up about 6 percent.
8	Some other things here is that our
9	population got a little bit sicker than it had been
10	in the past, which isn't surprising, given this is a
11	PPO with an out-of-network benefit. That was about
12	2.9 percent. We still have the HSA, non-HSA issue
13	here as well.
14	But overall, we are looking at, you
15	know, a single digit increase for small group, which
16	we're pretty happy about. Thank you very much.
17	COMMISSIONER JAGDMANN: Thank you.
18	Okay.
19	MR. SHEA: And we have next, our new
20	entrant into the individual market for 2019,
21	Virginia Premier.
22	COMMISSIONER JAGDMANN: Okay. We say
23	welcome and bring some friends.
24	MR. SHEA: I think that's what they
25	doing.

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1	COMMISSIONER JAGDMANN: Yes.
2	COMMISSIONER CHRISTIE: We welcome all
3	new entrants into the individual market.
4	COMMISSIONER JAGDMANN: Yes.
5	MR. SHEA: There you go.
6	MR. GORDON: Thank you very much.
7	Good afternoon. My name is Rick Gordon,
8	and I'm the vice president for Medicare programs in
9	the individual marketplace for Virginia Premier.
10	I will just take a brief moment to
11	introduce Virginia Premier, hopefully explain our
12	rationale for entering into the market, and then I
13	will turn it over to our actuary, Frank Cestare, to
14	walk us through the rate filing.
15	So for those who may not be familiar,
16	Virginia Premier is owned by the VCU Health System
17	formed in 1995. We are I believe we are the only
18	university-based managed care organization in the
19	Commonwealth, and today we serve a little over
20	220,000 lives across really four distinct lines of
21	business, three distinct lines of business, our
22	Medicaid population, MLTSS, and most recently with
23	some Medicare products we have started to offer.
24	And our rationale for I guess pursuing
25	entry into the individual marketplace was really to

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1continue being able to offer products to the members2we serve today across the continuum of their3healthcare journey, so we see this as an opportunity4to provide an alternative, should our current5members' needs change along their path.6And so with that Judge, to your7question earlier, we have been scrambling to come up8with answers for you. Fortunately, for us, in this9particular instance, we will be offering our product10in a closed network model, so we have confirmed that11all of our providers in this limited service area12will be contracted.13Those providers that Miss Berry14mentioned earlier, the blind providers, in our other15lines of business today, we tend to either authorize16those services or pay directly, so we have not17experienced that instance to date.18COMMISSIONER JAGDMANN: Balance billing.19MR. GORDON: Interesting situation.20COMMISSIONER JAGDMANN: Yes.21MR. CESTARE: Good afternoon. My name23is Frank Cestare. I am a consulting actuary with24Milliman. We have been engaged by Virginia Premier		
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	23	is Frank Cestare. I am a consulting actuary with
	24	Milliman. We have been engaged by Virginia Premier
25 to develop a rate filing for their new individual	25	to develop a rate filing for their new individual

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1	product that Rick just discussed.
2	Chris Ruff is the actuary who prepared
3	and signed the rate filing. Due to a convict, Chris
4	Ruff can't be here today.
5	Off the record, Chris and his baby had a
6	baby over the weekend, so good for them.
7	So with Virginia Premier being new to
8	the individual market in 2019, the exhibit that we
9	are going to show here is going to look a little bit
10	different than the other carriers, so we don't have
11	any prior experience, we don't have any prior rates,
12	so there is no such thing as a rate change between
13	'18 and '19.
14	So what we have been asked to do instead
15	is to show how we developed the rates for 2019, and
16	so when you look at the starting rate for 2018 on the
17	exhibit, that rate was developed using the Milliman
18	health cost guidelines, which is a rating manual that
19	Milliman uses that has claim cost information and
20	various other information that is used to price out
21	health insurance products, and the claim cost
22	information in that manual is based largely on
23	commercial large group experience, it is very
24	different from the individual market.
25	So we start with that as the 2018 rate,

i	
1	and you can see, by the magnitude of it, the \$275, it
2	is a lot less than the individual market.
3	And then we have a series of adjustments
4	that we apply to that rate, to make the rate
5	appropriate for the individual market, and that
6	starting rate was, like I said, it was developed for
7	a large group population, but it does reflect the
8	benefits of this silver plan that we are showing
9	here, which is the plan that we expect to be the most
10	popular plan in 2019. It has a \$6500 deductible,
11	\$7900 out-of-pocket max, 30 percent coinsurance
12	except for PCP services that have a \$15 co-pay
13	without any deductible and coinsurance.
14	COMMISSIONER CHRISTIE: And that's the
15	silver plan?
16	MR. CESTARE: That is the silver plan,
17	yes.
18	COMMISSIONER JAGDMANN: So if you are on
19	the exchange and you qualify for a subsidy, I mean
20	you wouldn't be paying this rate, you would be paying
21	a much lower rate.
22	MR. CESTARE: Much lower rate, right.
23	COMMISSIONER JAGDMANN: And I guess
24	that's the population it is designed for.
25	MR. CESTARE: Right.

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1	COMMISSIONER JAGDMANN: Yes.
2	MR. CESTARE: Yes, this would be at
3	the bottom, the \$491 at the bottom is a rate that
4	someone would pay for the silver plan who did not
5	receive any premium subsidies.
6	COMMISSIONER JAGDMANN: Okay.
7	MR. CESTARE: Then the first adjustment
8	that we make to our starting rate is to reflect that
9	the morbidity in the individual market is a whole lot
10	higher than large group, and so we have got, you
11	know, a fairly sizable adjustment to reflect that
12	higher morbidity, and we, you know, split that
13	additional morbidity into the extra morbidity due to
14	the repeal of the individual mandate, and then the
15	rest of it is included is the line that is called
16	other morbidity. Then
17	COMMISSIONER CHRISTIE: Because you are
18	new, you don't really know what your claims history
19	is going to be or what your health utilization is
20	going to be.
21	MR. CESTARE: That's exactly right. So
22	we start out with the claim cost information that we
23	have for large group and then make a number of
24	adjustments based on things that we have seen in the
25	individual market and how that relates to large

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1	
1	group, right.
2	Trend, that starting 2018 rate, using a
3	9.3 percent trend.
4	There is no adjustment for risk
5	adjustment since we don't have any population, we've
6	assumed that the population we will enroll will be
7	comparable to the statewide population, so there is
8	no risk adjustment included in the rate development.
9	The HIT moratorium is zero, simply
10	because we haven't reflected any health insurance tax
11	in our starting rate, so there is nothing to take out
12	there.
13	Other non-benefit expenses doesn't apply
14	since we don't have I am sorry. The other
15	non-benefit expenses is shown as zero because, in our
16	starting rate, we have included the non-benefit
17	expenses for the individual market, so there is no
18	change there as well.
19	Similar, on the benefit changes, we
20	don't have any benefits in '18 so there is no change
21	going into '19.
22	The other adjustments for the
23	cost-sharing reductions, we split those into two
24	pieces. The first piece that we are calling the CSR
25	non-funding is the non-funding of the cost-sharing

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1	reductions, which end up getting spread over the
2	silver plans. You know, that's a large adjustment of
3	\$96 PMPM.
4	And then the other piece of the CSR is
5	the fact that those richer benefits is going to lead
6	to induced utilization, and that higher utilization
7	gets spread across all the plans, so that's an
8	additional load.
9	And then the last adjustment that we
10	make is for the Medicaid expansion, so there has been
11	discussion around that, in terms of the morbidity of
12	that population being different than the remaining
13	ACA population as well as that population has the
14	richest level of CSR funding, so when we take that
15	out, the load that we need for the CSR non-funding
16	becomes less.
17	So those series of adjustments gets us
18	to the bottom line rate of \$491 for this plan.
19	You know, like I said, this is one of
20	the silver plans that are being offered.
21	Virginia Premier is only offering products in the
22	individual market, and they're only offering products
23	in rating area 7, so that's what this rate
24	represents.
25	COMMISSIONER JAGDMANN: That's Richmond?

1	MR. CESTARE: Yes.
2	Any questions?
3	COMMISSIONER JAGDMANN: Is this a trend?
4	I guess are a lot of hospitals or teaching hospitals
5	offering plans through a subsidiary or whatnot?
6	MR. CESTARE: No, this has not been a
7	trend in the ACA market. It has been a trend in
8	other markets like Medicare Advantage but not ACA.
9	COMMISSIONER JAGDMANN: Okay. Thank
10	you.
11	MR. CESTARE: You are welcome.
12	MR. SHEA: Our two remaining presenting
13	companies are solely in the small group market, so we
14	are going to start with Aetna.
15	MR. MURAYI: Good afternoon. My name is
16	Regis Murayi, I am with Aetna, and my address is 151
17	Farmington Avenue, Hartford, Connecticut 06156.
18	I am director of actuarial for the
19	capitol markets, which includes D.C., Maryland and
20	Virginia.
21	So today we are going to talk about two
22	companies, our Aetna and our Innovation Health
23	companies, with each of them having two entities, one
24	for an HMO and PPO offerings.
25	So we have four filings to review today.

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1	Tuill start by going over our AUT UMO entity Se
	I will start by going over our AHI HMO entity. So
2	for our HMO entity, we are requesting a 24.5 percent
3	increase overall, as you can see in table 15.
4	In table 16, as was presented with
5	others, we have our most popular plan, our minimum
6	rate change and our maximum rate change.
7	So our most popular plan is a silver plan
8	with a \$6000 deductible and it is in rating area 8.
9	So going through the components of the
10	rate increase, we have seven main components,
11	population morbidity changes from 2018 to 2019,
12	medical trend, risk adjustment, removal of the health
13	insurance fee, benefit changes, area factor changes,
14	and then other changes.
15	So starting at the top, we are
16	projecting a 7.4 percent increase in morbidity, this
17	reflects the average morbidity for the ACA small
18	group population.
19	Next, we have a 11.9 percent increase
20	for medical trend. We have a slight adjustment for
21	risk adjustment of 0.2 percent downward adjustment to
22	reflect the difference in our risk adjustment in 2019
23	that we project versus what we have in 2018.
24	We have a 3.2 percent decrease to rates
25	to reflect the removal of the health insurance fee,

1	
1	and then for our most popular plan here, we have a
2	0.4 percent decrease for benefits reflecting a
3	increase in the deductible from a 5000 to a 6000 as
4	well as an increase in the maximum out-of-pocket
5	amount from 7000 to 7900.
6	Next, for this plan in rating area 8, we
7	are reflecting a 1.4 percent decrease for area
8	adjustments. This reflects the fact that we
9	redeveloped new area factors from 2018 to 2019. The
10	magnitude of change varies by area, so for rating
11	area 8, we have a 1.4 percent decrease, but some
12	areas will have increases, other areas will have
13	decreases, but overall has a revenue neutral impact
14	on our overall rate.
15	Finally, we have the other bucket, which
16	reflects differences in our base experience versus
17	what we believed it to be at the time of pricing in
18	2018, as well as some other smaller components such
19	as mix, the mix of business that we have.
20	So for our overall most popular plan, a
21	40 year old in rating area 8 would get a 20.2 percent
22	increase.
23	From the minimum rate change for our AHI
24	entity, we have a 9.5 percent increase and a 32
25	percent increase for our maximum rate change.
20 21 22 23 24	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

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1	COMMISSIONER JAGDMANN: I notice that
2	they were all silver. Do you offer predominantly
3	silver in the small group?
4	MR. MURAYI: Yes. So our AHI entity, we
5	do only have one plan offering, so you will see that
6	the mid, max and popular reflect that same \$6000
7	deductible HMO plan.
8	MR. SHEA: I think if you just scroll
9	the arrow down. There you go. Good job.
10	MR. MURAYI: Okay. Next I will cover
11	our Aetna Life Insurance Company, which is our PPO
12	entity for Aetna.
13	In table 15, we have a 23.4 percent rate
14	increase. Again, our most popular plan here is a
15	silver plan with a \$6000 deductible, so similar to
16	our HMO offering.
17	The components of the rate increase here
18	are very similar to what I went over for our AHI
19	entity, so the only difference here, I will point
20	out, is the area factor here, we have a downward
21	adjustment of 2.1 percent for this plan, this is in
22	rating area 10 versus the rating area difference in
23	the other HMO entity, but the other components for
24	our Aetna Life Insurance entity remain the same as
25	what I just went over for HMO.

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1	Next, I will cover our Innovation Health
2	Insurance Company. This is our legal entity with our
3	joint venture with the Inova Hospital system, so for
4	this entity, we are requesting a 10.9 percent
5	increase, so this entity reflects the benefits of the
6	partnership we have with Inova Health system.
7	Our most popular plan is a gold plan
8	with a zero dollar deductible, and next I will go
9	into the premium development components that get us
10	to this rate.
11	So similar to the other entities, our
12	morbidity projection remains the same, at 7.4
13	percent. Our trend is slightly lower, at
14	11.6 percent.
15	We are projecting a 2.4 percent change
16	in risk adjustment from our what we projected our
17	liability to be in 2019 versus 2018.
18	Again, we have a reduction for the
19	removal of the HIT.
20	And slight benefit changes.
21	The then we have a 1.1 percent
22	decrease for network changes, and then finally, the
23	other bucket similar to what has been presented
24	before reflects differences in our base experience
25	from what we priced in 2019 and what we actually got.

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1	For this entity, this most popular plan
2	would get a 4.3 percent increase with ranges from
3	4.3, our most popular plan being this one, up to a
4	21.4 percent increase.
5	COMMISSIONER JAGDMANN: Thank you.
6	MR. MURAYI: Finally, I will cover our
7	Innovation Health Plan entity. Here, we are
8	requesting a 16.6 percent increase. Again, this is
9	our HMO entity with our joint venture partnership
10	with Innova Health system, so it also reflects the
11	benefits of that partnership that we have.
12	Our most popular plan is a silver plan
13	with a \$3000 deductible. Again, the components of
14	the rate increases are remain similar to what we
15	had before, for morbidity and trend.
16	Risk adjustment remained the
17	component is similar with what we have for our PPO
18	entity.
19	And then benefit changes, we have a 9
20	percent increase in benefit changes for increase for
21	richer benefits.
22	And then that other line, network, is
23	similar to what I just went over with.
24	And the lower line reflecting
25	differences is base experience versus what we had

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1	priced in 2018.
2	COMMISSIONER JAGDMANN: Do you offer
3	bronze plans as well in your HMO?
4	MR. MURAYI: Yes. So for this HMO
5	entity, again, you will notice the plans, max, min
6	and most popular are the same, and that reflects the
7	fact that we have one silver offering for this entity.
8	COMMISSIONER JAGDMANN: One silver
9	offering did you say?
10	MR. MURAYI: Correct.
11	COMMISSIONER JAGDMANN: So is this the
12	same plan.
13	MR. MURAYI: Correct.
14	COMMISSIONER JAGDMANN: So you only have
15	one plan.
16	MR. MURAYI: For our HMO entity, we have
17	one plan. For PPO, we have many.
18	COMMISSIONER JAGDMANN: For your PPO,
19	you have many. Okay. So for the HMO, you only offer
20	one plan, and it is a silver, and so this really
21	this is just the same plan.
22	MR. MURAYI: That's correct.
23	COMMISSIONER JAGDMANN: Okay. All
24	right. Thank you very much.
25	MR. MURAYI: Thank you.

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1	MR. SHEA: And our last presenting
2	company today is United.
3	MR. MORGAN: Good afternoon, Judges.
4	COMMISSIONER JAGDMANN: Good afternoon.
5	MR. MORGAN: My name is Ryan Morgan.
6	I'm an actuarial director with UnitedHealthcare. My
7	address is 10701 Research Drive, Wauwatosa, Wisconsin
8	53226.
9	And I am here to present our filed
10	Virginia 2019 small group rates, these are off
11	exchange, for United's four legal entities, which are
12	UnitedHealthcare Insurance Company, Optimum Choice,
13	UnitedHealthcare of the Mid-Atlantic and
14	UnitedHealthcare Plan of the River Valley.
15	Please note, I am the certifying actuary
16	for the first three but not for River Valley, but I
17	will still be covering it in my presentation today.
18	COMMISSIONER JAGDMANN: Okay.
19	MR. MORGAN: So let's begin here with
20	the UnitedHealthcare Insurance Company. This is, by
21	far, the largest entity, it constitutes about
22	85 percent of our total Virginia small group business
23	or membership.
24	So statewide, as you can see, we are
25	filing for a 6.6 percent increase; however, that

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1	varies by plan and by area, so we will begin looking				
2	at our most popular plan, the gold plan with the \$750				
3	deductible.				
4	On the grid, you had see this plan is				
5	getting a .8 percent decrease from first quarter '19				
6	versus first quarter '18.				
7	So there is three main drivers you can				
8	see here, I will talk through for the decrease, so				
9	first is the benefits changes line, so you can see on				
10	there, the out of pocket is going up so the benefits				
11	are getting leaner, so that constitutes a 3.3 percent				
12	decrease.				
13	Secondly, as many others have mentioned				
14	with the insurer fee moratorium, that's also a				
15	3.3 percent decrease shown here.				
16	So and a note about that, this is to				
17	first quarter specifically, so because, as of now, we				
18	are planning on that fee coming back in in 2020, so				
19	groups renewing in later quarters, that will be				
20	phased back in, so their decrease might not be quite				
21	so low but there would still be a decrease.				
22	And then finally, we have a line there,				
23	area factor decrease, so everything we are showing				
24	here for these first three entities is for region 10,				
25	which is Northern Virginia, so we actually in fourth				

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1 quarter of '18 had an approved area factor de	crease
2 in this region, and then further, in this fir	st
3 quarter filing, our filing for an additional	area
4 factor decrease, we chose Northern Virginia,	that's
5 about 70 percent of our membership across the	se first
6 three entities, so that's why we definitel	y why we
7 picked that; but yes, between both of those i	ncreases
8 together shown here, that's about minus 5.4 p	ercent.
9 So those three factors I mention	ed are
10 what outweigh I guess the 8.4 percent trend a	nd other
11 factors to get to the negative .8 percent for	this
12 most popular plan.	
13 Any questions on that?	
14 COMMISSIONER JAGDMANN: No.	
15 MR. MORGAN: Okay. And then you	can see
16 here, the min and max, so yes, the increases	range
17 from negative 2.1 percent for silver plan is	
18 biggest decrease, and then a platinum plan is	our
19 to have a 12.4 percent increase.	
19 to have a 12.4 percent increase.20 COMMISSIONER JAGDMANN: Okay.	
	going
20 COMMISSIONER JAGDMANN: Okay.	going ptimum
20 COMMISSIONER JAGDMANN: Okay. 21 MR. MORGAN: So I will move to O	going ptimum
20 COMMISSIONER JAGDMANN: Okay. 21 MR. MORGAN: So I will move to O 22 Choice, our second entity. It is about I	going ptimum

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1numbers here are very much the same, so really this2slide is just a function of the different benefit3changes.4So, for Optimum Choice, our most popular5plan is a bronze HSA plan, so that actually is6getting a bigger than average increase in the benefit7changes line, so that drives that most popular plan8to a 6 percent change, and so you can see the range9there within OCI, this entity, from negative .910percent up to 13.7 percent.11Is there any questions on that one?12COMMISSIONER JAGDMANN: Okay. No.13MR. MORGAN: And then UnitedHealthcare14of the Mid-Atlantic, really a similar story.15I guess one thing I did want to cull16out, I did notice there was a typo on the benefit17cost sharing line, what is being shown there is the18family out of pocket, so the true value should be19half of this, so 4500 and 4000, not 9000 and 8000.20COMMISSIONER JAGDMANN: Now, where is that?21MR. MORGAN: Right, up just at the cost22sharing descriptions at the top.23COMMISSIONER JAGDMANN: The sharing24should be what?		
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<pre>16 out, I did notice there was a typo on the benefit 17 cost sharing line, what is being shown there is the 18 family out of pocket, so the true value should be 19 half of this, so 4500 and 4000, not 9000 and 8000. 20 COMMISSIONER JAGDMANN: Now, where is that? 21 MR. MORGAN: Right, up just at the cost 22 sharing descriptions at the top. 23 COMMISSIONER JAGDMANN: The sharing</pre>	14	of the Mid-Atlantic, really a similar story.
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23 COMMISSIONER JAGDMANN: The sharing	21	MR. MORGAN: Right, up just at the cost
	22	sharing descriptions at the top.
24 should be what?	23	COMMISSIONER JAGDMANN: The sharing
	24	should be what?
25 MR. MORGAN: Should be half of those	25	MR. MORGAN: Should be half of those

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1	numbers, so 4500 out of pocket for 2019 and 4000 out				
2	of pocket for 2018.				
3	COMMISSIONER JAGDMANN: Okay.				
4	MR. MORGAN: Yes, the other ones were				
5	right, just this most popular plan.				
6	COMMISSIONER JAGDMANN: Okay. And what				
7	kind of plan is this?				
8	MR. MORGAN: The most popular plan is a				
9	gold plan.				
10	COMMISSIONER JAGDMANN: How can you tell				
11	that looking at this?				
12	MR. MORGAN: I have it in my notes.				
13	COMMISSIONER JAGDMANN: Okay. I have				
14	been looking				
15	MR. MORGAN: You can kind of tell				
16	COMMISSIONER JAGDMANN: I need a snack				
17	or something. I am having trouble finding it.				
18	MR. MORGAN: like the max increase is				
19	a zero dollar, so that's probably a platinum, because				
20	that's very rich.				
21	COMMISSIONER JAGDMANN: Okay.				
22	MR. MORGAN: And these ones that are				
23	more 2 or 3000ish tend to be gold, and then,				
24	obviously, up from there.				
25	COMMISSIONER JAGDMANN: Okay. Thank you.				

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1	MR. MORGAN: Yes. A good question.
2	See, it is really similar to our other
3	slides again. Yes, the minus 1.1 percent for the
4	most popular plan because that one was getting a
5	decrease, and then the range from minus 2.6 to 12.6.
6	COMMISSIONER JAGDMANN: Okay.
7	MR. MORGAN: So then the one that is a
8	bit different is our last legal entities,
9	UnitedHealthcare Plan of the River Valley, so this
10	entity only participates in region rating area 5 and
11	parts of rating area 12, so that's the southwest
12	portion of the state.
13	So River Valley actually has a little
14	bit lower trend, we had 8.4 on the other ones, this
15	one is 7.4, so that's good. But I guess that's kind
16	of where the good news ends.
17	What this one really had was the risk
18	adjustment, they had a big swing in the results that
19	recently came out. In the past, they had been a
20	slight receiver, and then this year they swung to be
21	in a pretty big payor relative to their size, so that
22	was that 12.12 percent hit there. So really, that is
23	the biggest driver.
24	And then I guess compounding that, this
25	bronze plan that is the most popular plan, is also

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1	getting a sizable increase from last year, so all				
2	those factors together come out to 21.7 percent				
3	increase on this most popular plan, and then you can				
4	see the range there from 8.9 percent to 26.8 percent.				
5	COMMISSIONER JAGDMANN: Okay.				
6	MR. MORGAN: So anything else? Any				
7	questions?				
8	COMMISSIONER JAGDMANN: I don't have				
9	any. Do you have any?				
10	COMMISSIONER CHRISTIE: No.				
11	MR. MORGAN: Thank you so much.				
12	COMMISSIONER JAGDMANN: Thank you.				
13	Okay. That concludes the presentations				
14	for today, and I want to thank everyone who presented				
15	today.				
16	I want to stress that the Bureau's				
17	review is ongoing. They're still busy at work				
18	reviewing these and working with our actuaries.				
19	Mr. Shea, you are going to see that the				
20	rating area information is included for all of these,				
21	and I want to thank Commissioner White for your				
22	presentation today.				
23	So if there is nothing further to come				
24	before the Commission, we are adjourned. Thank you.				
25	(Off the record at 1:13 p.m.)				

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1	CERTIFICATE OF REPORTER
2	I, LESLIE D. ETHEREDGE, RMR, CCR, do hereby
3	certify that the proceedings were heard before me in
4	the State Corporation Commission hearing herein;
5	further, that the foregoing transcript is a true and
6	correct record of the proceedings to the best of my
7	abilities; and that I am neither counsel for, related
8	to, nor employed by any of the parties to this case and
9	have no interest, financial or otherwise, in its
10	outcome.
11	Given under my hand, this 7th day of August, 2018.
12	
13	
14	Leslie D. Etheredge
15	Menter G. Crinteredg
16	LESLIE D. ETHEREDGE
17	Registered Merit Reporter and
18	Certified Court Reporter
19	
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	Conducted on .		
A	97:21, 102:12,	actual	35:15, 50:21,
abated	116:2, 151:14,	80:22, 128:17,	72:15, 73:4,
46:6	151:19, 160:9,	144:20, 145:3,	74:7, 86:10,
abilities	165:1, 165:16,	148:21, 156:23	97:19, 119:14,
189:7	165:23, 166:1,	actually	119:23, 120:3,
ability	174:13, 175:7,	29:24, 39:10,	120:4, 134:10,
40:19, 166:9	175:8, 176:17	42:4, 45:22,	150:8, 155:12,
able	academy	55:3, 65:14,	163:21, 168:13,
47:15, 66:6,	35:16	70:16, 75:24,	169:23, 170:2,
66:10, 78:9,	accelerated	77:18, 77:20,	182:15
80:19, 80:22,	102:14	78:9, 79:14,	add
83:12, 83:17,	access	79:18, 79:22,	11:5, 11:25,
86:22, 106:14,	135:1, 157:23	80:6, 80:11,	24:21, 42:7,
113:7, 157:23,	according	80:22, 87:13,	150:12
166:25, 169:1	20:7, 32:22	88:14, 88:21,	addition
above	account	95:1, 95:5,	10:2, 37:24,
13:21, 30:22,	66:11, 158:19,	105:22, 106:25,	152:12
32:19, 56:24,	158:22, 164:17,	107:2, 107:5,	additional
103:20, 142:12	164:18, 164:20	108:1, 113:2,	36:16, 42:7,
absent	accounted	114:12, 117:9,	123:13, 141:11,
42:22	153:5	118:14, 120:2,	150:12, 152:16,
absolute	accuracy	123:4, 126:21,	159:13, 166:25,
32:17, 109:21	36:5	127:3, 129:1,	172:13, 174:8,
absolutely	accurate	129:20, 145:1,	184:3
22:6, 28:18,	25:22	147:25, 159:3,	address
40:14, 71:1,	accurately	163:14, 166:1,	7:18, 7:22,
101:12, 108:22,	34:14	179:25, 183:25,	39:13, 85:23,
111:17, 111:24,	across	185:5, 187:13	86:13, 97:24,
114:1	20:21, 90:24,	actuarial	106:6, 140:19,
abusive	130:22, 142:17,	9:21, 33:22,	155:12, 175:16,
114:24	143:17, 145:4,	34:23, 34:25,	182:7
aca	154:13, 154:21,	35:5, 35:10,	addressed
9:7, 20:15,	168:20, 169:2,	36:16, 72:14,	118:15
21:3, 22:5,	174:7, 184:5	73:3, 74:6,	addressing
26:7, 28:2,	act	86:11, 100:2,	155:14
28:3, 32:22,	165:21	175:18, 182:6	adequately
34:17, 35:1,	action	actuarially	83:13
37:17, 49:10,	42:23	11:5	adjourned
53:14, 53:18,	actively	actuaries	188:24
53:24, 54:11,	42:11	9:13, 9:16,	adjust
54:13, 56:13,	activities	10:1, 11:15,	17:16, 55:17
58:13, 58:16,	6:4, 40:7	34:22, 35:16,	adjusted
58:21, 62:12,	activity	36:8, 52:4,	103:5
62:22, 62:23,	54:20, 69:7,	119:6, 188:18	adjustment
66:25, 67:17,	69:23, 116:21,	actuary	78:4, 78:5,
69:21, 70:21,	117:4	3:6, 6:11,	79:17, 88:20,
70:23, 71:3,	actor	9:14, 10:20,	89:1, 89:5,
-,,	28:15	32:7, 35:7,	96:23, 103:3,

	Conducted on J	uly 24, 2010	171
103:20, 104:1,	175:16, 175:22,	59:14, 59:15,	115:12, 119:20,
104:3, 104:6,	178:11, 178:12,	60:15, 60:25,	132:16
104:8, 104:12,	178:24	61:8, 62:18,	ahi
104:18, 104:20,	affect	66:6, 71:15,	176:1, 177:23,
105:1, 124:3,	54:14, 56:15,	72:25, 74:2,	178:4, 178:18
131:4, 142:8,	57:9, 142:5	82:22, 84:9,	ahps
142:10, 146:21,	affected	88:12, 105:5,	56:9
146:23, 146:25,	15:22	105:8, 106:15,	air
147:3, 147:9,	afford	108:4, 113:7,	107:17
152:19, 153:23,	26:12, 26:22,	113:18, 114:4,	all
154:6, 164:19,	28:10, 56:20,	131:25, 132:17,	9:8, 10:21,
172:7, 172:11,	57:6, 59:1	133:8, 133:13,	12:14, 13:6,
173:4, 173:5,	affordability	142:22, 142:24,	14:24, 16:11,
173:8, 174:2,	100:7	143:3, 144:23,	21:12, 21:17,
174:9, 176:12,	affordable	146:6, 146:14,	31:13, 32:15,
176:20, 176:21,	19:18, 27:7,	147:3, 148:3,	33:18, 34:12,
176:22, 178:21,	27:15, 29:12,	148:25, 149:7,	34:14, 35:3,
179:16, 180:16,	30:19, 31:8	149:11, 150:23,	35:21, 36:2,
187:18	afoot	158:11, 161:5,	42:9, 44:17,
adjustments	53:21	178:14, 179:18,	49:12, 50:3,
47:16, 145:13,	after	180:8, 180:13,	51:8, 55:11,
171:3, 172:24,	6:10, 14:17,	181:5, 187:3	55:17, 55:18,
173:22, 174:17,	24:6, 60:3,	against	60:5, 62:16,
177:8	68:23, 69:21,	59:15, 110:24	62:18, 64:22,
administered	69:23, 70:1,	age	67:22, 69:9,
137:24	70:19, 76:24,	33:11, 33:13,	69:19, 69:23,
administrative	76:25, 78:11,	51:18, 51:21,	70:2, 73:2,
154:15	96:13, 113:16,	75:3, 148:16	74:1, 74:13,
admit	116:17, 137:6,	aggregate	77:1, 84:14,
91:23	149:23, 150:18,	50:7, 63:25	84:15, 86:1,
adult	150:23	aggressive	86:7, 86:9,
74:21	afternoon	95:16, 96:11	86:16, 87:25,
adults	150:7, 155:9,	aggressively	89:10, 89:14,
74:22, 75:1	155:10, 168:7,	138:7, 138:12	90:24, 91:24,
advance	169:22, 175:15,	aging	92:1, 93:20,
110:17, 151:1,	182:3, 182:4	139:7	96:19, 97:13,
151:4, 151:12	afterwards	ago	98:20, 99:12,
advanced	6:14, 76:21,	20:18, 22:22,	100:16, 105:3,
150:25	136:5	22:25, 24:11,	107:15, 109:4,
advantage	again	52:3, 81:16,	109:9, 110:1,
139:10, 175:8	10:4, 13:19,	90:11, 157:7,	112:15, 113:4,
advertising	22:17, 27:25,	161:6, 163:17	115:2, 119:12,
152:14	28:11, 30:23,	agree	128:14, 129:13,
advocating	35:16, 42:3,	64:21, 110:3,	130:11, 130:22,
59:15	43:11, 47:24,	138:18, 160:8	137:3, 138:10,
aetna	51:23, 55:21,	agreement	141:14, 141:18,
3:14, 16:22,	56:19, 56:23,	65:19	143:19, 154:13,
20:19, 175:14,	57:19, 59:1,	ahead	154:22, 154:23,
, , ,	1	74:12, 81:4,	
	1		

	Conducted on 5	uij 2 1, 2 010	
155:3, 157:14,	41:22, 46:16,	43:13, 45:13,	17:14, 23:19,
158:24, 164:3,	49:14, 50:1,	46:5, 60:17,	23:20, 97:17,
168:2, 169:11,	50:5, 50:8,	61:7, 69:7,	97:19, 106:7,
174:7, 178:2,	56:19, 61:6,	69:10, 69:14,	106:21, 107:4,
181:23, 188:1,	63:15, 64:14,	89:1, 89:20,	107:5, 111:14,
188:20	67:5, 74:22,	177:5	112:22, 115:7,
allow	75:20, 97:25,	amounts	116:8, 118:17,
82:7, 83:3,	98:24, 99:10,	46:15, 159:13	118:18, 137:24
110:4, 111:23,	101:6, 101:19,	analysis	anthem's
114:8, 140:6,	102:5, 103:6,	9:24, 11:10,	17:2
144:21, 148:22	104:21, 105:1,	28:22, 33:22,	anticipate
allowable	108:13, 113:12,	34:7, 34:24,	52:8
165:1, 165:16,	114:21, 115:15,	35:8, 35:9,	anticipated
166:2	117:11, 117:22,	50:8, 79:11,	10:16, 160:15
allowed	120:3, 120:4,	79:21, 136:15	antidote
83:1, 84:7,	123:11, 129:15,	anesthesiologist	81:12
100:3, 117:2,	133:13, 136:3,	112:4	any
123:21, 144:24,	142:21, 144:24,	anesthesiologists	5:18, 7:11,
165:25	148:1, 158:13,	107:17	7:17, 17:8,
allowing	158:22, 180:10,	anesthesiology	17:12, 30:23,
82:12, 112:1,	183:14, 187:25	109:16, 109:18,	34:25, 50:8,
112:2	alternative	111:2, 111:15,	58:1, 67:9,
allows	169:4	111:16	71:2, 85:13,
50:5, 50:8,	alternatives	angles	92:1, 98:10,
53:16, 109:7	27:11	140:25	106:4, 114:23,
almost	although	animal	118:21, 120:8,
24:12, 126:24,	13:15, 14:11,	142:19	131:9, 132:3,
138:3, 139:14	105:18, 141:3,	announced	132:6, 132:9,
alone	144:9	68:24	133:24, 146:15,
100:14	always	annual	149:17, 150:13,
along	48:20, 54:1	4:9, 5:6, 33:9,	153:9, 153:25,
10:12, 20:21,	ambulance	88:16, 89:12,	154:25, 160:22,
28:22, 35:9,	86:4, 107:18	117:19, 117:25	160:24, 163:19,
97:24, 117:4,	amend	another	170:11, 171:13,
121:7, 141:20,	113:4	23:3, 51:17,	172:5, 173:5,
149:15, 169:5	amendment	52:21, 113:3,	173:10, 173:20,
already	113:2	116:19, 125:14	175:2, 184:13,
56:21, 56:22,	america	answer	185:11, 188:6,
98:1, 109:2,	37:23	16:3, 21:20,	188:9, 189:8
147:12, 158:11	american	21:22, 21:23,	anybody
also	35:16	85:19, 106:14,	27:7, 41:2,
4:18, 6:2, 7:2,	among	107:11, 120:7,	135:1, 139:22,
7:6, 9:12, 9:16,	18:7, 23:18,	162:24	151:20
10:15, 11:4,	39:11, 42:20	answered	anything
13:9, 17:2,	amount	108:8	54:16, 54:21,
18:13, 21:15,	21:16, 32:10,	answers	86:1, 106:7,
34:1, 35:18,	33:14, 36:18,	169:8	188:6
37:24, 41:8,	39:21, 40:25,	anthem	anyway
. ,	, , , , , , , , , , , , , , , , , , , ,	3:9, 14:17,	57:14
		···/	

	Conducted (JII July 24, 2010	
anywhere	18:15, 18:17,	arguably	139:4, 146:24,
60:14	18:22, 19:14,	69:20	147:8
apart	23:9, 30:14,	argue	assumed
139:3	63:1, 63:6,	27:7, 67:6	89:13, 143:22,
apparently	63:10, 63:13,	argument	159:19, 159:20,
85:2, 109:16	63:23, 64:2,	27:11	173:6
appearances	65:14, 65:15,	arise	assuming
2:1	65:16, 65:18,	9:18	60:13, 154:4
appears	65:20, 74:15,	around	assumption
99:13	74:16, 75:11,	60:21, 102:11,	10:13, 38:3,
apples	75:12, 75:14,	124:1, 139:1,	88:4, 90:18,
71:7	93:13, 113:2,	154:4, 174:11	123:12, 136:2,
applicable	113:4, 113:16,	arrangements	143:21, 148:7,
10:21	125:6, 125:7,	64:20	148:8
applied	125:11, 125:12,	array	assumptions
90:24, 91:1,	125:13, 125:18,	111:12	35:22, 36:4,
124:14	125:23, 125:25,	arrow	36:15, 75:1,
applies	126:20, 126:23,	178:9	147:7
38:10, 81:13,	127:1, 131:24,	article	atlanta
143:3	138:21, 139:2,	108:19	150:9
apply	139:3, 141:15,	ask	attempt
79:7, 95:12,	144:3, 144:4,	36:24, 62:18,	55:17
162:10, 171:4,	144:5, 144:6,	81:10, 125:5,	attorney
173:13	144:7, 157:13,	135:17, 138:2,	136:22
applying	157:19, 157:25,	138:7, 166:12	attract
88:17, 91:3	163:4, 169:11,	asked	40:20
appreciate	174:23, 176:8,	8:4, 16:3,	attractive
86:19, 149:1	176:13, 177:6,	50:21, 51:11,	58:17
approach	177:7, 177:9,	60:21, 141:11,	attracts
33:21, 36:25,	177:10, 177:11,	165:2, 166:3,	54:12
38:20, 43:18,	177:21, 178:20,	170:14	audience
132:23	178:22, 183:1, 183:23, 184:1,	asking	31:24
appropriate	184:3, 187:10,	47:22, 92:9,	audiovisual
171:5	187:11, 188:20	138:6, 148:3	7:11, 73:15,
appropriately	areas	aspect	76:10
148:25	14:12, 20:21,	53:24	august
approval	23:6, 55:21,	assimilate	5:3, 11:19,
5:18, 9:1,	62:19, 62:21,	70:2	33:25, 130:9,
11:2, 35:2	62:24, 63:5,	associated	189:11
approve	63:18, 63:25,	19:24, 27:12	authority
4:14	65:23, 128:15,	association	35:2
approved	177:12	53:11, 53:15,	authorize
50:10, 50:16,	aren't	53:22, 54:8,	169:15
109:12, 184:1	58:11, 63:17,	56:9, 56:14,	automatic
approximately	89:6, 93:24,	102:7	49:23
55:14, 70:15,	137:13, 151:14,	associations	av
131:17, 142:16	152:24	53:18, 159:22	100:3
area		assume	availability
17:18, 18:10,		63:24, 138:9,	102:7

	Conducted on 5		
available	20:25, 34:20,	109:24, 110:10,	26:21, 27:19,
7:4, 54:2,	36:18, 44:23,	112:16, 113:19,	28:3, 29:12,
58:5, 58:11,	45:11, 45:12,	139:17, 140:4	32:20, 33:12,
58:18, 130:9	46:6, 46:18,	bars	33:15, 39:5,
avenue	49:23, 52:5,	68:11	39:20, 40:11,
175:17	54:14, 56:8,	base	43:10, 43:11,
average	71:4, 73:15,	90:8, 97:7,	45:25, 52:10,
-	73:24, 88:20,	97:9, 97:10,	53:22, 54:7,
13:22, 25:1,	89:10, 90:18,		54:23, 56:3,
25:7, 29:21,	93:18, 113:8,	104:22, 117:16,	56:11, 56:16,
29:22, 29:25,		118:9, 126:21,	57:10, 57:20,
30:9, 52:11,	113:15, 113:17,	144:22, 145:8,	
55:12, 60:13,	115:1, 118:23,	149:1, 149:3,	58:6, 59:15,
61:8, 62:10,	119:2, 121:15,	149:4, 156:15,	60:21, 62:19,
62:11, 66:13,	130:16, 134:21,	156:22, 158:21,	63:21, 64:3,
68:13, 68:15,	144:2, 149:23,	161:9, 161:15,	66:19, 71:3,
69:2, 69:5,	183:18, 183:20	162:10, 164:8,	71:9, 71:17,
70:2, 70:6,	background	167:6, 177:16,	80:10, 81:24,
70:9, 70:17,	6:3	179:24, 180:25	82:24, 84:8,
74:20, 86:24,	backing	based	84:16, 88:10,
87:10, 94:20,	114:20	77:23, 79:7,	88:25, 89:19,
114:10, 135:7,	bad	79:12, 100:4,	92:2, 92:5,
137:25, 140:20,	163:18	123:8, 123:13,	95:22, 97:9,
142:12, 142:14,	baked	128:23, 131:3,	97:12, 104:4,
146:4, 148:16,	36:3	170:22, 172:24	107:23, 108:4,
154:5, 158:9,	balance	baseline	108:16, 109:4,
158:18, 164:2,	92:5, 107:1,	70:20	109:14, 110:1,
176:17, 185:6	107:7, 169:18	basic	111:11, 114:11,
averse	ball	147:7	118:24, 120:9,
109:3	106:17	basically	121:18, 122:6,
aware	band	31:19, 39:16,	123:25, 125:1,
31:2, 50:11,	53:17	51:17, 53:16,	126:19, 128:17, 128:24, 131:4,
82:6, 83:9,	bar	108:5, 108:11,	
93:15, 106:22,	68:9	110:20, 119:24,	131:17, 133:1, 133:7, 136:7,
108:17, 108:18	bare	132:21, 135:11,	136:12, 136:21,
away	17:12, 17:15,	135:12, 145:8,	137:22, 139:6,
41:8, 54:13,	112:25, 113:8,	161:22, 165:15	139:15, 139:18,
69:18, 78:9,	113:14	basing	146:17, 149:3,
89:17, 133:7,	bargain	96:15	150:21, 154:8,
136:11	67:8, 112:10,	basis	159:21, 160:19,
awful	112:13, 114:6,	33:9, 44:17,	165:9, 166:4,
147:6	139:25	67:1, 117:19,	172:17, 173:10,
В	bargaining	148:17	173:15, 183:17,
baby	82:9, 82:15,	beach	186:19, 187:4
170:5, 170:6	82:17, 83:2,	125:9, 126:20,	becomes
back	84:12, 84:17,	127:11	174:16
7:4, 9:9, 9:17,	85:11, 108:24,	bear	been
17:14, 18:14,	108:25, 109:1,	26:7	13:21, 15:22,
	109:12, 109:21,	because	
		15:21, 25:24,	

Conducted on July 24, 2018 195				
16:14, 20:14,	begins	87:10, 90:1,	110:14, 111:17,	
20:15, 21:3,	25:12	90:4, 90:5,	111:24, 112:6,	
21:4, 26:6,	behavior	94:25, 95:8,	112:15, 112:21,	
28:4, 28:8,	165:21	97:4, 97:6,	114:1, 114:8,	
34:12, 34:13,	behind	99:18, 99:24,	155:7, 155:11,	
36:3, 37:17,	54:24, 157:10,	118:4, 124:12,	155:21, 155:24,	
40:23, 41:6,	162:5	124:19, 124:20,	156:4, 156:7,	
45:24, 50:15,	being	130:18, 133:8,	156:10, 156:12,	
54:1, 57:20,	7:7, 16:4,	133:13, 136:15,	156:23, 159:1,	
57:21, 67:17,	18:15, 26:14,	137:21, 143:7,	159:3, 162:3,	
67:21, 72:3,	26:21, 31:10,	144:14, 145:6,	162:9, 162:23,	
79:10, 81:16,	49:1, 52:25,	147:24, 147:25,	163:6, 163:9,	
98:1, 102:12,	56:25, 80:3,	148:20, 150:15,	163:25, 165:13,	
105:4, 108:17,	82:11, 101:9,	153:4, 154:16,	165:20, 166:8,	
113:7, 116:18,	102:4, 103:20,	163:14, 167:11,	166:19, 166:22,	
116:24, 117:17,	104:2, 110:12,	173:19, 176:13,	167:2, 169:13	
119:1, 124:8,	110:13, 132:19,	179:20, 180:19,	best	
124:13, 134:19,	150:17, 169:1,	180:20, 185:2,	21:8, 34:13,	
136:21, 138:18,	170:7, 174:12,	185:6, 185:16	38:5, 43:18,	
145:2, 160:12,	174:20, 180:3,	benefits	83:12, 189:6	
162:10, 165:25,	185:17	11:4, 43:25,	better	
167:9, 169:7,	believe	44:10, 92:19,	8:20, 8:23,	
169:24, 170:14,	11:19, 42:6,	100:6, 124:14,	28:17, 67:7,	
174:10, 175:6,	42:8, 76:8,	125:3, 131:20,	84:23, 98:13,	
175:7, 179:23,	107:1, 107:25,	133:12, 141:3,	105:1, 118:9,	
186:14, 187:19	108:4, 116:15,	141:14, 144:13,	138:5, 143:10,	
before	119:8, 119:17,	144:22, 151:3,	153:8, 164:21	
1:17, 5:7, 8:8,	133:14, 138:25,	171:8, 173:20,	between	
13:7, 15:10,	141:17, 147:17,	174:5, 177:2,	15:13, 23:10,	
32:9, 56:6,	147:19, 157:25,	179:5, 180:11,	23:25, 24:17,	
64:5, 70:23,	158:13, 163:6,	180:21, 183:9,	29:1, 36:19,	
81:2, 81:5,	163:9, 168:17	183:10	44:15, 52:19,	
81:24, 92:21,	believed	bentley	54:8, 70:23,	
95:17, 111:1,	177:17	119:19, 119:22,	91:24, 111:11,	
111:7, 116:24,	bell	119:23, 120:16,	118:16, 131:1,	
121:14, 125:2,	136:20, 150:24	121:24, 122:25,	145:4, 145:22,	
135:17, 135:20,	below	126:7, 126:13,	170:12, 184:7	
138:19, 143:12,	18:4, 44:25,	127:5, 127:9,	beyond	
150:10, 150:18,	46:3, 46:4,	127:13, 127:17,	147:15, 151:13	
150:19, 160:24,	46:10, 63:20,	127:19, 127:22,	big	
179:24, 180:15,	68:10, 70:13,	127:25, 128:4,	16:24, 23:14,	
188:24, 189:3	79:22, 142:13,	128:8, 128:11,	25:23, 71:15,	
begin	156:17	129:3, 130:17,	85:9, 87:12,	
7:24, 57:12,	benefit	132:7, 132:14,	97:11, 102:21,	
182:19, 183:1	4:15, 10:23,	132:17	107:8, 110:15,	
beginning	4:15, 10:23, 16:4, 31:12,	berry	113:24, 122:6,	
50:12, 68:17,	49:18, 65:11,	106:20, 107:25,	124:5, 154:14,	
69:25	49:18, 65:11, 78:18, 78:24,	108:22, 109:19,	158:20, 187:18,	
	10.10, 10:24,			

		-	
187:21	170:9, 187:8,	121:22, 162:15	build
bigger	187:14	brand	83:12, 99:4
46:15, 46:16,	blaming	124:21, 124:23	built
52:9, 57:14,	82:24	brand-new	151:14
86:17, 86:18,	blauvelt	69:22	built-in
98:7, 98:10,	107:2	breadth	114:23
146:12, 185:6	bli's	163:4	burden
biggest	79:12	breaking	99:6, 103:13,
102:19, 139:20,	blind	74:21	138:16
184:18, 184:24,	169:14	brief	burdensome
187:23	block	87:7, 168:10	50:12
bill	118:10, 143:3,	briefly	bureau
81:20, 84:8,	148:10	8:13, 8:25,	4:25, 5:24,
84:24, 85:9,	blocks	33:21, 68:8,	6:2, 6:4, 6:9,
107:1, 107:7	139:19	134:12	7:1, 9:1, 9:20,
billed	blow	bring	10:20, 11:2,
80:21, 151:9	98:5	40:8, 77:22,	11:9, 31:5,
billing	blue	103:1, 104:10,	32:6, 32:7,
92:5, 169:18	12:21, 18:19,	117:25, 131:2,	34:5, 36:19,
bit	23:7, 24:2,	136:13, 167:23	79:5, 113:5,
8:10, 11:12,	25:3, 68:11	bringing	165:7
15:24, 25:8,	bluechoice	31:4, 117:12	bureau's
30:3, 31:8,	155:18, 157:5,	brings	6:11, 6:12,
34:19, 35:5,	158:17, 160:24,	40:11, 165:3	11:10, 33:24,
46:7, 49:1, 49:3, 50:12,	164:1	broad	188:16
	board	11:8, 157:15,	business
53:23, 54:19,	145:4	157:17	19:6, 22:15,
53:23, 54:19, 61:3, 61:16,	145:4 book	157:17 bronze	19:6, 22:15, 69:4, 95:17,
53:23, 54:19, 61:3, 61:16, 61:19, 70:12,	145:4 book 142:17	157:17 bronze 36:1, 75:13,	19:6, 22:15, 69:4, 95:17, 96:13, 117:1,
53:23, 54:19, 61:3, 61:16, 61:19, 70:12, 71:8, 72:22,	145:4 book 142:17 books	157:17 bronze 36:1, 75:13, 79:21, 99:13,	19:6, 22:15, 69:4, 95:17, 96:13, 117:1, 121:10, 132:1,
53:23, 54:19, 61:3, 61:16, 61:19, 70:12, 71:8, 72:22, 74:24, 78:20,	145:4 book 142:17 books 77:19	157:17 bronze 36:1, 75:13, 79:21, 99:13, 105:19, 131:1,	19:6, 22:15, 69:4, 95:17, 96:13, 117:1, 121:10, 132:1, 132:9, 143:4,
53:23, 54:19, 61:3, 61:16, 61:19, 70:12, 71:8, 72:22, 74:24, 78:20, 86:17, 90:2,	145:4 book 142:17 books 77:19 both	157:17 bronze 36:1, 75:13, 79:21, 99:13, 105:19, 131:1, 132:19, 141:17,	19:6, 22:15, 69:4, 95:17, 96:13, 117:1, 121:10, 132:1, 132:9, 143:4, 154:13, 168:21,
53:23, 54:19, 61:3, 61:16, 61:19, 70:12, 71:8, 72:22, 74:24, 78:20, 86:17, 90:2, 91:8, 96:20,	145:4 book 142:17 books 77:19 both 6:19, 15:4,	157:17 bronze 36:1, 75:13, 79:21, 99:13, 105:19, 131:1, 132:19, 141:17, 146:10, 181:3,	19:6, 22:15, 69:4, 95:17, 96:13, 117:1, 121:10, 132:1, 132:9, 143:4, 154:13, 168:21, 169:15, 177:19,
53:23, 54:19, 61:3, 61:16, 61:19, 70:12, 71:8, 72:22, 74:24, 78:20, 86:17, 90:2, 91:8, 96:20, 98:6, 98:7,	145:4 book 142:17 books 77:19 both 6:19, 15:4, 16:12, 22:17,	157:17 bronze 36:1, 75:13, 79:21, 99:13, 105:19, 131:1, 132:19, 141:17, 146:10, 181:3, 185:5, 187:25	19:6, 22:15, 69:4, 95:17, 96:13, 117:1, 121:10, 132:1, 132:9, 143:4, 154:13, 168:21, 169:15, 177:19, 182:22
53:23, 54:19, 61:3, 61:16, 61:19, 70:12, 71:8, 72:22, 74:24, 78:20, 86:17, 90:2, 91:8, 96:20, 98:6, 98:7, 98:25, 100:7,	145:4 book 142:17 books 77:19 both 6:19, 15:4, 16:12, 22:17, 23:24, 23:25,	157:17 bronze 36:1, 75:13, 79:21, 99:13, 105:19, 131:1, 132:19, 141:17, 146:10, 181:3, 185:5, 187:25 brought	19:6, 22:15, 69:4, 95:17, 96:13, 117:1, 121:10, 132:1, 132:9, 143:4, 154:13, 168:21, 169:15, 177:19, 182:22 businesses
53:23, 54:19, 61:3, 61:16, 61:19, 70:12, 71:8, 72:22, 74:24, 78:20, 86:17, 90:2, 91:8, 96:20, 98:6, 98:7,	145:4 book 142:17 books 77:19 both 6:19, 15:4, 16:12, 22:17, 23:24, 23:25, 27:22, 28:23,	157:17 bronze 36:1, 75:13, 79:21, 99:13, 105:19, 131:1, 132:19, 141:17, 146:10, 181:3, 185:5, 187:25 brought 106:6, 114:16,	19:6, 22:15, 69:4, 95:17, 96:13, 117:1, 121:10, 132:1, 132:9, 143:4, 154:13, 168:21, 169:15, 177:19, 182:22 businesses 5:15
53:23, 54:19, 61:3, 61:16, 61:19, 70:12, 71:8, 72:22, 74:24, 78:20, 86:17, 90:2, 91:8, 96:20, 98:6, 98:7, 98:25, 100:7, 101:8, 103:9,	145:4 book 142:17 books 77:19 both 6:19, 15:4, 16:12, 22:17, 23:24, 23:25, 27:22, 28:23, 29:1, 29:4,	157:17 bronze 36:1, 75:13, 79:21, 99:13, 105:19, 131:1, 132:19, 141:17, 146:10, 181:3, 185:5, 187:25 brought 106:6, 114:16, 132:24	19:6, 22:15, 69:4, 95:17, 96:13, 117:1, 121:10, 132:1, 132:9, 143:4, 154:13, 168:21, 169:15, 177:19, 182:22 businesses 5:15 busy
53:23, 54:19, 61:3, 61:16, 61:19, 70:12, 71:8, 72:22, 74:24, 78:20, 86:17, 90:2, 91:8, 96:20, 98:6, 98:7, 98:25, 100:7, 101:8, 103:9, 103:14, 105:11,	145:4 book 142:17 books 77:19 both 6:19, 15:4, 16:12, 22:17, 23:24, 23:25, 27:22, 28:23, 29:1, 29:4, 29:16, 29:24,	157:17 bronze 36:1, 75:13, 79:21, 99:13, 105:19, 131:1, 132:19, 141:17, 146:10, 181:3, 185:5, 187:25 brought 106:6, 114:16, 132:24 bucket	19:6, 22:15, 69:4, 95:17, 96:13, 117:1, 121:10, 132:1, 132:9, 143:4, 154:13, 168:21, 169:15, 177:19, 182:22 businesses 5:15 busy 188:17
53:23, 54:19, 61:3, 61:16, 61:19, 70:12, 71:8, 72:22, 74:24, 78:20, 86:17, 90:2, 91:8, 96:20, 98:6, 98:7, 98:25, 100:7, 101:8, 103:9, 103:14, 105:11, 106:2, 115:24,	145:4 book 142:17 books 77:19 both 6:19, 15:4, 16:12, 22:17, 23:24, 23:25, 27:22, 28:23, 29:1, 29:4, 29:16, 29:24, 35:3, 44:14,	157:17 bronze 36:1, 75:13, 79:21, 99:13, 105:19, 131:1, 132:19, 141:17, 146:10, 181:3, 185:5, 187:25 brought 106:6, 114:16, 132:24 bucket 80:25, 177:15,	19:6, 22:15, 69:4, 95:17, 96:13, 117:1, 121:10, 132:1, 132:9, 143:4, 154:13, 168:21, 169:15, 177:19, 182:22 businesses 5:15 busy 188:17 buy
53:23, 54:19, 61:3, 61:16, 61:19, 70:12, 71:8, 72:22, 74:24, 78:20, 86:17, 90:2, 91:8, 96:20, 98:6, 98:7, 98:25, 100:7, 101:8, 103:9, 103:14, 105:11, 106:2, 115:24, 116:18, 118:1, 118:11, 118:20, 124:25, 126:3,	145:4 book 142:17 books 77:19 both 6:19, 15:4, 16:12, 22:17, 23:24, 23:25, 27:22, 28:23, 29:1, 29:4, 29:16, 29:24, 35:3, 44:14, 64:21, 124:9,	157:17 bronze 36:1, 75:13, 79:21, 99:13, 105:19, 131:1, 132:19, 141:17, 146:10, 181:3, 185:5, 187:25 brought 106:6, 114:16, 132:24 bucket 80:25, 177:15, 179:23	19:6, 22:15, 69:4, 95:17, 96:13, 117:1, 121:10, 132:1, 132:9, 143:4, 154:13, 168:21, 169:15, 177:19, 182:22 businesses 5:15 busy 188:17 buy 92:23, 145:6
53:23, 54:19, 61:3, 61:16, 61:19, 70:12, 71:8, 72:22, 74:24, 78:20, 86:17, 90:2, 91:8, 96:20, 98:6, 98:7, 98:25, 100:7, 101:8, 103:9, 103:14, 105:11, 106:2, 115:24, 116:18, 118:1, 118:11, 118:20, 124:25, 126:3, 131:3, 133:1,	145:4 book 142:17 books 77:19 both 6:19, 15:4, 16:12, 22:17, 23:24, 23:25, 27:22, 28:23, 29:1, 29:4, 29:16, 29:24, 35:3, 44:14, 64:21, 124:9, 140:25, 162:11,	157:17 bronze 36:1, 75:13, 79:21, 99:13, 105:19, 131:1, 132:19, 141:17, 146:10, 181:3, 185:5, 187:25 brought 106:6, 114:16, 132:24 bucket 80:25, 177:15, 179:23 bucketing	19:6, 22:15, 69:4, 95:17, 96:13, 117:1, 121:10, 132:1, 132:9, 143:4, 154:13, 168:21, 169:15, 177:19, 182:22 businesses 5:15 busy 188:17 buy 92:23, 145:6 buyers
53:23, 54:19, 61:3, 61:16, 61:19, 70:12, 71:8, 72:22, 74:24, 78:20, 86:17, 90:2, 91:8, 96:20, 98:6, 98:7, 98:25, 100:7, 101:8, 103:9, 103:14, 105:11, 106:2, 115:24, 116:18, 118:1, 118:11, 118:20, 124:25, 126:3, 131:3, 133:1, 133:2, 133:5,	145:4 book 142:17 books 77:19 both 6:19, 15:4, 16:12, 22:17, 23:24, 23:25, 27:22, 28:23, 29:1, 29:4, 29:16, 29:24, 35:3, 44:14, 64:21, 124:9, 140:25, 162:11, 184:7	157:17 bronze 36:1, 75:13, 79:21, 99:13, 105:19, 131:1, 132:19, 141:17, 146:10, 181:3, 185:5, 187:25 brought 106:6, 114:16, 132:24 bucket 80:25, 177:15, 179:23 bucketing 102:2	19:6, 22:15, 69:4, 95:17, 96:13, 117:1, 121:10, 132:1, 132:9, 143:4, 154:13, 168:21, 169:15, 177:19, 182:22 businesses 5:15 busy 188:17 buy 92:23, 145:6 buyers 67:14
53:23, 54:19, 61:3, 61:16, 61:19, 70:12, 71:8, 72:22, 74:24, 78:20, 86:17, 90:2, 91:8, 96:20, 98:6, 98:7, 98:25, 100:7, 101:8, 103:9, 103:14, 105:11, 106:2, 115:24, 116:18, 118:1, 118:11, 118:20, 124:25, 126:3, 131:3, 133:1, 133:2, 133:5, 141:4, 143:14,	145:4 book 142:17 books 77:19 both 6:19, 15:4, 16:12, 22:17, 23:24, 23:25, 27:22, 28:23, 29:1, 29:4, 29:16, 29:24, 35:3, 44:14, 64:21, 124:9, 140:25, 162:11, 184:7 bottom	157:17 bronze 36:1, 75:13, 79:21, 99:13, 105:19, 131:1, 132:19, 141:17, 146:10, 181:3, 185:5, 187:25 brought 106:6, 114:16, 132:24 bucket 80:25, 177:15, 179:23 bucketing 102:2 budget	19:6, 22:15, 69:4, 95:17, 96:13, 117:1, 121:10, 132:1, 132:9, 143:4, 154:13, 168:21, 169:15, 177:19, 182:22 businesses 5:15 busy 188:17 buy 92:23, 145:6 buyers 67:14 buying
53:23, 54:19, 61:3, 61:16, 61:19, 70:12, 71:8, 72:22, 74:24, 78:20, 86:17, 90:2, 91:8, 96:20, 98:6, 98:7, 98:25, 100:7, 101:8, 103:9, 103:14, 105:11, 106:2, 115:24, 116:18, 118:1, 118:11, 118:20, 124:25, 126:3, 131:3, 133:1, 133:2, 133:5, 141:4, 143:14, 146:19, 148:1,	145:4 book 142:17 books 77:19 both 6:19, 15:4, 16:12, 22:17, 23:24, 23:25, 27:22, 28:23, 29:1, 29:4, 29:16, 29:24, 35:3, 44:14, 64:21, 124:9, 140:25, 162:11, 184:7 bottom 149:15, 151:2,	157:17 bronze 36:1, 75:13, 79:21, 99:13, 105:19, 131:1, 132:19, 141:17, 146:10, 181:3, 185:5, 187:25 brought 106:6, 114:16, 132:24 bucket 80:25, 177:15, 179:23 bucketing 102:2 budget 152:14	19:6, 22:15, 69:4, 95:17, 96:13, 117:1, 121:10, 132:1, 132:9, 143:4, 154:13, 168:21, 169:15, 177:19, 182:22 businesses 5:15 busy 188:17 buy 92:23, 145:6 buyers 67:14
53:23, 54:19, 61:3, 61:16, 61:19, 70:12, 71:8, 72:22, 74:24, 78:20, 86:17, 90:2, 91:8, 96:20, 98:6, 98:7, 98:25, 100:7, 101:8, 103:9, 103:14, 105:11, 106:2, 115:24, 116:18, 118:1, 118:11, 118:20, 124:25, 126:3, 131:3, 133:1, 133:2, 133:5, 141:4, 143:14, 148:4, 148:12,	145:4 book 142:17 books 77:19 both 6:19, 15:4, 16:12, 22:17, 23:24, 23:25, 27:22, 28:23, 29:1, 29:4, 29:16, 29:24, 35:3, 44:14, 64:21, 124:9, 140:25, 162:11, 184:7 bottom	157:17 bronze 36:1, 75:13, 79:21, 99:13, 105:19, 131:1, 132:19, 141:17, 146:10, 181:3, 185:5, 187:25 brought 106:6, 114:16, 132:24 bucket 80:25, 177:15, 179:23 bucketing 102:2 budget	19:6, 22:15, 69:4, 95:17, 96:13, 117:1, 121:10, 132:1, 132:9, 143:4, 154:13, 168:21, 169:15, 177:19, 182:22 businesses 5:15 busy 188:17 buy 92:23, 145:6 buyers 67:14 buying 30:18, 56:13,
53:23, 54:19, 61:3, 61:16, 61:19, 70:12, 71:8, 72:22, 74:24, 78:20, 86:17, 90:2, 91:8, 96:20, 98:6, 98:7, 98:25, 100:7, 101:8, 103:9, 103:14, 105:11, 106:2, 115:24, 116:18, 118:1, 118:11, 118:20, 124:25, 126:3, 131:3, 133:1, 133:2, 133:5, 141:4, 143:14, 146:19, 148:1, 148:4, 148:12, 148:17, 162:4,	145:4 book 142:17 books 77:19 both 6:19, 15:4, 16:12, 22:17, 23:24, 23:25, 27:22, 28:23, 29:1, 29:4, 29:16, 29:24, 35:3, 44:14, 64:21, 124:9, 140:25, 162:11, 184:7 bottom 149:15, 151:2, 154:20, 172:3,	157:17 bronze 36:1, 75:13, 79:21, 99:13, 105:19, 131:1, 132:19, 141:17, 146:10, 181:3, 185:5, 187:25 brought 106:6, 114:16, 132:24 bucket 80:25, 177:15, 179:23 bucketing 102:2 budget 152:14 budgets	19:6, 22:15, 69:4, 95:17, 96:13, 117:1, 121:10, 132:1, 132:9, 143:4, 154:13, 168:21, 169:15, 177:19, 182:22 businesses 5:15 busy 188:17 buy 92:23, 145:6 buyers 67:14 buying 30:18, 56:13, 65:3, 83:14,
53:23, 54:19, 61:3, 61:16, 61:19, 70:12, 71:8, 72:22, 74:24, 78:20, 86:17, 90:2, 91:8, 96:20, 98:6, 98:7, 98:25, 100:7, 101:8, 103:9, 103:14, 105:11, 106:2, 115:24, 116:18, 118:1, 118:11, 118:20, 124:25, 126:3, 131:3, 133:1, 133:2, 133:5, 141:4, 143:14, 148:4, 148:12,	145:4 book 142:17 books 77:19 both 6:19, 15:4, 16:12, 22:17, 23:24, 23:25, 27:22, 28:23, 29:1, 29:4, 29:16, 29:24, 35:3, 44:14, 64:21, 124:9, 140:25, 162:11, 184:7 bottom 149:15, 151:2, 154:20, 172:3, 174:18	157:17 bronze 36:1, 75:13, 79:21, 99:13, 105:19, 131:1, 132:19, 141:17, 146:10, 181:3, 185:5, 187:25 brought 106:6, 114:16, 132:24 bucket 80:25, 177:15, 179:23 bucketing 102:2 budget 152:14 budgets 42:10	19:6, 22:15, 69:4, 95:17, 96:13, 117:1, 121:10, 132:1, 132:9, 143:4, 154:13, 168:21, 169:15, 177:19, 182:22 businesses 5:15 busy 188:17 buy 92:23, 145:6 buyers 67:14 buying 30:18, 56:13, 65:3, 83:14, 161:17 C
53:23, 54:19, 61:3, 61:16, 61:19, 70:12, 71:8, 72:22, 74:24, 78:20, 86:17, 90:2, 91:8, 96:20, 98:6, 98:7, 98:25, 100:7, 101:8, 103:9, 103:14, 105:11, 106:2, 115:24, 116:18, 118:1, 118:11, 118:20, 124:25, 126:3, 131:3, 133:1, 133:2, 133:5, 141:4, 143:14, 146:19, 148:1, 148:4, 148:12, 148:17, 162:4,	145:4 book 142:17 books 77:19 both 6:19, 15:4, 16:12, 22:17, 23:24, 23:25, 27:22, 28:23, 29:1, 29:4, 29:16, 29:24, 35:3, 44:14, 64:21, 124:9, 140:25, 162:11, 184:7 bottom 149:15, 151:2, 154:20, 172:3, 174:18 box	157:17 bronze 36:1, 75:13, 79:21, 99:13, 105:19, 131:1, 132:19, 141:17, 146:10, 181:3, 185:5, 187:25 brought 106:6, 114:16, 132:24 bucket 80:25, 177:15, 179:23 bucketing 102:2 budget 152:14 budgets 42:10 buffet	19:6, 22:15, 69:4, 95:17, 96:13, 117:1, 121:10, 132:1, 132:9, 143:4, 154:13, 168:21, 169:15, 177:19, 182:22 businesses 5:15 busy 188:17 buy 92:23, 145:6 buyers 67:14 buying 30:18, 56:13, 65:3, 83:14, 161:17 C calculated
53:23, 54:19, 61:3, 61:16, 61:19, 70:12, 71:8, 72:22, 74:24, 78:20, 86:17, 90:2, 91:8, 96:20, 98:6, 98:7, 98:25, 100:7, 101:8, 103:9, 103:14, 105:11, 106:2, 115:24, 116:18, 118:1, 118:11, 118:20, 124:25, 126:3, 131:3, 133:1, 133:2, 133:5, 141:4, 143:14, 146:19, 148:1, 148:4, 148:12, 148:17, 162:4,	145:4 book 142:17 books 77:19 both 6:19, 15:4, 16:12, 22:17, 23:24, 23:25, 27:22, 28:23, 29:1, 29:4, 29:16, 29:24, 35:3, 44:14, 64:21, 124:9, 140:25, 162:11, 184:7 bottom 149:15, 151:2, 154:20, 172:3, 174:18 box	157:17 bronze 36:1, 75:13, 79:21, 99:13, 105:19, 131:1, 132:19, 141:17, 146:10, 181:3, 185:5, 187:25 brought 106:6, 114:16, 132:24 bucket 80:25, 177:15, 179:23 bucketing 102:2 budget 152:14 budgets 42:10 buffet	19:6, 22:15, 69:4, 95:17, 96:13, 117:1, 121:10, 132:1, 132:9, 143:4, 154:13, 168:21, 169:15, 177:19, 182:22 businesses 5:15 busy 188:17 buy 92:23, 145:6 buyers 67:14 buying 30:18, 56:13, 65:3, 83:14, 161:17 C

	Conducted on 5	.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
calculates	59:1, 122:19	8:7, 8:13, 8:25,	case
89:20	capitated	9:17, 9:25,	1:7, 4:1,
calculating	133:18	10:9, 11:1,	45:13, 76:18,
51:18	capitation	11:17, 12:16,	84:5, 95:5,
calculation	133:16	12:24, 13:6,	120:5, 125:2,
32:13, 33:17,	capitol	13:7, 13:10,	142:8, 146:19,
75:7, 79:17	175:19	13:14, 13:18,	146:23, 147:11,
calculations	captive	15:3, 15:6,	147:24, 189:8
36:7, 36:8,	108:5	15:9, 15:16,	Cases
		16:1, 16:11,	18:12, 20:5,
36:14, 51:20 calculator	capture	16:16, 16:17,	27:8, 46:3
100:3	141:6	16:20, 16:21,	catastrophic
	card	17:7, 17:16,	59:8, 59:12,
calibrated	138:10	17:22, 17:25,	105:17, 105:22,
145:3, 148:20	care	18:7, 18:18,	121:3, 126:23
calibration	43:17, 83:14,	18:21, 18:25,	category
144:12, 148:19	83:19, 84:1,	19:6, 21:11,	
call	141:8, 141:10,	22:11, 22:14,	13:23, 164:16
14:4, 27:6,	144:17, 166:18,	23:4, 23:7,	cause
56:3, 128:19,	168:18	23:8, 23:9,	54:15, 54:23
128:20, 148:22,	carefirst	23:10, 23:16,	caused
149:3	3:12, 155:6,	23:18, 30:5,	55:12, 154:3,
called	155:12, 157:1,	34:24, 39:8,	154:21
81:21, 81:22,	157:25, 158:14	39:11, 40:20,	causing
134:20, 135:3,	careful	41:8, 43:10,	102:13, 133:12
139:10, 140:14,	136:24	44:9, 44:18,	cautionary
144:14, 146:3,	carpenter	46:2, 50:3,	78:19
149:1, 157:8,	26:19, 28:1,	50:12, 52:9,	cautious
165:14, 172:15	28:9	52:19, 52:20,	58:22
calling	carrier	55:7, 55:9,	caveats
173:24	9:19, 14:9,	55:17, 56:1,	13:16, 14:14
came	15:19, 18:9,	60:3, 60:12,	ccr
18:14, 46:1,	19:13, 20:8,	60:22, 63:14,	1:25, 189:2
50:19, 74:15,	37:3, 37:20,	63:16, 63:17,	centered
77:19, 79:5,	45:3, 49:12,	63:18, 63:21,	37:8
113:15, 113:17,	51:2, 51:8,	64:1, 64:18,	central
116:23, 123:7,	51:17, 52:8,	65:17, 66:10,	18:16
145:9, 149:5,	52:13, 52:18,	68:4, 69:23,	cents
151:22, 153:8,	53:5, 60:16,	70:1, 71:9,	124:4
187:19	64:9, 64:10,	85:22, 89:18,	certain
can't	65:13, 65:17,	103:5, 121:16,	21:13, 21:15,
26:12, 39:6,	65:23, 69:11,	145:7, 152:10,	35:18, 35:19,
47:8, 76:11,	82:6, 84:14,	153:6, 154:7,	39:21, 65:20,
84:2, 98:5,	97:16, 113:3,	156:18, 159:16,	110:8, 111:8,
136:20, 150:24,	137:22, 151:10,	160:4, 160:14,	141:10, 143:13,
170:4	160:11	170:10	143:15, 143:18,
cannot	carrier's	carrying	165:10
26:22, 28:10,	64:18	105:10	certainly
56:20, 57:6,	carriers	+ • • • + •	48:9, 54:20,
	4:2, 5:5, 8:4,		

	Conducted on a	, u ij 2 1, 2 010	
57:17, 67:17,	34:25, 48:19,	changes	charlottesville
83:25, 84:19,	50:24, 52:17,	6:16, 49:13,	19:12, 65:13,
102:17, 109:23,	53:4, 53:9,	49:19, 49:20,	65:15, 65:18,
166:8	60:23, 61:12,	51:4, 51:18,	125:21, 125:22,
certificate	68:15, 74:20,	70:13, 70:16,	126:2, 126:16,
189:1	74:22, 74:23,	71:2, 71:4,	126:17, 126:25,
certification	75:11, 75:13,	71:10, 71:14,	127:1, 127:4,
5:2, 10:24	78:15, 78:25,	71:17, 75:16,	127:5, 127:13,
certifications	79:4, 79:15,	77:6, 78:4,	127:21, 128:16,
34:15	79:25, 80:8,	78:18, 78:24,	144:8
certified	80:13, 87:16,	79:3, 80:25,	chart
35:11, 189:18	87:20, 88:1,	87:6, 94:25,	13:3, 20:7,
certify	90:5, 95:6,	95:9, 97:6,	24:3, 60:8,
4:19, 10:20,	95:7, 97:12,	105:8, 121:7,	63:8, 85:2
35:16, 35:19,	99:3, 100:3,	121:11, 124:13,	charts
44:18, 46:17,	102:20, 102:22,	125:12, 130:18,	7:11, 50:6,
47:16, 63:14,	103:2, 103:16,	131:8, 131:13,	116:15
189:3	103:17, 103:18,	132:10, 133:8,	checked
certifying	104:23, 115:18,	133:17, 141:25,	81:24
120:2, 182:15	118:11, 120:24,	143:7, 147:24,	checking
cestare	121:2, 121:4,	153:3, 153:4,	49:22
168:13, 169:22,	124:4, 124:5,	154:16, 156:18,	checks
169:23, 171:16,	124:11, 124:18,	173:19, 176:11,	84:21
171:22, 171:25,	130:20, 130:23,	176:13, 176:14,	chief
172:2, 172:7,	131:6, 132:1,	179:20, 179:22,	9:14, 86:10,
172:21, 175:1,	132:12, 133:16,	180:19, 180:20,	119:14, 155:12
175:6, 175:11	140:11, 141:1,	183:9, 185:3,	child
chain	141:13, 141:16,	185:7	74:22, 74:23
64:12, 109:9	142:1, 143:6,	changing	children
chains	143:8, 144:3,	61:24, 87:7,	75:2
109:10	144:5, 144:7,	95:2, 133:9,	children's
chairman	144:8, 145:23,	147:25, 158:21	94:10
1:18, 2:3,	147:15, 147:22,	characterize	choice
14:15, 20:6,	152:13, 152:20,	102:1, 104:22	
	153:7, 154:5,	charge	182:12, 184:22, 185:4
25:22, 26:2, 26:5	154:14, 154:20,	41:22, 81:21,	
	156:16, 164:2,	81:25, 106:17,	choose
chairwoman 106:24	164:7, 165:4,	109:12, 110:12,	19:7, 65:25,
	169:5, 170:12,	135:17, 135:20	107:19, 136:10
challenge	173:18, 173:20,	charged	chooses
52:4, 52:24,	176:6, 177:10,	43:3, 84:5,	110:17
55:20, 100:25	177:23, 177:25,	84:22, 110:4,	choosing
challenges	179:15, 185:8	151:3, 151:15	116:10, 116:12
52:1, 52:2,	changed	charges	chose
52:7, 52:9,	12:18, 41:1,	82:7, 82:19,	65:21, 136:7,
55:21, 56:3	50:9, 123:11,	82:25, 83:1,	157:24, 161:25,
chance	143:10, 153:23,	83:3, 84:19,	162:18, 184:4
119:25	153:24	106:9	chris
change			170:2, 170:3,
5:21, 28:16,			

	Conducted on	<i>i i i j</i> = ., = <i>i i i</i>	
170:5	149:25	89:11, 90:23,	7:3, 140:10,
chronically	cliff	103:18, 104:23,	149:17
107:19	27:6, 30:24	131:15, 139:8	commercial
cigna	clinically	combine	170:23
3:7, 22:15,	134:20, 135:25,	123:2	commission
22:23, 72:7,	136:3	combined	1:2, 1:6, 4:14,
72:12, 72:14,	close	25:24, 159:20	4:18, 5:16,
73:4, 74:3,	38:16, 38:19,	combines	10:8, 37:22,
74:6, 75:25,	136:1	24:24	73:18, 106:23,
76:7, 76:20,	closed	combs	106:25, 108:6,
81:12, 81:17,	157:20, 169:10	34:11	110:17, 149:25,
81:18, 82:21,	closely	come	166:13, 188:24,
82:24, 86:2,	9:12, 9:15,	7:9, 7:21, 8:4,	189:4
92:9, 93:10,	34:5	13:15, 17:14,	commission's
106:6, 163:10	closer	19:13, 34:4,	4:24, 5:23,
cigna's	136:8	38:16, 44:24,	134:13
74:14	cms	46:10, 51:24,	commissioners
circle	11:21, 28:22,	53:16, 54:7,	7:13
155:13	33:25, 79:16,	54:19, 55:18,	committed
cities	79:22, 113:2,	60:2, 64:19,	32:16, 40:21
18:5	160:18	73:15, 79:11,	committee
claim	co-pay	85:2, 88:14,	107:6, 108:17
46:16, 170:19,	87:13, 95:7,	88:20, 88:21,	commoditized
170:21, 172:22	124:22, 133:3,	95:18, 95:23,	67:17
claimants	141:8, 148:1,	102:3, 102:9,	common
52:21	171:12	110:5, 111:7,	94:3
claims	code	113:8, 117:3,	commonly
39:21, 43:7,	4:21	118:23, 119:2,	30:24
43:8, 43:18,	coin	123:14, 131:22,	commonwealth
44:24, 46:13,	65 : 4	139:5, 141:1,	1:1, 1:5,
48:21, 55:10,	coinsurance	145:10, 147:3,	137:23, 168:19
64:22, 76:1,	75:25, 87:18,	149:6, 149:23,	community
88:15, 89:4,	121:17, 121:23,	158:15, 161:16,	3:11
95:20, 128:17,	171:11, 171:13	169:7, 188:2,	companies
128:25, 137:17,	colleague	188:23	5:11, 6:14,
148:24, 149:10,	107:4, 134:7	comes	34:19, 36:19,
167:7, 172:18	collections	77:12, 82:10,	36:21, 41:2,
clarified	136:22	123:18, 138:24,	42:14, 46:8,
150:13	column	160:1	46:11, 47:1,
clear	12:23, 15:5,	coming	47:23, 48:18,
138:1	24:19, 28:25,	19:23, 79:22,	49:3, 50:20,
clearly	29:14, 29:21,	80:9, 88:18,	66:23, 67:19,
7:10, 21:1,	29:24, 98:13,	96:6, 96:9,	71:21, 72:2,
21:19, 30:16,	101:17, 121:15	102:16, 119:10,	81:14, 82:17,
40:11, 41:14,	columns	164:11, 183:18	84:10, 85:11,
57:1, 72:11,	23:22, 141:5	comment	108:21, 108:24,
150:6	combination	114:19 comments	135:6, 175:13,
clerk	80:13, 87:11,	6:10, 6:24,	175:22, 175:23
4:1, 73:18,		0.10, 0:24,	

38:23,

157:19

176:9,

180:13

177:18,

178:23,

120:24,

i i		
	company	20:22, 21:1,
	5:25, 6:17,	21:3, 23:12,
	39:6, 42:25,	30:13, 38:5,
	43:1, 43:14,	30:13, 38:5, 38:6, 38:13,
	43:16, 49:19,	38.1/ 38.23
		JO.14, JO.23,
	64:25, 68:23,	39:5, 39:15,
	93:14, 94:14,	38:14, 38:23, 39:5, 39:15, 40:9, 40:16,
	109:22, 119:5,	40:17, 46:22
	131:9, 135:3,	competitive
	137:12, 138:21,	47:5, 47:10,
	139:17, 139:25,	48:15, 96:10,
	140:17, 146:12,	153:17
	178:11, 179:2,	competitors
	182:2, 182:12,	-
		114:11, 157:1
	182:20	complained
	company's	82:4
	35:24, 50:22,	complaints
	53:9, 54:15,	150:22
	69:3, 151:21	complete
	comparable	4:25, 11:16,
	161:8, 173:7	11:19, 34:21
	compare	completed
	24:10, 33:3,	
		34:2, 50:15
	39:6, 39:10,	completely
	52:15, 60:25,	118:25
	125:25, 158:9	complexities
	compared	107:9
	17:10, 35:25,	
	36:1, 36:9,	compliance
		10:21, 35:17
	52:11, 58:21,	complicated
	92:3	53:23
	compares	complies
	126:19, 126:25,	34:16
	127:1	
		comply
	comparing	35:20
	127:4	component
	comparison	25:23, 159:4,
	10:14, 23:3,	180:17
	70:22, 145:22,	
	159:10	components
	comparisons	123:5, 176:9,
	-	176:10, 177:1
	71:11	178:17, 178:2
	compelling	179:9, 180:13
	69:17	composite
	compete	120:23, 120:2
	53:18	-
		125:4
	competition	compounding
	18:25, 19:11,	187:24

computer 163:21 concentrated 23:18 concentrating 66:23 concentration 66:20, 67:1, 67:4, 67:11, 109:15, 112:11, 113:21, 114:3 concept 96:7 concern 102:12, 112:24, 115:19, 116:19, 117:14, 134:13 concerned 159:25 concerning 115:23 concerns 98:1, 164:25, 166:1 concert 58:13 conclude 149:18 concludes 31:19, 188:13 conditions 54:3, 58:6, 58:19 conduct 138:12 conducting 92:12 confirmed 169:10 conflict 119:25 connect 76:7 connected 21:13 connecticut 175:17 connection 1:11

connell 97:18, 97:19, 98:15, 98:20, 98:23, 99:14, 99:17, 99:23, 101:14, 102:24, 103:17, 104:21, 105:23, 106:12, 114:14, 114:17 connotes 146:9 consciously 112:1 consider 158:6 considerable 36:18, 45:13, 69:7 consideration 99:1, 138:20, 159:20 considerations 97:23 considered 44:10, 103:7, 159:24 consistency 36:5 consistent 36:11, 50:1, 51:10, 51:20, 78:15, 78:20 constantly 131:9 constitutes 182:21, 183:11 construction 83:7 consultant 50:21, 51:7, 51:11, 51:19 consultants 49:9 consulting 9:13, 34:21, 36:8, 56:2, 119:6, 119:23, 120:4, 150:8,

		•	
169:23	163:11, 163:12	128:4, 130:8,	cost-sharing
consumer	contracted	130:14, 130:15,	55:3, 55:6,
20:24, 26:14,	93:24, 169:12	140:9, 181:10,	55:11, 100:18,
92:21, 102:18,	contracting	181:13, 181:22,	173:23, 173:25
111:5, 121:20,	43:2, 82:10,	189:6	costly
122:7, 127:12,	93:18, 107:5,	correction	130:2
137:7, 138:1,	107:10, 131:10	91:12	costs
138:16, 147:10,	contracts	correctly	40:5, 41:9,
150:16, 151:4,	64:21, 80:18,	97:8	48:20, 55:19,
165:9	108:11, 110:19,	correlation	57:15, 61:11,
consumers	110:23, 111:1,	21:12, 25:21	62:14, 63:10,
17:6, 17:18,	137:15	corresponding	63:13, 63:25,
18:8, 19:9,	contradiction	25:18	65:10, 68:2,
26:18, 28:12,	117:9	cost	78:2, 80:19,
46:6, 65:3,	contribute	5:14, 26:8,	92:17, 95:20,
67:9, 110:15,	144:9	26:24, 30:20,	116:13, 123:21,
148:3	contributes	39:21, 40:13,	141:11, 143:10,
contact	144:19	40:16, 41:11,	144:23, 154:13,
34:19	control	40:16, 41:11, 41:12, 41:15, 41:20,	154:15, 158:5
contained		50:24, 51:5,	could
64:22	83:23, 112:9, 112:18	52:21, 55:9,	15:21, 29:20,
contains		61:13, 64:6,	47:21, 48:16,
9:24, 50:14	convenient	67:20, 67:23,	51:10, 53:4,
contents		67:25, 68:4,	54:12, 56:14,
34:5, 36:23	conversation	68:6, 68:25,	58:9, 60:2,
-	143:12	75:10, 75:13,	72:10, 73:9,
contiguous	conversations	75:15, 78:10,	82:13, 98:3,
62:25	166:25	78:13, 79:7,	106:6, 108:19,
continue	convert	79:20, 79:21,	109:23, 110:16,
18:9, 26:11,	144:18	80:5, 87:10,	116:1, 119:6,
31:24, 40:5,	convict	87:24, 89:4,	120:14, 125:15,
66:3, 91:19,	170:3	93:17, 99:5,	133:3, 161:24,
169:1	copy	100:20, 124:25,	162:17
continues	7:4	131:12, 131:17,	couldn't
100:25, 139:13,	core	136:15, 143:13,	65:19, 86:22,
139:23	9:22	143:14, 143:15,	119:25
continuing	corporate	143:16, 143:25,	counsel
41:9, 159:14	133:19	144:17, 144:22,	189:7
continuum	corporation	144:23, 144:24,	
169:2	1:2, 1:6,	146:13, 148:4,	
contract	146:4, 147:21,	151:16, 156:19,	164:25
82:5, 83:18,	189:4	156:24, 158:9,	counties
83:21, 92:11,	correct	165:17, 165:18,	17:12, 17:15,
94:12, 107:11,	14:21, 26:16,	170:18, 170:19,	18:3, 18:4,
107:20, 108:14,	56:10, 56:17,	170:21, 172:22,	18:5, 20:8,
109:9, 111:9,	62:10, 91:11,	170:21, 172:22, 185:17, 185:21	37:3, 37:19,
111:21, 113:1,	92:6, 99:13,	cost-share	62:20, 64:9,
113:17, 139:9,	119:9, 127:19,	55:16	65:2, 84:13,
157:14, 157:21,	127:22, 127:25,	07:10	119:1

		uly 24, 2018	
country	110:11, 111:13,	90:24, 91:8,	9:14, 11:12,
17:11	111:14, 135:12,	91:21, 99:1,	11:23, 15:24,
county	136:25, 137:1,	101:5, 102:10,	19:22, 25:8,
62:25	137:5, 137:20,	103:8, 103:12,	30:2, 31:20,
couple	138:11, 138:13,	103:13, 105:13,	32:6, 35:4,
21:6, 22:22,	150:15, 165:15	131:14, 131:16,	36:25, 43:20,
36:22, 50:19,	covering	131:22, 173:24,	73:7, 77:4
51:23, 71:25,	182:17	174:4, 174:14,	davis
72:2, 81:19,	covers	174:15	150:7, 150:8,
100:1, 116:17	117:1, 133:23	csr's	150:19, 151:7,
course	craft	66:15	151:13, 151:19,
18:2, 44:1,	41:18	cull	153:11, 154:25,
67:6, 87:1,	crafted	74:25, 101:18,	155:3
104:17, 126:21,	42:10	185:15	day
128:17	crazy	culture	129:19, 160:2,
court	26:25	93:14	189:11
7:22, 189:18	create	curious	days
courtroom		156:2	5:6, 52:5, 54:2
7:5	20:4, 38:22,	current	deadline
	43:6, 50:5, 78:14	10:15, 158:16,	5:8, 33:24,
cover		169:4	60:3, 113:3
17:15, 54:2,	created	currently	deadlines
54:3, 55:9,	17:7, 133:4	-	4:22, 5:10
55:15, 55:19,	creates	12:24, 53:2,	deals
57:23, 57:24,	27:20, 69:10	75:4, 106:24,	140:18
58:6, 80:11,	creating	108:6, 140:24,	
83:13, 100:22,	53:22, 132:1	142:24, 160:17	dean
111:12, 113:8,	creation	customer	134:7, 134:9
113:15, 129:2,	31:11	45:1, 129:2	death
154:12, 160:6,	credibility	customers	27:20, 139:14
178:10, 179:1,	63:15, 129:9	5:5, 5:8, 115:1	debating
180:6	credit	cut	56:24
coverage	30:17, 33:10	139:3	debbie
1:12, 14:9,	credits	D	98:5
14:21, 17:8,	29:9, 29:16,	damage	debt
18:14, 19:1,	29:23, 30:2,	160:9	114:18
19:17, 26:24, 31:7, 58:16,	30:23, 31:14,	dampen	december
59:4, 77:15,	32:10	40:5	147:18
	critical	dampening	decide
116:25, 163:5 covered	84:1	88:17	20:3
	cross-examination	data	decided
6:1, 22:11,	7:16	21:14, 24:25,	20:19, 55:5,
23:5, 23:16,	csr	25:1, 49:12,	71:21, 113:1,
24:12, 24:18,	30:4, 55:2,	51:1, 60:8,	113:3
82:8, 82:18, 84:17, 84:18,	55:3, 55:10,	60:22	deciding
· · ·	66:12, 66:15,	date	108:7
85:8, 85:12,	80:1, 80:2,	169:17	decision
93:9, 93:10, 106:8, 110:3,	80:6, 80:11,	david	17:3, 56:23,
100:0, 110:3,	90:13, 90:22,	3:6, 6:11,	59:16

		5,	
decline	87:19, 87:22,	demand	149:12, 162:4,
21:10, 24:12,	87:23, 95:6,	26:15, 79:6,	164:3
25:18	100:17, 100:19,	165:1, 165:15,	detailed
declines	100:21, 121:16,	165:25	105:4
15:19, 24:7	121:23, 123:24,	demographics	deterioration
declining	123:25, 124:17,	148:10	159:14
25:19	124:21, 124:24,	demonstrate	determinations
decrease	125:1, 129:13,	8:14, 9:1	64:16
60:24, 77:22,	133:2, 133:9,	department	determine
79:15, 79:18,	133:11, 133:15,	4:23	52:10, 52:14,
94:21, 95:25,	141:7, 141:9,	depending	144:13
96:1, 96:2,	141:17, 146:9,	30:12	determined
96:3, 96:4,	146:11, 148:1,	depends	10:12
96:5, 105:18,	152:5, 171:10,	41:18	develop
105:23, 123:5,	171:13, 176:8,	deposition	10:1, 51:22,
124:10, 124:16,	177:3, 178:7,	138:13	59:10, 120:5,
126:3, 126:5,	178:15, 179:8,	depressing	120:9, 169:25
126:22, 126:24,	180:13, 183:3	22:2	developed
127:12, 127:14,	deductibles	depth	12:9, 28:22,
127:16, 128:3,	5:6, 5:17,	145:19	123:15, 170:15,
131:23, 133:11,	75:20, 75:23,	deputy	170:17, 171:6
133:17, 133:22,	76:3, 100:23,	107:1	developing
143:2, 144:11,	129:17	dermatologist	10:5, 162:10
153:12, 154:21,	deemed	110:21	development
176:24, 177:2,	43:25	describe	13:12, 13:20,
177:7, 177:11,	deeply		17:20, 17:24,
179:22, 183:5,	114:17	9:22, 10:25	20:23, 58:22,
183:8, 183:12,	definitely	described	173:8, 179:9
183:15, 183:20,	15:1, 31:2,	60:10, 85:4,	develops
183:21, 183:23,	99:1, 110:15,	143:19	20:1, 31:18
184:1, 184:4,	184:6	description	diagnosis
184:18, 187:5	definition	10:12, 21:25,	88:23, 94:8,
decreased	37:21, 64:11	22:1, 22:2,	94:9
29:3, 29:24,	definitions	36:9, 36:11, 51:13, 75:15,	did
103:14	50:2		17:14, 21:20,
decreases	defunded	76:5, 78:19,	22:24, 33:20,
28:12, 100:6,	80:3	87:8, 95:3, 143:19	39:5, 49:19,
124:14, 127:3,	defunding	descriptions	51:21, 61:15,
177:13	80:12	-	70:22, 73:20,
decreasing	degree	90:3, 185:22	81:6, 87:23,
133:19, 147:11,	26:17, 28:18,	design	112:23, 116:15,
147:23	41:3, 59:21	87:6, 99:18	117:4, 118:9,
deductible	degrees	designated	118:23, 123:6,
75:25, 76:8,	143:17	100:2	123:7, 124:18,
76:19, 76:20,	delivered	designed	134:21, 135:16,
76:23, 76:25,	137:20	5:20, 171:24	135:17, 135:21,
87:12, 87:15,	delve	designs	144:2, 145:12,
87:17, 87:18,	150:11	75:21, 99:24	147:16, 148:8,
, ,		detail	·····, ····,
		5:25, 120:8,	
i		1	

		•	
165:2, 172:4,	direction	distribution	154:9
181:9, 185:15,	9:13, 96:24	140:21, 140:24	dominant
185:16	directions	divided	113:16
didn't	89:8	62:20	don't
28:7, 82:25,	directly	divisions	14:6, 19:2,
99:17, 101:18,	49:21, 53:18,	140:12	27:6, 27:21,
109:6, 112:19,	169:16	doctor	32:15, 38:6,
118:2, 124:17,	director	88:22, 136:25,	43:15, 46:24,
128:9, 132:11	86:11, 97:19,	137:5, 165:18	48:18, 49:24,
difference	175:18, 182:6	doctors	54:4, 56:7,
44:14, 67:16,	discerning	157:24, 163:5	57:19, 57:22,
75:5, 140:23,	161:12, 165:9	documentation	57:23, 58:10,
146:20, 176:22,	disclosed		58:18, 59:24,
178:19, 178:22	92:21	10:3, 34:7, 34:12	63:4, 63:12,
differences			63:19, 63:23,
15:13, 36:14,	discouraged	documents	64:2, 65:7,
75:1, 177:16,	166:21	34:6	67:20, 68:6,
179:24, 180:25	discovered	does	76:3, 77:13,
different	144:20, 145:1	13:12, 13:15,	82:8, 82:16,
10:9, 21:6,	discretionary	19:8, 22:10,	83:3, 84:9,
22:23, 30:21,	84:4, 85:6,	26:14, 27:24,	84:25, 85:4,
41:17, 41:25,	106:18	35:5, 37:25,	88:14, 88:22,
51:3, 52:6,	discuss	40:17, 41:11,	88:23, 88:24,
71:10, 71:11,	6:12, 8:4,	41:15, 45:3,	89:7, 92:4,
74:24, 84:2,	13:16, 14:22,	46:22, 53:23,	92:23, 93:1,
91:3, 93:6,	101:14, 120:17,	64:15, 67:24,	95:1, 95:18,
101:13, 103:23,	146:1	75:23, 83:11,	98:9, 106:12,
106:17, 115:22,	discussed	83:22, 91:5,	107:24, 107:25,
140:25, 141:15,	73:8, 98:1,	125:24, 143:16,	108:21, 108:25,
143:17, 146:18,	108:10, 170:1	163:12, 171:7	109:1, 109:21,
154:2, 170:10,	discussing	doesn't	110:11, 112:9,
170:24, 174:12,	7:12	41:3, 94:8,	112:14, 122:9,
185:2, 187:8	discussion	95:12, 111:7,	122:19, 125:11,
differential	11:23, 31:11,	111:15, 129:9,	125:12, 125:13,
147:22	31:25, 64:4,	136:15, 153:13,	126:15, 128:19,
differently	136:6, 142:3,	173:13	129:22, 130:12,
115:10, 146:19	174:11	doing	132:5, 132:9,
digit	discussions	26:14, 43:16,	135:14, 136:19,
25:14, 167:6,	8:11, 102:6,	85:11, 106:7,	137:6, 139:2,
167:15	166:24	112:20, 153:22,	150:22, 152:23,
digits	display	167:25	152:24, 153:25,
28:5	7:11, 73:11	dollar	155:1, 162:23,
diminished	disruptions	39:21, 46:15,	167:2, 170:10,
21:7	15:23, 21:17	130:6, 179:8,	170:11, 172:18,
directed	distinct	186:19	173:5, 173:14,
	168:20, 168:21	dollars	173:20, 188:8
5:24 directing	distributed	30:8, 33:5,	done
	18:1, 18:7,	134:22, 135:21,	6:2, 31:3,
5:24	22:19	147:3, 152:23,	
			1

	Conducted on 5		
134:16, 143:9,	drives	9:9, 10:13,	89:2, 93:13,
151:11, 166:9	69:1, 185:7	34:10, 42:25,	94:6, 169:15
double	driving	43:15, 49:15,	elaborating
25:14, 28:4	66:1, 163:8,	50:17, 51:2,	138:17
dovetails	165:4	52:9, 60:15,	elect
143:11	drop	89:8, 121:7,	148:4
down	25:23, 88:6,	121:8, 175:23	elective
19:23, 26:15,	164:13	earlier	148:5
40:5, 40:11,	drop-off	36:20, 39:15,	element
49:2, 60:5,	24:6	53:10, 60:10,	75:2, 148:2
63:16, 65:10,	dropped	68:13, 69:1,	elements
68:20, 70:17,	61:8, 161:7	99:7, 101:20,	35:18, 39:10,
80:9, 87:25,	dropping	102:6, 103:4,	41:25
90:1, 90:7,	13:7, 164:14	103:7, 104:8,	eligible
90:13, 98:17,	drops	112:22, 114:21,	16:7, 26:24,
103:1, 104:10,	165:3	116:15, 116:20,	29:9, 31:14,
105:22, 111:7,	drove	142:3, 146:21,	80:5
118:6, 126:22,	45:15, 69:4	169:7, 169:14	else
127:3, 130:19,	drug	easier	37:25, 39:6,
131:22, 138:12,	124:19	98:21	86:1, 91:25,
145:6, 146:22,	drugs	east	92:4, 114:16,
152:7, 154:19,	57:24	86:14	137:3, 137:6,
156:15, 156:17,	due	easy	139:22, 159:9,
162:14, 164:3,	33:23, 118:4,	32:21, 71:13,	188:6
164:14, 178:9	123:23, 131:12,	134:25	embedded
downward	133:17, 142:14,	eat	141:3
97:11, 176:21,	147:24, 153:20,	93:17	emergencies
178:20	170:3, 172:13	economic	72:1
draft	duplicate	51:1, 65:5	emergency
150:12, 160:17,	38:13, 39:4	economists	82:13, 82:14,
160:19	duration	67 : 6	84:6, 107:17,
dramatic	19:25, 27:13,	educating	148:6
157:10	53:12, 53:25,	110:14	emphasizing
dramatically	54:9, 57:22,	edward	45:21
30:21, 161:7	58:15, 159:25,	97:20	employ
drive	160:3	effect	135:13, 137:2
65:10, 89:1,	during	39:19, 54:11,	employed
89:3, 97:20,	9:18, 34:18,	59:18, 67:22,	189:8
136:14, 162:24,	35:21, 36:17,	88:17, 89:9	employee
182:7	36:19, 50:19,	efficient	92:16
driven	51:25, 69:6,	43:17	employees
28:10, 41:8,	116:22, 143:22	effort	92:13, 93:4
87:14, 88:3	dynamic	96:13	employers
driver	45:25, 68:1,	efforts	96:13, 116:1,
187:23	116:5, 157:12	42:3	116:23, 139:20
drivers	dynamics	eight	encourage
25:9, 77:5,	56:4, 115:23	13:11, 16:20	166:16
153:19, 183:7	E	either	encouraged
	each	23:1, 68:5,	7:10, 13:13,
	5:25, 6:17,		
	J.2J, U.1/,		

166:21 22:24, 49:25, equipment 65:11, 73:24, encroachment 82:5 92:3, 92:5, 7:11 92:7, 114:16, entered 54:11 equity 143:17 end 52:24 108:2 31:17, 152:18, entering everybody's er 157:8, 161:13, 168:12 160:16 84:1, 106:17, 174:1 enters everyday 108:2, 109:16 ended 106:16 erisa 107:8 17:19 entire everyone 139:22 ends 14:9, 50:7, 4:8, 52:16, erosion 139:1, 142:17, 73:3, 188:14 187:16 20:17 143:3 everything enforcing erroneous entities 36:6, 69:21, 69:16 136:2 91:25, 129:17, engaged 115:3, 120:18, established 159:9, 183:23 169:24 147:17, 155:15, 31:4 evidentiary 175:23, 179:11, enlarge estimate 182:11, 183:24, 7:15 98:23 99:5, 99:9 184:6, 187:8 enormous estimates ex entity 1:5, 1:9 69:10, 69:14 67:23 39:22, 43:6, exacerbates enough estimating 43:7, 43:17, 66:4 37:23, 85:24 88:2, 152:9 115:7, 118:7, enroll exact etheredge 52:23, 173:6 140:14, 140:16, 141:14, 148:19 1:25, 189:2, 146:3, 147:20, exactly enrolled 189:16 176:1, 176:2, 28:14, 29:8, 45:17, 52:13, evaluate 177:24, 178:4, 53:2, 53:14 51:10, 53:20, 118:8 178:12, 178:19, 54:25, 61:4, enrollees even 178:23, 178:24, 172:21 46:12, 59:1, 24:21, 29:5, 179:2, 179:4, examiners 29:8, 29:15, 69:12, 82:24, 179:5, 180:1, 29:17, 30:1 9:10 87:22, 105:13, 180:7, 180:9, example enrollment 111:7, 112:5, 180:18, 181:5, 137:19, 139:20, 23:19, 32:12, 21:9, 23:24, 181:7, 181:16, 24:17, 24:25, 32:18, 51:6, 139:25, 160:5, 182:21, 184:22, 51:9, 51:17, 25:3, 25:18, 160:22, 161:10 185:9, 187:10 94:10, 151:22 25:19, 25:24, evenly entrances examples 28:21, 28:25, 18:7, 22:18 52:18 36:15, 51:24 29:3, 87:5, eventually entrant exceed 88:5, 88:10, 17:14 167:20 95:16, 116:22, 48:24, 67:24 every entrants 117:4, 152:14 exceeding 17:18, 23:9, 168:3 88:11, 148:24 ensure 26:14, 33:10, entry 17:17, 34:11, excellent 34:6, 41:1, 13:1, 16:15, 34:20, 36:2, 52:1, 52:4, 134:13, 139:12 168:25 36:5, 36:10, 52:7, 62:25, except envision 114:25 99:25, 100:4, 17:3, 24:15, 82:14 ensuring 111:21, 163:12 39:2, 171:12 equate 112:25 everybody exchange 101:24 enter 8:19, 12:17, 4:16, 4:17, 12:4, 12:18,

	Conducted on 5	ary 21, 2010	
4:20, 5:2, 6:20,	103:3, 131:16,	51:11, 56:1,	85:6, 109:24,
12:20, 12:22,	174:10	63:16, 80:22,	110:8, 110:11,
13:19, 15:4,	expect	90:8, 90:10,	130:12
16:2, 23:25,	52:22, 53:8,	97:7, 97:9,	extra
25:25, 28:21,	65:8, 66:7,	97:10, 97:12,	100:22, 172:13
29:2, 29:4,	91:18, 116:11,	101:2, 104:22,	eyes
29:6, 30:1,	118:19, 140:22,	105:2, 107:7,	54:21
90:25, 91:2,	160:8, 164:23,	115:17, 117:16,	F
91:3, 91:6,	171:9	117:21, 118:9,	
91:7, 151:18,	expectation	118:10, 123:6,	face
154:11, 171:19,	68:3, 148:14,	123:8, 123:18,	52:9, 135:6
182:11	148:25	130:25, 131:3,	faced
exchanges	expectations	132:21, 145:3,	26:14
90:1	88:11	145:6, 145:8,	faces
excuse	expected	145:9, 148:21,	135:7
86:18, 145:11	32:23, 32:25,	148:24, 149:1,	facilities
executive	44:19, 77:21,	149:3, 149:11,	92:12, 107:12
86:11	78:1, 88:18,	153:7, 153:8,	facility
exert	105:2, 145:10,	153:25, 154:21,	92:17, 107:16,
109:23	145:11, 147:1,	170:11, 170:23,	108:10, 108:12,
exhibit	149:6, 153:8	177:16, 179:24,	109:10, 111:2,
75:9, 170:8,	expecting	180:25	111:23, 112:8,
170:17	88:12, 95:21,	experienced	112:18, 138:8,
exhibits	96:9, 142:9,	15:18, 169:17	150:14
34:6, 49:14,	160:20	experiencing	facility-based
120:21	expense	46:9	108:13
exist	48:17, 78:10,	expert	facing
38:23	78:15, 100:22,	11:23	118:25, 136:21
existence	103:8, 103:9,	expertise	fact
53:10	103:13, 105:12,	83:9, 93:13,	13:9, 17:21,
existing	153:3	94:9	39:3, 46:17,
161:14, 161:18	expenses	experts	79:7, 157:15,
exit	48:18, 48:21,	27:16	174:5, 177:8,
20:19, 21:11,	78:12, 78:13,	explain	181:7
103:12, 113:1	89:21, 89:23,	14:14, 36:22,	factor
exited	97:3, 97:4,	62:19, 168:11	25:19, 53:7,
16:12, 17:1,	124:7, 143:6,	explained	64:15, 79:12, 79:22, 79:23,
23:1, 112:23	147:13, 154:10,	135:4	88:9, 96:25,
exiting	166:18, 173:13,	explaining	123:3, 123:15,
80:6	173:15, 173:17	8:13, 8:25	131:22, 144:3,
exits	expensive	explains	148:22, 159:12,
52:19, 69:24	19:15, 43:11	16:7	159:22, 164:19,
expand	experience	exposure	165:1, 165:2,
98:3	10:11, 45:5,	121:21, 122:8	165:5, 165:16,
expanded	45:8, 46:17,	expressed	166:2, 166:11,
52:25	47:19, 48:7,	164:24	176:13, 178:20,
expansion	49:12, 50:23,	extent	183:23, 184:1,
80:1, 80:3,	51:3, 51:7,	27:17, 56:11,	,
1		1	

184:4 117:21 figure 145:16, 149:14 factors federal finalize 68:4, 68:21, 51:21, 64:17, 4:16, 4:20, 137:23, 161:23 80:17 69:4, 79:14, 5:2, 6:19, 27:3, figured finally 79:16, 80:14, 30:22, 32:19, 165:20 177:15, 179:22, 34:16, 35:12, 102:2, 102:19, file 180:6, 183:22 35:20, 36:2, 103:19, 104:23, financial 115:10, 115:11, 115:18, 129:8, 44:2, 44:13, 115:12, 117:20, 144:13, 189:9 144:10, 177:9, 44:22, 46:1, 122:22, 125:14 find 46:12, 50:2, 184:9, 184:11, filed 14:8, 16:5, 188:2 51:21, 53:13, 19:18, 31:7, 5:11, 11:17, 53:16, 54:7, fair 23:10, 71:9, 111:14, 136:19 54:18, 55:5, 18:23, 22:7, 94:20, 182:9 finding 25:20, 38:23, 78:8, 102:11, files 116:2, 116:4, 85:24, 145:15, 104:1, 114:22, 39:6 116:12, 116:25, 122:11, 133:19, 149:10 186:17 filing 139:8, 147:18, fairly 10:20, 34:6, fine 152:12 22:1, 23:18, 34:10, 34:17, 58:3 fee 50:13, 60:20, 34:20, 35:12, firm 78:19, 100:10, 64:20, 78:8, 35:17, 35:19, 56:2 103:3, 115:5, 89:15, 89:17, 49:8, 49:15, firms 146:8, 164:6, 89:20, 97:1, 49:17, 55:4, 108:2 105:5, 117:18, 167:6, 172:11 60:3, 60:22, first 124:4, 164:11, fallen 68:18, 69:25, 4:23, 6:7, 44:25 176:13, 176:25, 70:16, 72:8, 8:12, 9:8, 11:3, 183:14, 183:18 falls 72:18, 73:5, 15:15, 23:22, feed 124:24, 164:15 73:7, 74:8, 28:24, 41:12, 49:21, 49:23 familiar 74:17, 101:24, 46:1, 46:4, feel 168:15 106:1, 130:3, 62:18, 69:21, 19:14, 77:14, families 152:2, 160:15, 70:15, 70:21, 107:21 168:14, 169:25, 162:11 70:22, 71:2, few 170:3, 182:25, family 71:22, 77:9, 8:7, 8:12, 184:3 30:11, 81:17, 79:4, 80:20, 8:24, 13:16, filings 88:1, 90:23, 155:19, 156:3, 20:18, 22:25, 6:5, 6:13, 156:9, 162:8, 92:9, 95:21, 32:17, 39:10, 6:19, 6:25, 9:9, 185:18 97:22, 99:14, 39:12, 40:24, 9:16, 11:10, 106:22, 115:11, far 41:5, 46:2, 34:4, 36:21, 115:15, 120:12, 121:6, 128:22, 46:3, 46:10, 39:11, 49:10, 182:21 120:15, 120:22, 67:18, 71:18, 49:20, 61:3, fare 121:12, 122:25, 80:14, 80:18, 62:12, 68:24, 125:2, 129:6, 126:16 80:24, 86:18, 120:19, 175:25 farmington 130:2, 130:4, 103:5, 105:16, filled 155:16, 157:2, 175:17 136:13 34:13 165:8, 172:7, fast fewer 173:24, 182:16, filling 144:1 24:21 119:24 183:5, 183:6, faster field final 183:9, 183:17, 100:24 131:5 78:17, 114:9, 183:24, 184:2, favorable 21:14, 104:24,

	Conducted on J	.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
184:5	form	from	188:1, 188:4
five	6:5, 6:25,	4:2, 6:7, 6:11,	front
89:12	9:11, 53:17,	8:6, 12:15,	54:20, 98:19,
fix	147:10	15:4, 21:16,	126:15, 138:1,
93:18	format	24:4, 24:22,	156:6, 165:10
fixed	49:11	25:16, 29:22,	full
48:18, 78:12,	formatted	37:17, 38:1,	26:8, 88:14,
92:15, 154:12	86:16	42:1, 44:7,	147:22
fixes	formed	49:18, 50:9,	function
27:22	168:17	52:20, 54:13,	185:2
flat	forms	55:25, 60:7,	functions
106:3	4:15, 5:11	60:14, 60:23,	4:19
flip	formula	61:9, 64:17,	fund
88:19, 89:4,	89:20, 97:14,	65:17, 65:25,	55:5
95:9	152:24	66:22, 68:21,	funded
flops	forth	70:3, 71:3,	42:8
95:9	9:17, 34:20,	73:17, 74:3,	funding
fluctuations	36:19, 49:23,	75:17, 75:19,	55:15, 66:12,
142:15	123:24, 131:11,	77:6, 78:8,	66:14, 68:25,
focus	132:11	84:18, 87:2,	102:10, 174:14
42:3, 140:11	fortunately	87:7, 89:8,	fundings
folks	169:8	89:13, 93:17,	99:1
32:10, 52:15,	forward	94:14, 94:21,	further
57:18, 119:8,	50:14, 50:16,	96:21, 100:14,	136:11, 145:25,
129:18	132:24, 158:6	101:2, 101:8,	184:2, 188:23,
follow	foster	102:17, 104:1,	189:5
7:20, 141:12	39:14	104:2, 104:16,	future
followed	found	104:19, 106:8,	44:17, 48:25,
24:7, 25:14	77:18	108:18, 109:22,	91:21, 117:20
follows	foundation	116:2, 119:8,	G
35:10	3:8	123:12, 124:16,	
fondly	four	131:21, 133:20,	gain 104:15, 104:19
52:5	18:21, 151:1,	136:11, 137:19,	galls
font	168:20, 175:25,	138:24, 139:5,	136:18
151:2	182:11	139:8, 141:25,	
footprint	fourth	142:9, 142:25,	game 106:17
23:2, 74:18,	29:14, 183:25	143:22, 149:18,	gender
113:1, 157:13	frank	149:24, 151:22,	51:18
for-profit	168:13, 169:21,	152:20, 153:25, 154:16, 156:19,	general
147:17	169:23	158:5, 165:7,	9:4, 12:2,
forces	frankly	170:24, 176:11,	36:25, 42:9,
102:25	37:16	177:3, 177:5,	42:16, 43:22,
foregoing	free-flowing	177:9, 177:23,	47:13, 47:22,
189:5	166:24	179:16, 179:25,	51:1, 124:1,
forget	friend	180:2, 183:5,	143:24, 144:23,
76:11, 76:12,	106:13	184:17, 185:9,	144:24
144:6	friends	186:24, 187:5,	generally
forgive	167:23		33:16, 34:1,
32:16			

	Conducted on J	ury 21, 2010	210
44:5, 44:6,	103:14, 147:9,	120:14, 121:7,	169:22, 170:6,
46:2, 46:11,	174:7, 174:17	121:8, 132:16,	175:15, 178:9,
47:1, 47:20,	getting	137:4, 138:8,	182:3, 182:4,
48:23, 54:2,	26:20, 56:7,	138:12, 142:9,	187:1, 187:15,
54:3, 54:4,	85:3, 104:25,	145:19, 148:5,	187:16
55:24, 57:22,	106:8, 106:11,	149:9, 149:12,	gordon
61:1, 63:6,	139:24, 158:1,	150:10, 156:20,	168:6, 168:7,
67:9, 105:10,	158:14, 165:12,	164:3, 165:17,	169:19, 169:21
106:2, 117:7,	174:1, 183:5,	168:5, 178:9,	got
118:8, 118:15	183:11, 185:6,	179:8	42:17, 47:15,
generated	187:4, 188:1	goal	62:4, 62:5,
31:10	ghmsi	38:12, 111:6	62:6, 65:23,
generic	161:2	gobbling	67:3, 73:10,
124:21	give	108:2	76:22, 78:24,
gentleman	7:21, 19:8,	goes	81:20, 84:12,
74:3	32:12, 45:10,	26:15, 26:16,	84:13, 84:16,
geographic	45:12, 50:18	33:11, 33:12,	90:3, 90:14,
62:24, 74:17,	given	33:13, 34:11,	95:6, 97:9,
131:25, 138:21,	5:14, 21:17,	46:25, 60:18,	99:9, 99:19,
140:1	50:13, 167:10,	83:10, 135:5,	102:21, 106:25,
geography	189:11	141:8	112:3, 119:11,
22:17, 37:2	gives	gold	121:24, 124:22,
get	56:22, 107:14	35:25, 75:12,	126:7, 126:19,
11:12, 12:11,	giving	79:15, 79:19,	129:5, 135:9,
16:9, 18:20,	55:6	131:1, 141:7,	148:12, 150:24,
20:25, 27:14,	glad	146:7, 146:9,	159:8, 165:16,
28:20, 32:17,	92:9, 102:25,	179:7, 183:2,	167:9, 172:10,
33:9, 34:23,	118:23	186:9, 186:23	179:25
41:11, 43:12,	qo	gone	gotten
45:3, 45:4,	7:1, 12:13,	41:25, 49:2,	42:16
46:16, 53:23,	14:7, 19:16,	133:7, 146:22	govern
58:9, 58:23,	26:11, 33:8,	good	4:22
60:6, 69:18,	35:9, 35:14,	4:7, 8:1, 8:9,	government
73:20, 73:24,	40:8, 41:4,	12:4, 14:14,	42:23, 53:13,
81:6, 84:21,	43:1, 47:7,	20:10, 20:12,	55:5, 68:24,
85:9, 91:20,	47:8, 53:8,	32:8, 39:9,	78:8, 139:9,
91:22, 104:17,	54:13, 54:16,	46:5, 46:8,	147:18
108:15, 111:19,	54:23, 55:22,	52:5, 54:12,	grace
129:18, 131:20,	56:1, 58:4,	63:21, 67:9,	129:19
147:8, 154:4,	60:18, 66:5,	72:13, 73:2,	gradual
158:23, 177:21,	71:21, 74:12,	74:5, 86:9,	20:17
179:9, 180:2,	77:3, 81:4,	88:24, 94:19,	graph
184:11	88:21, 93:17,	97:18, 98:19,	23:22
gets	93:20, 96:13,	117:17, 127:2,	graphs
33:14, 33:15,	97:14, 98:18,	143:25, 150:7,	50:6
34:10, 46:15,	107:16, 112:3,	153:22, 155:9,	gray
51:16, 57:17,	115:4, 119:20,	155:10, 166:5,	162:14
60:5, 93:9,	120:11, 120:12,	166:23, 168:7,	great
			8:21, 83:6,
			_,,
L			

	Conducted on .	<i>mj</i> = 1, = 010	
127:12, 134:5	17:12, 17:15,	162:14, 163:16,	10:6, 10:16,
greater	17:16, 17:18,	185:19, 185:25	12:18, 15:17,
45:6, 66:8	18:25, 20:23,	halfway	15:21, 16:14,
greatest	26:7, 36:21,	145:15	19:13, 20:15,
54:10	38:14, 38:16,	hampton	21:3, 21:4,
green	38:23, 39:15,	125:8, 126:20,	24:17, 28:8,
18:19, 23:6	55:9, 61:7,	127:11, 144:4	28:10, 31:10,
	64:4, 65:12,	hand	31:16, 34:12,
grid	65:14, 66:10,		34:13, 35:2,
183:4	66:25, 69:9,	27:1, 27:16,	35:7, 35:15,
groups	69:24, 70:1,	189:11	37:16, 40:23,
31:4, 31:6,	70:19, 71:25,	handful	41:1, 41:6,
31:15, 42:11,		92:18	41:7, 42:1,
53:17, 71:16,	79:10, 79:22,	happen	42:16, 45:24,
93:2, 94:17,	81:16, 89:13,	65:12, 93:15,	
107:12, 107:19,	99:3, 99:4,	104:6, 158:11	46:6, 49:2,
108:3, 109:16,	103:13, 103:23,	happened	52:8, 57:5,
116:10, 116:12,	107:4, 112:15,	41:5, 55:25,	57:13, 65:1,
116:20, 183:19	113:10, 113:13,	69:13, 90:12,	65:2, 65:4,
grow	119:25, 121:17,	90:18, 93:14,	67:16, 67:21,
41:9, 88:12	121:21, 123:12,	134:17, 147:2	78:11, 82:4,
grown	124:20, 134:15,	happening	101:5, 102:12,
101:5	134:19, 135:23,	20:15, 21:3,	108:17, 114:10,
growth	136:6, 142:22,	116:6, 116:9,	116:18, 117:16,
24:4, 48:19,	143:12, 143:22,	121:11, 157:8	120:20, 123:14,
88:11, 95:16	145:2, 145:3,	happens	124:13, 124:22,
guaranteed	145:11, 146:22,	71:23, 81:11,	133:4, 133:7,
58:14	146:24, 147:11,	82:23, 98:10,	135:23, 136:21,
guess	148:8, 150:23, 151:20, 154:11,	100:17, 137:2	137:9, 138:21, 140:12, 145:21,
28:24, 125:11,	157:7, 161:4,	happy	146:8, 146:11,
128:2, 150:2,	161:6, 164:17,	146:1, 149:16,	147:23, 151:14,
150:10, 151:18,	165:8, 165:14,	167:16	152:6, 153:15,
168:24, 171:23,		hard	154:3, 157:16,
175:4, 184:10,	165:25, 166:23,	7:4, 11:15,	158:3, 159:3,
185:15, 187:15,	167:9, 170:5,	11:18, 14:3,	
187:24	180:15, 180:25,	87:7, 111:11,	160:17, 161:7,
guide	183:4, 184:1, 187:14, 187:17,	134:22, 137:23,	163:10, 164:20,
143:25		139:24, 141:4	170:19, 171:10,
guidelines	187:18, 187:19 half	harder	174:10, 174:13,
170:18		71:8, 112:12	175:6, 175:7,
guy	13:8, 17:8,	harmless	177:13, 179:23, 187:13
27:25	17:13, 89:12,	93:16	haven't
guys	102:16, 105:14,	harrisonburg	19:19, 31:15,
130:16	123:8, 126:8,	125:19, 125:20,	
Н	_ 126:10, 130:1, 130:2, 132:2,	126:23	57:21, 135:19, 160:18, 161:18,
had	142:16, 149:9,	hartford	173:10
14:15, 14:17,	157:6, 157:7,	175:17	having
14:15, 14:17, 14:20, 16:25,	157:8, 157:7, 158:3, 161:6,	has	8:16, 13:13,
±1.20, ±0.20,	100.0, 101.0,	6:2, 9:20,	0.10, 13.13,

	Conducted on J	uij 21, 2010		212
39:22, 114:6,	176:12, 176:25,	help	143:9, 146:2,	
118:25, 135:10,	179:1, 179:6,	12:7, 31:7,	146:16, 147:8,	
143:1, 158:22,	180:7, 180:10	31:13, 39:14,	148:7, 148:9,	
175:23, 186:17	healthcare	39:17, 40:8,	152:1, 152:4,	
head	41:11, 51:5,	41:12, 42:11,	152:8, 153:14,	
6:9, 134:1,	61:11, 62:14,	56:2, 98:5,	153:19, 156:13,	
144:6	63:10, 63:13,	142:20, 143:10	158:21, 161:15,	
heading	64:6, 64:22,	helped	161:20, 162:4,	
66:21	64:25, 65:6,	-	162:13, 162:15,	
		120:5, 120:9,	163:14, 164:1,	
health	65:8, 65:10,	154:12	164:3, 164:6,	
1:11, 3:6, 3:7,	90:16, 109:5,	helpful	164:9, 167:4,	
3:10, 3:11,	110:15, 119:15,	8:11, 60:25,		
4:15, 4:24, 5:7,	143:25, 169:3	122:23	167:8, 167:13,	
5:15, 5:16, 6:6,	healthier	helping	170:4, 170:9,	
6:11, 9:14,	20:3, 27:18,	100:6, 103:1,	171:9, 177:1,	
13:2, 16:16,	88:6, 101:22,	104:10, 117:18	178:14, 178:17,	
16:22, 19:24,	104:1, 104:11,	helps	178:19, 178:20,	
23:21, 27:12,	104:17, 116:11	33:17	180:7, 182:9,	
28:12, 32:7,	healthkeepers	hence	182:19, 183:8,	
32:24, 33:1,	17:2, 18:13,	119:16	183:15, 183:24,	
35:23, 52:10,	20:22, 23:21,	her	184:8, 184:16,	
52:14, 52:15,	118:7, 118:10,	107:6, 114:17,	185:1	
52:16, 53:6,	118:16	134:16	hereby	
53:11, 53:15,	healthy	here	189:2	
53:22, 54:8,	28:2, 28:12,	4:2, 4:9, 6:17,	herein	
56:8, 56:9,	54:12, 58:5,	22:13, 38:20,	189:4	
56:14, 56:15,	101:23, 116:15,	39:16, 44:5,	herself	
57:25, 58:14,	117:12, 157:9	50:20, 54:14,	107:1	
66:8, 67:16,	hear	59:19, 60:25,	hey	
78:7, 89:14,	4:2, 6:7, 6:11,	61:5, 68:8,	28:16	
89:17, 97:1,	8:6, 8:19,	70:19, 71:15,	hhr	
102:7, 104:9,	12:17, 65:7,	72:4, 73:11,	31:16	
105:5, 106:23,	111:19, 165:7	75:9, 76:15,	hidden	
107:9, 107:20,	heard	76:23, 91:12,	50:20	
108:6, 108:11,	17:21, 46:20,	94:25, 95:12,	high	
110:16, 113:16,	61:2, 135:19,	97:7, 97:10,	11:11, 39:21,	
114:13, 115:7,	189:3	97:20, 97:25,	41:3, 41:16,	
117:18, 118:17,	hearing	98:2, 98:10,	41:22, 41:24,	
118:18, 119:5,	7:15, 7:19,	99:4, 106:11,	42:1, 52:21,	
119:14, 120:18,	8:16, 189:4	106:13, 115:6,	87:3, 87:16,	
120:20, 134:11,	hearings	115:14, 118:5,	101:8, 103:12,	
140:13, 140:15,	64:5	119:8, 119:10,	114:24, 115:1,	
140:17, 146:3,	heart	119:12, 119:19,	120:7, 148:4,	
147:21, 149:19,	37:17, 150:21	120:1, 120:4,	152:18, 165:18	
164:17, 164:20,	held	120:16, 122:4,	higher	
168:16, 170:18,	24:17	122:10, 124:14,	33:15, 33:16,	
170:21, 172:19,	hello	125:12, 128:20,	48:9, 48:11,	
173:10, 175:22,	119:13	132:19, 137:13,	57:1, 90:10,	
L				

	Conducted on a	July 24, 2010		215
96:20, 105:11,	120:22, 132:3,	hospital	137:16, 151:5,	
115:24, 117:7,	133:5, 133:14,	64:12, 65:20,	157:14, 157:21,	
122:20, 123:7,	140:18, 146:16,	65:24, 65:25,	163:11, 175:4	
128:15, 133:1,	148:10, 155:15,	66:3, 67:5,	hours	
133:2, 133:5,	155:16, 155:17,	67:12, 80:18,	150:16, 151:15	
134:19, 139:17,	157:5, 157:15,	81:17, 81:18,	house	
143:13, 143:15,	157:16, 161:9,	81:22, 82:1,	136:2, 136:8,	
145:1, 145:10,	161:11, 161:14,	82:10, 83:1,	136:11	
146:25, 148:8,	163:25, 167:5,	83:20, 84:7,	how	
149:6, 158:10,	175:24, 176:1,	93:25, 94:12,	7:3, 10:12,	
159:7, 162:18,	176:2, 178:7,	107:14, 109:7,	12:8, 12:18,	
167:5, 172:10,	178:16, 178:23,	109:9, 109:10,	17:25, 19:25,	
172:12, 174:6	178:25, 180:9,	109:13, 109:25,	20:1, 32:13,	
highest	181:3, 181:4,	110:6, 110:9,	33:16, 33:18,	
70:14, 80:5	181:16, 181:19	110:10, 110:20,	35:14, 39:3,	
highlights	hoffman	111:22, 111:23,	40:17, 41:15,	
80:16	72:13, 72:14,	112:3, 112:9,	41:18, 41:19,	
him	72:18, 72:23,	112:10, 113:22,	42:9, 43:2,	
28:10, 98:5,	73:2, 73:3,	114:3, 119:16,	44:23, 50:9,	
120:8, 136:7	73:12, 74:5,	134:14, 134:18,	51:14, 52:14,	
himself	74:6, 74:13,	134:19, 135:13,	53:7, 53:9,	
155:23	75:24, 77:4,	136:1, 136:7,	53:20, 58:4,	
hios	79:1, 79:3,	136:9, 136:10,	59:9, 64:17,	
91:2, 91:3	81:6, 83:6	136:24, 137:2,	68:2, 79:6,	
hip	hold	137:4, 137:17,	79:8, 98:11,	
144:16	73:9, 93:16,	138:9, 163:5,	105:12, 125:24,	
his	132:16	163:12, 179:3	126:16, 126:19,	
81:18, 170:5	holiday	hospital's	126:25, 127:4,	
historical	78:7	138:23, 139:4	137:20, 144:18,	
10:11, 129:25	holland	hospitalist	144:19, 147:4,	
historically	97:20	81:22, 82:2,	153:24, 170:15,	
13:21, 88:13,	home	83:18, 85:1,	172:25, 186:10	
165:13, 165:24	126:21	94:5, 109:18,	however	
history	honorable	134:14	29:22, 182:25	
172:18	1:18, 1:19,	hospitalists	hsa	
hit	2:2, 2:3, 4:5	94:13	87:16, 165:3,	
78:6, 82:18,	hope	hospitalization	165:8, 165:9,	
85:9, 89:20,	8:10, 31:2,	59:6, 59:12	165:11, 166:6,	
93:9, 98:6,	40:18, 43:5,	hospitalizations	167:12, 185:5	
106:8, 106:25,	67:23, 85:22	92:11, 92:17	hsas	
117:22, 124:6,	hopeful	hospitals	166:5, 166:15,	
124:9, 133:6,	31:23	64:19, 65:7,	166:16, 166:17	
142:18, 147:12,	hopefully	66:23, 67:1,	huge	
152:21, 152:25,	19:17, 27:13,	82:6, 82:16,	53:21, 71:5	
154:7, 164:11,	42:2, 119:2,	83:3, 83:11,	human	
173:9, 179:19,	120:21, 168:11	84:10, 84:14,	4:24	
187:22	horrible	92:11, 108:21,	hundred	
hmo	118:25	131:11, 137:13,	162:20	
17:2, 120:19,				

	Conducted on 3	<i>u j z i</i> , <i>z o i o</i>	
hurdles	57:13, 60:6,	84:8, 124:7,	176:16, 176:19,
113:10	66:7, 79:8,	124:8, 124:9,	177:3, 177:4,
hurricane	79:25, 89:17,	165:14, 172:15,	177:22, 177:24,
42:15	90:13, 90:22,	173:8, 173:16,	177:25, 178:14,
hurts	91:9, 91:10,	188:20	178:17, 179:5,
129:24	91:21, 97:2,	includes	180:2, 180:4,
husband	147:11, 147:23,	16:16, 104:24,	180:8, 180:20,
135:10	153:1, 154:19,	175:19	182:25, 184:19,
I	177:13	including	185:6, 186:18,
 i've	impacts	31:5, 49:15,	188:1, 188:3
99:19	64:21, 80:9,	131:3, 154:14	increased
idea	91:8, 146:15	income	27:19, 28:25,
57:3	implicit	32:24, 33:8,	51:15, 66:11,
identical	28:3	33:12, 138:24,	66:12, 67:11,
146:16	importance	139:5	70:7, 100:9
identified	5:14	inconsistent	increases
143:13	important	36:15	5:5, 5:17,
identify	9:21, 13:15,	increase	25:9, 27:19,
74:4	15:12, 66:18,	21:10, 25:15,	30:5, 40:2,
identifying	88:25, 121:19	29:18, 30:11,	71:9, 78:1,
97:8	impossible	40:17, 55:12,	87:24, 91:7,
identities	38:15, 71:11	70:3, 70:6,	101:8, 117:19,
50:20	improved	70:9, 70:10,	117:25, 118:19,
ids	97:11	79:24, 86:24,	121:6, 144:1,
91:2, 91:3	improvement	87:5, 87:10,	147:22, 152:8, 158:20, 177:12,
illustrate	87:10, 90:3	87:19, 89:5,	180:14, 184:7,
12:8	in-network	89:11, 89:13,	184:16
illustrates	134:17	91:12, 94:21, 94:22, 94:24,	increasing
24:3	inaccurate	94:22, 94:24, 95:24, 96:5,	40:16, 90:8,
imagine	36:13	96:11, 96:23,	114:6, 144:9
36:13, 36:17,	inadequate	97:4, 101:25,	increasingly
58:12, 58:20,	68:6	102:16, 102:23,	139:24
157:22	inc	104:4, 105:11,	incredibly
immaterial	3:9, 3:12 incentive	105:15, 105:16,	58:17
78:15, 80:14		105:25, 115:21,	incumbent
immature	77:13	120:24, 123:10,	60:16
129:8	incident 82:23, 93:10,	123:18, 126:8,	incur
immediate	109:17	126:10, 131:12,	78:13
42:22	incidentally	140:20, 142:15,	incurred
immediately	141:14	145:4, 145:21,	135:18
69:5, 95:19	include	146:5, 152:3,	independent
immune	80:17, 102:4,	153:20, 154:11,	83:19, 107:12
37:17	102:5, 111:15,	156:4, 156:13,	index
impact	166:3	156:14, 156:24,	156:15
5:21, 16:25,	included	159:8, 161:10,	indicated
19:19, 20:2,	10:7, 16:21,	161:21, 167:15,	22:25
20:18, 43:3,	49:14, 76:19,	176:3, 176:10,	indicative
	,,		103:21, 112:11
			1
		1	

	Conducted on 3	<i>mj</i> = 1, = 010	-
individual's	inova	106:23, 107:10,	intertwine
42:8	179:3, 179:6	108:6, 108:20,	166:17
individuals	inpatient	108:24, 109:22,	into
5:16, 19:6,	87:14	110:16, 113:6,	7:9, 9:5,
29:23, 41:23,	ins-	120:20, 135:3,	11:12, 14:7,
42:5, 45:15,	1:7, 4:1	135:6, 137:12,	19:7, 19:16,
45:17, 52:13,	inside	138:10, 138:21,	27:14, 36:3,
53:2, 53:17,	141:3	139:17, 139:25,	36:10, 40:20,
54:4, 54:13,	insignificant	140:17, 146:3,	41:4, 41:25,
93:1, 95:23,	145:18	146:12, 147:21,	44:17, 46:1,
102:8, 162:11	insist	151:10, 165:12,	46:25, 48:24,
induced	82:18	170:21, 173:10,	49:21, 51:13,
164:25, 165:14,	instance	176:13, 176:25,	54:11, 55:22,
165:25, 174:6		178:11, 178:24,	58:23, 60:18,
industry	107:16, 110:21,	179:2, 182:12,	62:20, 63:16,
42:1, 67:11,	169:9, 169:17	182:20	64:15, 69:11,
67:12, 78:8,	instances	insure	74:15, 82:5,
109:15, 114:3,	107:21, 111:8	114:23	82:11, 88:18,
114:7, 135:8	instead	insurer	90:7, 97:14,
ineligible	170:14	78:7, 105:5,	99:5, 102:9,
30:23	instructions	108:11, 117:18,	103:13, 104:18,
information	7:2, 7:4	183:14	106:16, 110:5,
6:3, 8:10,	insulated	insurers	117:3, 117:12,
9:25, 10:4,	101:7	107:20, 108:14,	118:20, 118:23,
10:6, 10:10,	insurance	111:9, 114:11,	119:2, 131:3,
31:24, 32:11,	1:11, 3:5,	139:9	138:8, 142:1,
34:9, 34:16,	4:10, 4:25, 5:4,	integrated	145:19, 149:12,
61:7, 68:12,	5:8, 5:10, 5:12,	134:21, 135:25,	150:10, 150:11,
70:2, 72:7,	5:15, 5:17,	136:4	153:16, 158:19,
123:14, 134:24,	5:25, 6:6, 6:8,	intend	164:16, 166:13,
137:19, 143:19,	6:9, 6:14, 7:1,	91:15	167:20, 168:3,
170:19, 170:20,	7:25, 26:24,	intense	168:12, 168:25,
170:22, 172:22,	30:18, 30:20,	82:13	172:13, 173:21,
188:20	31:6, 32:7,	interchangeably	173:23, 179:9
initial	32:24, 33:1,	12:21	introduce
33:22, 116:17	37:24, 39:5,	interest	39:18, 72:10,
initially	42:14, 45:2,	189:9	119:20, 168:11
77:21, 147:1	64:9, 64:10,	interesting	introduced
inner	64:25, 65:3,	45:25, 67:25,	49:9, 162:17
134:20	66:20, 66:22,	94:19, 142:19,	introduction
inner-network	67:4, 67:11, 67:16, 67:19,	169:19	160:2
135:19	69:18, 77:14,	interestingly	introductory
innova	78:8, 81:14,	37:23	6:10
180:10		internal	involving
innovation	82:6, 82:17,	79:11, 79:21	82:24
	83:14, 84:10,	internally	irreconcilable
16:22, 20:20,	85:10, 85:22,	51:20, 96:12	36:14
175:22, 179:1, 180:7	89:14, 89:17, 94:14, 97:1,	interpretation	ish
100./)4·14,)/·1,	44:8, 165:24	186:23
		44:0, 100:24	
	1		

	Conducted on J	<i>mj</i> = 1, = 010	210
isn't	jefferson	june	160:7, 186:7,
91:12, 137:18,	86:14	79:13, 161:4	186:15, 187:15
137:23, 162:8,	job	jurisdiction	knew
167:10	178:9	114:5	69:24, 112:24,
issue	join	justification	113:14, 136:1
39:14, 58:14,	161:18	34:25, 35:6,	knottiness
66:3, 66:4,	joining	165:22	137:10
73:10, 81:11,	158:14	justified	knowing
106:6, 106:24,	joint	11:5, 161:24	150:25
107:8, 107:14,	179:3, 180:9	justify	knows
108:1, 108:15,	journey	51:15, 60:17	157:22
108:18, 110:25,	169:3	ĸ	L
138:18, 164:15,	judge	kaiser	lab
167:12	7:13, 16:10,	3:8, 86:8,	110:22
issued	23:9, 28:21,	89:18, 92:2,	lack
1:12	30:7, 45:25,	92:13, 93:13,	55:15, 66:11,
issuers	66:18, 81:4,	93:15, 93:16,	98:25, 102:10
150:13	108:15, 113:12,	94:8, 149:1,	laid
it's	169:6	157:20, 163:12	75:9
21:21, 21:23,	judges	kaiser's	landscape
21:24, 22:1,	8:1, 16:25,	86:11, 88:10	27:23
28:25, 80:13,	32:8, 150:7,	keep	landscaper
87:6, 87:7,	182:3	40:1, 40:4,	26:18, 28:1,
133:6, 136:19	judith	45:3, 45:4,	28:9, 56:19
item	1:19, 2:2, 4:5	54:21, 117:18	lane
77:9, 77:25,	juillerat	ken	68:21
78:3, 78:11,	119:13, 119:14,	120:4	language
78:17, 124:6, 130:24	119:20, 120:14,	kept	110:18, 110:23
items	122:1, 122:9,	102:20, 158:8,	lapsing
77:16, 97:14,	122:18, 122:24,	161:14	101:10
97:25, 100:8,	125:22, 129:5,	key	large
118:15	129:12, 130:8,	80:16, 111:5,	26:17, 37:8,
its	130:14, 130:16, 132:13, 132:15,	150:20, 151:11	37:14, 139:18,
4:25, 6:5,	134:1, 134:6,	killer	139:19, 142:8,
9:19, 24:11,	134:1, 134.0,	40:23	151:21, 151:23,
137:9, 189:9	july	kind	153:1, 153:14,
itself	1:21, 11:18,	24:16, 33:17,	170:23, 171:7,
11:13, 34:20	24:22, 36:21,	45:24, 75:6,	172:10, 172:23,
J	49:20	82:4, 84:11,	172:25, 174:2
	jump	94:2, 101:24,	largely
james 119:13, 120:11,	152:1	116:5, 131:5,	30:3, 37:17,
121:25	jumped	132:23, 136:2,	170:22
january	70:19	136:5, 142:11,	larger
4:11, 5:13,	jumping	142:18, 142:22, 143:11, 146:9,	30:11, 57:17,
53:1, 116:21,	87:25, 152:4	143:11, 146:9, 147:5, 152:11,	95:15
129:23	jumps	152:17, 159:9,	largest
	68:9	±52•±1, ±53•3,	22:16, 182:21

		uly 24, 2010	
laskowski	142:21, 147:15,	57:10, 65:18,	33:4, 33:5,
120:5, 125:8,	147:19	65:23, 100:8,	35:4, 43:21,
125:19, 126:2,	laws	101:23, 103:23,	45:8, 45:9,
126:6	10:21, 35:17	112:25, 118:24,	62:19, 64:5,
last	lawyers	132:12	68:20, 70:19,
12:9, 12:23,	138:4, 138:5	legal	98:10, 125:25,
13:1, 13:11,	lay	4:21, 10:25,	127:7, 182:19
14:16, 15:5,	48:20	11:8, 44:6,	letter
15:8, 15:23,	lead	115:3, 115:7,	150:13
16:13, 16:21,	79:18, 174:5	118:7, 140:14,	letters
21:18, 24:19,	leaders	140:16, 146:3,	135:10
28:8, 28:19,	22:25	147:20, 179:2,	letting
29:24, 40:24,	leaner	182:11, 187:8	112:8, 151:4
41:5, 50:9,	78:21, 183:11	legislate	level
55:4, 55:16,	learn	108:19	11:11, 12:16,
55:20, 60:7,	38:1	legislation	13:14, 25:20,
61:4, 61:9,	learned	108:7, 108:9	27:3, 30:5,
61:15, 62:4,	42:1	legislative	30:22, 32:20,
62:6, 67:18,	least	108:8, 108:17	39:4, 40:1,
68:14, 70:14,	5:6, 10:17,	legislature	43:13, 55:19,
71:18, 71:25,	14:10, 17:18,	31:1, 31:17	56:5, 57:1,
79:5, 80:18,	18:18, 28:19,	legs	59:16, 63:15,
89:13, 90:20,	40:1, 44:19,	69:9	120:7, 150:15,
91:17, 96:21,	45:5, 47:1,	leslie	161:13, 162:19,
97:13, 99:4,	47:25, 57:1,	1:25, 189:2,	174:14
99:10, 103:5,	59:5, 82:19,	189:16	leveling
103:22, 115:24,	83:4, 84:19,	less	15:10
118:23, 128:3,	84:23, 85:7,	17:12, 58:16,	levels
130:21, 131:24,	85:23, 108:18,	61:16, 61:17,	38:22, 60:7,
133:9, 134:15,	110:3, 110:9,	61:18, 61:19,	131:5, 151:16
149:8, 157:5,	110:12, 135:21	80:11, 89:18,	leverage
158:3, 166:10,	leave	89:24, 94:18,	133:2
174:9, 182:1,	11:22, 17:3,	95:8, 101:23,	leveraging
187:8, 188:1	20:4, 26:25,	116:15, 117:12,	123:24
late	32:9, 56:7,	123:8, 123:9,	liability
79:13, 136:19	56:8, 56:13,	128:6, 128:10,	179:17
later	56:22, 81:6,	128:11, 128:12,	life
5:2, 14:23,	100:14, 121:14,	129:1, 146:12,	93:9, 178:11,
14:25, 81:19,	157:10	154:7, 154:9,	178:24
81:20, 84:24,	leaving	171:2, 174:16	lifeline
115:17, 125:15,	29:5, 56:16,	let	106:11, 114:16
183:19	77:12, 101:22,	6:22, 12:12,	like
latest	157:10	32:11, 36:24,	8:12, 8:24,
6:5	left	62:17, 81:10,	9:3, 12:1,
law	16:20, 17:5,	84:22, 85:20,	19:14, 22:19,
4:13, 5:4,	17:15, 27:8,	109:13, 160:23,	23:17, 35:25,
35:20, 38:16,	29:11, 33:9,	161:2	38:17, 39:7,
105:7, 142:20,	54:24, 56:21,	let's	41:3, 42:10,
		27:25, 32:22,	

	Conducted on J	uly 24, 2010	218
42:15, 48:22,	78:3, 78:11,	131:2, 133:1,	26:23, 28:15,
49:19, 53:7,	78:17, 123:22,	133:2, 133:5,	28:24, 29:25,
54:21, 56:24,	124:11, 124:12,	136:6, 141:4,	33:2, 35:25,
57:13, 57:23,	131:3, 156:17,	143:14, 143:23,	38:18, 44:23,
57:24, 58:1,	162:12, 172:15,	146:19, 148:1,	48:25, 52:5,
58:21, 62:4,	174:18, 180:22,	148:4, 148:12,	58:21, 61:6,
65:24, 67:15,	180:24, 183:9,	148:17, 151:1,	63:9, 63:12,
77:14, 84:9,	183:22, 185:7,	153:8, 159:5,	74:21, 98:16,
85:4, 86:22,	185:17	161:5, 162:4,	99:18, 99:24,
88:8, 94:7,	lines	162:25, 167:9,	100:5, 100:12,
94:10, 98:7,	21:13, 105:3,	168:19, 170:9,	130:25, 141:2,
101:2, 102:19,	117:5, 121:12,	187:13	141:13, 143:5,
102:25, 102:19,	123:1, 154:13,	lives	144:17, 156:14,
102:22, 104:19, 105:22, 106:10,	168:20, 168:21,	22:11, 23:5,	166:13, 170:9,
107:21, 109:2,	169:15	23:16, 24:10,	170:16
			looked
109:22, 110:20, 110:22, 111:6,	link	24:13, 24:18, 33:3, 82:8,	22:22, 31:10,
110:22, 111:6, 114:19, 115:9,	147:6		
114:19, 115:9, 116:21, 117:20,	list	82:18, 84:17,	50:22, 60:9,
	16:11, 71:20,	84:18, 85:12,	70:22, 102:2,
118:18, 126:19, 126:25, 128:24,	122:6, 138:12,	106:8, 110:1,	129:25, 158:7
	151:3	110:3, 110:11,	looking
130:1, 130:7, 131:9, 132:10,	listed	111:13, 137:20,	24:2, 36:12,
	166:1	139:19, 168:20	42:11, 43:24,
134:12, 137:9, 138:3, 140:12,	listing	load	44:5, 44:17,
141:10, 142:11,	122:3	55:2, 80:2,	48:24, 52:12,
147:5, 157:19,	little	80:11, 90:24,	75:15, 77:5,
158:4, 159:16,	8:10, 8:16,	91:1, 91:4,	77:7, 86:21,
163:13, 164:11,	11:12, 15:24,	91:5, 91:7,	90:18, 99:15,
165:7, 166:9,	18:24, 24:5,	91:12, 91:13,	101:3, 108:17,
171:6, 174:19,	24:18, 25:8,	174:8, 174:15	115:22, 131:15,
175:8, 186:18	30:3, 31:8,	loading	153:19, 160:14,
likely	32:12, 35:5,	30:4, 89:16	167:14, 183:1,
93:16, 129:14,	61:16, 61:19,	localities	186:11, 186:14 looks
131:19, 165:17	67:25, 68:20,	112:23, 112:25,	
limb	71:8, 72:22,	113:8, 113:15	34:5, 53:6,
147:5	73:10, 74:23,	located	101:2, 102:19,
limited	78:20, 86:17,	97:19	102:25, 104:19,
	90:2, 91:7,	logic	105:21, 106:10
19:24, 27:8,	98:6, 98:7,	83:25, 106:15,	lose
27:12, 53:11,	98:25, 100:7,	106:16	28:11, 46:23,
53:25, 54:9,	100:13, 101:8,	long	88:4
109:21, 113:18, 122:10, 169:11	103:9, 103:14,	66:1, 67:22,	losing
lindsay	105:11, 106:2,	160:5	28:11, 45:22
106:20, 114:14	115:10, 115:24,	longer	loss
106:20, 114:14 line	116:18, 118:1,	77:13	10:16, 11:6,
	118:11, 118:20,	look	44:12, 44:13,
25:6, 77:9,	123:8, 123:9,	12:23, 16:19,	44:15, 44:16,
77:23, 77:25,	124:25, 126:3,	18:16, 24:19,	44:19, 44:22,

	Conducted on J	uly 21, 2010		
45:5, 45:9,	87:23, 100:19,	121:11	101:16, 101:19,	
45:10, 45:16,	103:9, 116:13,	make	102:4, 121:12,	
46:1, 46:9,	118:11, 122:19,	8:8, 11:18,	123:1, 123:2,	
47:2, 47:25,	141:16, 143:15,	31:7, 38:18,	123:12, 132:11,	
48:7, 48:9,	143:24, 145:11,	42:2, 49:21,	141:24, 146:14,	
48:11, 48:24,	146:11, 147:10,	83:2, 85:2,	152:8, 152:13,	
63:14, 88:1,	148:17, 164:23,	98:7, 100:1,	159:15, 172:14	
129:24	171:21, 171:22,	106:22, 111:3,	mandates	
lost	179:13, 180:24,	112:24, 113:14,	44:2, 160:6	
86:18, 86:24	187:14	114:9, 114:19,	manual	
lot	lowering	115:19, 132:11,	80:23, 154:1,	
8:22, 9:17,	43:12	139:12, 143:18,	154:2, 154:21,	
10:3, 10:9,	lowers	153:16, 171:4,	170:18, 170:22	
11:25, 12:11,	39:23, 39:24	172:8, 172:23,	many	
15:16, 16:1,	lowest	174:10	11:17, 14:19,	
31:10, 34:9,	75:10, 75:13,	makes	15:18, 15:20,	
36:2, 42:17,	79:20, 79:21,	32:18, 49:19,	15:22, 17:15,	
45:9, 46:25,	105:18	104:12, 112:12,	20:21, 27:7,	
48:18, 49:22,	lumped	121:10, 138:4,	41:25, 48:16,	
60:4, 63:17,	104:13	162:6, 162:15,	49:14, 52:6,	
63:18, 64:3,	M	162:21	53:7, 65:23,	
64:7, 64:11,		making	100:8, 102:2,	
66:5, 66:20,	ma'am	7:23, 26:5,	111:8, 134:21,	
71:12, 75:16,	54:25, 122:24	26:19, 28:1,	136:18, 137:9,	
83:16, 87:21,	made	30:7, 32:24,	139:21, 157:24,	
98:12, 103:11,	17:2, 45:8,	33:14, 56:20,	181:17, 181:19,	
113:10, 113:21,	55:17, 56:23,	107:8, 117:10,	183:13	
120:10, 121:5,	56:25, 59:16,	117:11, 145:13,	map	
129:9, 129:18,	103:3, 123:5,	147:4	18:4, 18:8,	
132:8, 135:14,	132:10, 136:2,	mall	22:22	
137:18, 147:6,	138:19	117:3	margaret	
150:22, 152:25,	magnitude	manage	119:25, 120:2	
160:9, 171:2,	104:14, 171:1, 177:10	143:10, 161:23,	margin	
172:9, 175:4,	main	163:1, 163:18	130:20, 130:21,	
184:25		managed	130:22	
lots	75:18, 97:23,	168:18	mark	
52:17	139:4, 176:10, 183:7	management	1:18, 2:3	
low	mainly	3:10, 4:19,	marketing	
87:2, 102:18,	121:9	93:19, 119:5	96:12	
102:20, 146:8,	maintenance	manager	marketplace	
164:10, 165:17,	140:13	72:14, 73:4,	12:20, 16:6,	
183:21	major	74:6	26:25, 168:9,	
lower	16:25, 20:18,	managing	168:25	
39:20, 40:19,	20:19, 64:12,	134:10	markets	
41:12, 51:8,	67:15 64:12,	mandate	1:13, 4:4,	
57:16, 58:17,	majority	69:15, 77:10,	4:11, 5:22,	
61:3, 62:6,	87:17, 92:10,	77:17, 88:2,	6:21, 9:5, 12:3,	
66:16, 77:21,	0, 1, 1, 22, 10,	95:11, 101:12,	12:8, 14:20,	

	Conducted on 3	uly 21, 2010	220
14:21, 16:2,	84:21, 96:5,	44:16, 71:9,	77:12, 77:20,
23:13, 23:25,	100:13, 101:9,	71:13, 158:16	80:10, 83:13,
27:14, 35:1,	102:8, 102:9,	measures	88:5, 88:6,
35:3, 42:15,	109:8, 112:1,	44:15	88:14, 88:15,
44:21, 60:11,	139:25, 142:3,	mechanism	88:18, 88:21,
62:12, 103:21,	143:14, 145:6,	111:6, 114:23,	88:23, 89:3,
118:24, 175:8,	151:8, 164:25,	114:25, 128:19,	95:18, 96:6,
175:19	168:15	128:25, 131:4	96:9, 100:20,
maryland	maybe	medicaid	100:23, 101:5,
86:15, 155:13,	8:17, 28:16,	52:25, 53:3,	101:6, 101:22,
175:19	43:20, 48:2,	53:8, 80:1,	103:10, 103:11,
match	48:4, 82:13,	80:3, 80:7,	105:16, 107:15,
148:21	84:2, 84:25,	80:10, 103:2,	110:19, 116:24,
material	85:19, 100:5,	103:10, 131:15,	132:22, 153:15,
7:12, 73:6	104:14, 108:20,	131:20, 168:22,	154:1, 157:10,
maternity	144:15, 144:16,	174:10	157:11, 158:1,
57:23	165:7	medical	158:14, 158:15,
matter	mean	35:22, 50:23,	159:6, 161:4,
1:9, 42:9,	13:25, 21:24,	52:3, 54:5,	161:14, 162:18,
50:17, 63:15,	27:25, 35:6,	58:19, 78:2,	169:1, 169:5
112:22, 166:14	42:15, 42:16,	80:20, 88:15,	membership
matters	42:24, 46:22,	124:24, 133:15,	48:19, 88:16,
7:17	47:20, 48:5,	139:7, 176:12,	94:23, 140:21,
mature	52:2, 70:19,	176:20	140:24, 152:6,
88:16	75:23, 83:25,	medically	153:14, 154:12,
max	84:1, 84:15,	58:9	157:7, 158:2,
75:19, 122:3,	84:20, 90:16,	medicare	164:6, 182:23,
171:11, 178:6,	92:3, 109:3,	139:10, 168:8,	184:5, 184:23
181:5, 184:16,	109:8, 109:13,	168:23, 175:8	memorandum
186:18	110:7, 111:13,	medicine	9:21, 10:2,
maximum	112:18, 127:2,	85:3	10:7, 10:19
75:13, 87:20,	127:3, 128:24,	meet	memory
90:4, 100:9,	135:17, 136:13,	5:10, 11:6,	32:16, 68:21
118:3, 121:3,	137:21, 138:5,	35:12, 44:11,	mental
121:17, 121:18,	165:6, 166:5,	44:19, 47:1,	57:25
121:21, 121:22,	166:6, 166:14,	48:23, 130:12	mention
122:12, 141:15,	166:17, 171:19	meeting	33:20, 46:21,
141:18, 141:21,	meaning	99:4, 107:6,	78:23, 97:25,
145:23, 176:6,	51:12, 61:14,	129:17	115:20, 159:10,
177:4, 177:25	146:11	member	164:15, 165:5
may	means	35:15, 52:19,	mentioned
5:23, 6:25,	35:7, 44:8,	79:8, 93:16,	36:20, 39:15,
7:14, 9:9, 19:5,	66:14, 82:11,	100:18, 143:13,	39:18, 49:7,
19:18, 19:23,	88:24, 89:4,	143:20, 144:25,	52:18, 53:10,
25:20, 28:15,	90:9, 143:25,	146:11, 156:19,	66:18, 99:6,
30:24, 33:23,	148:15, 160:4	158:4, 161:25,	99:10, 102:6,
56:13, 57:24,	measure	165:21	103:4, 103:7,
59:2, 74:10,	13:4, 13:12,	members	104:8, 111:1,
		6:23, 75:3,	
		1	

114:21, 117:20, 134:9, 139:20, 146:21, 154:20, 161:9, 169:14, 183:13, 184:9 mergers 66:3, 66:4 merit 189:17 met 46:18, 75:25, 141:9 metal 130:21 metallic 130:24 methodology 75:6, 80:25 mic 8:17 microphone 7:9 mid 130:9, 178:6 mid-atlantic 86:12, 182:13, 185:14 middle 55:4, 110:8, 153:21 midwest 14:8 might 14:8, 39:4, 47:9, 48:14, 55:2, 94:9, 100:21, 101:7, 106:13, 115:17, 116:1, 116:4, 116:23, 117:1, 117:6, 117:8, 117:11, 120:8, 122:18, 148:25, 151:3, 151:24, 183:20 miles 136:13, 136:14 mill 155:13

milliman 119:18, 119:24, 150:9, 169:24, 170:17, 170:19 mills 155:13 min 181:5, 184:16 mind 76:11, 119:10, 146:10 mine 107:4 minimize 83:22 minimum 75:11, 79:15, 87:16, 90:6, 105:16, 118:3, 121:2, 132:20, 141:13, 145:23, 176:5, 177:23 minnesota 42:6 minor 143:6, 144:7 minus 89:7, 94:22, 94:24, 95:13, 120:24, 164:2, 184:8, 187:3, 187:5 minute 43:21, 60:6, 72:1, 73:10, 73:14, 149:22 minutes 8:7, 8:13, 8:25, 13:16, 36:22, 39:12 miscellaneous 90:8, 91:25, 97:14 misnamed 145:7 miss 169:13 missed 90:20

mistakes 42:2 mitigate 40:2 mix 131:25, 177:19 mlr 114:22, 128:16, 128:17, 128:22, 128:24, 129:4, 130:12 mltss 168:22 model 144:12, 144:15, 145:2, 148:19, 148:21, 169:10 moderate 102:17, 167:6 modest 24:7, 117:19 moment 72:21, 88:21, 168:10 money 45:1, 45:3, 45:9, 45:11, 45:13, 46:5, 49:2, 55:6, 164:22 monitor 73:11 monopolistic 64:15, 66:21, 67:2, 67:3, 114:6 monopoly 20:12, 37:22, 38:3, 38:11, 38:21, 39:3, 39:14, 64:8, 64:11, 65:1, 65:2, 65:4, 67:7, 67:8, 67:9, 67:10, 107:15, 114:20, 138:21, 140:1, 140:2

monopsony 65:5, 65:9, 113:13 month 29:21, 30:10, 33:10, 42:7, 79:5, 84:24, 158:5 monthly 30:1, 30:10 months 81:16, 129:10 moop 152:5 moratorium 78:6, 105:4, 117:22, 124:6, 124:9, 133:6, 142:18, 147:13, 173:9, 183:14 morbidity 27:19, 35:23, 52:7, 54:15, 57:9, 66:7, 66:8, 77:16, 77:21, 77:23, 88:8, 88:9, 95:13, 96:25, 101:16, 101:25, 102:3, 104:9, 104:16, 104:19, 115:20, 116:19, 117:8, 121:13, 123:1, 123:3, 131:6, 141:25, 146:15, 152:11, 159:12, 162:12, 172:9, 172:12, 172:13, 172:16, 174:11, 176:11, 176:16, 176:17, 179:12, 180:15 more 6:24, 11:13, 11:25, 13:1, 15:16, 15:24, 16:1, 18:24, 19:11, 19:18,

	Conducted on J	<i>u j</i> = :, = = = = = = = = = = = = = = = = =		
19:20, 20:5,	74:5, 86:9,	163:20, 167:3,	72:13, 73:3,	
20:22, 21:1,	97:18	184:21	74:5, 76:16,	
23:12, 24:7,	most	movement	76:19, 81:6,	
25:8, 27:14,	18:12, 18:17,	52:19, 52:20,	86:10, 119:16,	
30:3, 30:12,		53:21, 75:18,	119:22, 122:2,	
	29:5, 41:2,			
31:8, 31:21,	55:21, 63:7,	75:20	124:17, 133:10,	
39:14, 40:8,	63:22, 66:22,	movements	134:9, 137:22,	
40:20, 43:16,	69:20, 75:10,	53:12	141:3, 150:5,	
46:9, 46:23,	75:16, 76:20,	moving	150:8, 155:11,	
47:3, 47:7,	80:14, 87:4,	75:8, 75:19,	168:7, 169:22,	
47:21, 48:3,	87:9, 87:13,	77:5, 80:7,	175:15, 182:5	
48:4, 48:5,	90:4, 93:16,	80:10, 130:19,	named	
48:7, 49:3,	95:2, 98:13,	153:11, 159:21,	140:16	
53:13, 53:23,	98:18, 99:22,	166:17	narrative	
54:20, 57:14,	99:23, 100:20,	msas	35:9, 51:12	
57:16, 59:22,	107:21, 111:4,	63:6	narratives	
68:25, 69:9,	115:6, 118:13,	much	36:9	
70:12, 85:14,	121:1, 121:5,	17:12, 22:23,	narrow	
95:8, 96:9,	121:9, 124:13,	33:15, 40:22,	163:11	
100:13, 104:12,	124:15, 125:25,	43:16, 66:8,	nation	
104:18, 104:19,	127:8, 127:23,	68:2, 69:16,	139:1	
106:4, 114:10,	128:2, 129:13,	70:12, 73:23,	national	
119:3, 124:25,	131:7, 131:19,	79:8, 100:24,	13:22, 67:1,	
126:4, 130:2,	131:21, 132:18,	124:18, 134:18,		
131:3, 133:2,	138:3, 138:6,	139:16, 139:17,	94:10, 113:25,	
139:7, 141:6,	141:6, 145:20,		114:10	
143:7, 147:8,	146:6, 146:8,	144:18, 144:19,	nationally	
148:4, 148:9,	152:4, 153:15,	152:20, 152:23,	13:18, 28:24,	
148:25, 149:16,	154:7, 154:18,	154:9, 155:5,	29:1, 29:16,	
151:4, 151:11,	156:6, 168:22,	159:7, 160:16,	29:19, 29:25,	
161:5, 161:10,	171:9, 176:5,	163:21, 167:16,	61:1, 61:2	
161:12, 164:22,	176:7, 177:1,	168:6, 171:21,	nationwide	
165:9, 165:17,	177:20, 178:14,	171:22, 181:24,	13:25, 138:25,	
186:23	179:7, 180:1,	185:1, 188:11	160:12	
morgan		multiple	natural	
-	180:3, 180:12,	18:25	38:3	
182:3, 182:5,	181:6, 183:2,	murayi	naturally	
182:19, 184:15,	184:12, 185:4,	175:15, 175:16,	39:23, 39:24	
184:21, 185:13,	185:7, 186:5,	178:4, 178:10,	nd	
185:21, 185:25,	186:8, 187:4,	180:6, 181:4,	11:19, 11:20	
186:4, 186:8,	187:25, 188:3	181:10, 181:13,	nearly	
186:12, 186:15,	mostly	181:16, 181:22,	146:16	
186:18, 186:22,	59:12	181:25	necessarily	
187:1, 187:7,	move	must	46:24, 57:16,	
188:6, 188:11	9:5, 19:7,	4:18, 11:1,	62:25, 63:12,	
morning	103:10, 115:2,	35:19, 44:18,	77:14	
4:7, 8:1, 8:11,	118:20, 134:2,	113:19	necessary	
12:12, 32:8,	146:1, 153:16,	N	111:12, 111:19,	
72:13, 73:2,	158:6, 160:25,		111:12, 111:19, 111:19, 111:21	
		name	111.C1	
		7:22, 41:17,		

	Conducted on J	aly 21, 2010	
need	138:8, 138:10,	141:4, 150:4,	nonpreferred
7:18, 8:17,	143:10, 150:11,	155:6, 158:5,	124:23
12:11, 15:2,	150:14, 150:15,	159:5, 159:8,	nonsmoker
20:25, 57:18,	151:9, 151:16,	167:19, 176:19,	77:8
58:2, 58:3,	157:15, 157:16,	177:6, 178:10,	nor
77:14, 91:11,	157:17, 157:18,	179:1, 179:8	189:8
94:2, 98:24,	158:25, 163:11,	next-to-last	normalize
100:4, 110:2,	169:10, 179:22,	29:20	148:16
111:12, 138:2,	180:22	nicer	normally
139:7, 151:5,	networks	163:21	95:15
154:1, 159:13,	17:16, 84:15,	nine	northern
174:15, 186:16	84:16	12:24, 13:10,	18:20, 63:19,
needing	neutral	16:16, 16:20,	63:22, 183:25,
157:23	177:13	17:22	184:4
needs	never	nobody	note
169:5	26:6, 55:24,	37:25	6:22, 7:6,
negative	76:11	nod	7:19, 11:16,
106:3, 117:23,	new	134:1	13:3, 24:9,
118:14, 184:11,	19:9, 31:22,	nomenclature	29:2, 29:25,
184:17, 185:9	49:8, 52:24,	141:12	77:7, 182:15,
negatively	56:4, 60:9,	non	183:16
56:15	88:14, 88:15,	109:13	notes
negatives	88:18, 88:23,	non-benefit	92:8, 161:2,
102:21	89:3, 95:18,	78:12, 89:21,	186:12
negotiates	96:6, 158:14,	89:23, 97:3,	nothing
83:11	161:16, 161:25,	124:7, 143:5,	95:2, 173:11,
negotiations	162:18, 167:19,	147:13, 153:2,	188:23
83:8, 131:10	168:3, 169:25,	154:10, 173:13,	notice
neighborhood	170:7, 172:18,	173:15, 173:16	82:20, 83:4,
141:19	177:9	non-funding	84:19, 85:7,
neither	news	173:25, 174:15	103:19, 138:1,
189:7	30:25, 127:2,	non-health	144:4, 144:5,
net	187:16	164:18	178:1, 181:5,
54:11, 87:11,	newspaper	non-hsa	185:16
144:24	108:19	165:3, 167:12	noticed
network	next	non-msa	51:7, 84:13
81:23, 82:5,	4:12, 13:8,	63:6	notification
82:11, 82:25,	15:10, 15:11,	non-network	150:25, 151:1
83:7, 83:8,	22:8, 24:6,	82:1, 82:12,	notified
83:12, 83:21,	24:8, 24:24,	82:19, 83:1,	110:3, 150:16,
85:8, 92:6,	25:13, 27:2,	83:3, 84:18,	151:15
93:18, 109:11,	52:23, 77:16,	92:18, 106:8,	notify
109:25, 111:4,	77:25, 78:3,	109:14, 110:5,	5:5
112:2, 113:20,	86:7, 97:16,	110:12, 135:19	notifying
131:8, 131:13,	119:4, 123:20,	non-qhps	5:8
134:13, 134:18,	124:6, 124:12, 130:24, 131:8,	34:2	november
134:20, 134:21,	130:24, 131:8, 132:7, 136:10,	none	31:18
135:25, 136:4,	132.1, 130:10,	7:19	now
		1	11:14, 12:1,

	Conducted on J	<i>mj</i> = ., =	
14:23, 19:2,	numbers	occurrence	oh
19:16, 21:19,	24:22, 25:4,	137:9	48:8, 71:1,
22:5, 25:15,	25:5, 28:21,	occurring	76:11, 95:5,
27:7, 27:23,	28:23, 32:15,	28:18	96:1, 96:3,
30:19, 33:20,	32:17, 36:10,	oci	99:16, 125:14
34:23, 37:22,	36:11, 47:20,	185:9	okay
38:15, 39:24,	47:23, 66:6,	october	7:19, 16:9,
43:24, 46:8,	98:8, 98:19,	5:9, 129:20,	22:10, 32:1,
50:11, 52:6,	98:22, 117:24,	129:22	45:7, 45:18,
53:3, 54:1,	140:23, 162:5,	off	48:8, 49:5,
54:6, 54:7,	185:1, 186:1	4:17, 6:19,	62:17, 71:19,
55:2, 55:16,	numerous	12:21, 15:4,	71:24, 72:5,
55:25, 57:5,	34:6	15:9, 15:10,	72:23, 72:24,
57:10, 57:11,	nurse	16:2, 23:25,	73:12, 74:9,
57:25, 59:1,	137:2	25:24, 28:17,	74:12, 75:8,
60:12, 65:7,	nutshell	29:4, 29:5,	76:6, 76:14,
66:16, 68:20,	35:13	90:25, 91:3,	76:17, 77:1,
69:8, 71:12,	0	91:6, 96:15,	77:3, 79:2,
71:20, 72:6,	observations	96:16, 114:20,	81:1, 85:17,
91:1, 96:22,	28:20	117:22, 142:22,	85:24, 85:25,
101:2, 101:11,	observe	144:6, 170:5,	86:2, 86:6,
103:8, 105:7,	25:17, 101:1	182:10, 188:25	92:25, 93:19,
109:10, 124:21,	observed	offer	96:14, 96:18,
124:24, 130:3,		23:11, 53:13,	97:16, 119:4,
130:6, 130:19,	101:20, 156:24 obtain	57:2, 92:23,	119:22, 120:16,
130:22, 131:20,		168:23, 169:1,	122:13, 122:25,
133:15, 138:23,	9:1, 11:1, 19:17	178:2, 181:2,	125:10, 125:16,
140:11, 140:18,	obvious	181:19	130:17, 132:7,
149:22, 151:14,		offered	132:16, 132:17,
160:4, 160:21,	15:15, 68:9 obviously	4:10, 5:12,	144:15, 153:9,
161:20, 164:4,	23:11, 30:11,	56:13, 174:20	154:23, 155:7,
183:17, 185:20	37:7, 38:6,	offering	156:11, 159:2,
nuances	39:2, 39:7,	14:9, 17:7,	161:1, 163:20,
123:23	59:2, 59:7, 56:15, 59:19,	18:10, 18:14,	164:20, 167:1,
number	70:11, 84:7,	18:21, 19:1,	167:2, 167:18,
9:12, 13:8,	107:11, 109:1,	169:9, 174:21,	167:22, 172:6,
13:18, 14:20,	109:4, 111:12,	174:22, 175:5,	175:9, 178:10,
15:3, 30:14,	111:20, 137:13,	178:5, 178:16,	181:19, 181:23,
32:21, 36:6,	137:16, 140:3,	181:7, 181:9	182:18, 184:15,
41:8, 46:8,	157:20, 160:19,	offerings	184:20, 185:12,
54:12, 63:21,	186:24	175:24	186:3, 186:6,
68:17, 76:3,	occur	offers	186:13, 186:21,
102:18, 103:20,	140:22, 145:12	163:4	186:25, 187:6,
115:20, 115:24, 121:22, 161:8,	occurred	office	188:5, 188:13 old
162:8, 162:13,	15:23, 21:18,	95:7	
162:14, 162:16,	55:3, 55:16,	offset	33:13, 41:16, 52:5, 59:7,
172:23	70:1	144:10	52:5, 59:7, 77:8, 156:7,
112.20		offsetting	//.O, IJO./,
		89:9, 104:13	

	Conducted on J	<i>alj</i> = 1, = 0 1 0	
177:21	open	57:5, 59:2, 60:4	67:15, 67:21,
older	6:23, 54:21,	options	68:5, 68:9,
148:13	116:22, 117:4,	19:23, 20:1,	68:17, 68:21,
oliver	152:14	20:5, 27:8,	74:21, 74:25,
160:11	operate	27:15, 53:13	75:9, 77:19,
omb	63:19, 63:22,	orange	79:22, 81:13,
160:17	64:1, 146:19	12:19, 18:11,	81:24, 82:22,
once	operated	23:8, 24:15,	83:10, 83:23,
50:15, 54:18,	58:4	25:6, 63:7	88:6, 98:6,
58:23, 70:1,	operating	oranges	100:23, 101:18,
75:25, 108:4,	17:17, 17:22,	71:7	102:8, 103:10,
113:18, 136:20,	58:13	order	104:16, 104:20,
141:9, 146:6,	operational	5:23, 7:20,	111:14, 117:15,
146:14, 149:11,	113:10	9:1, 11:1, 16:6,	121:17, 121:18,
160:1, 162:19	operations	17:17, 30:18,	123:14, 128:15,
one-year	148:6	40:1, 71:22,	130:6, 131:21,
105:6	opinion	143:9	132:22, 134:24,
ones	43:19	organization	136:16, 136:19,
26:20, 43:4,	opportunity	140:14, 140:16,	137:23, 140:14,
101:9, 186:4,	115:16, 169:3	168:18	140:16, 141:18,
186:22, 187:14	opposed	orthopaedic	141:21, 146:2,
ongoing	43:10, 80:22,	135:24	147:5, 150:11,
135:23, 188:17	165:11	orthopedic	150:13, 156:15,
only	opposite	134:16, 136:6	160:1, 161:22,
12:22, 14:9,	89:8, 96:24,	others	161:23, 164:12,
17:11, 18:9,	129:15	42:21, 69:10,	170:20, 172:22,
18:15, 20:8,	optima	69:25, 121:21,	173:11, 174:15,
25:19, 37:20,	18:13, 19:14,	145:7, 160:8,	178:20, 183:10,
37:23, 38:10,	119:14, 119:15,	176:5, 183:13	185:16, 185:18,
58:5, 58:18,	120:18, 120:20,	otherwise	186:1, 187:19, 188:2
63:19, 64:5,	134:10, 140:14,	149:17, 189:9	out-of-network
64:10, 64:12,	140:16, 144:22,	out	82:7, 110:22,
65:24, 67:4,	146:3, 147:3,	10:18, 14:7,	159:4, 163:14,
67:10, 80:9,	147:20, 149:18	14:17, 16:1,	167:11
82:4, 84:14,	optima's	16:22, 20:17,	out-of-pocket
87:14, 91:1,	121:10	22:13, 22:21,	75:19, 95:6,
100:21, 102:16,	optimafit	26:21, 27:18,	100:9, 121:22,
117:1, 129:9,	121:1, 121:4,	27:23, 28:10,	122:3, 122:7,
136:8, 151:17,	126:13	30:20, 31:9,	171:11, 177:4
157:20, 159:6,	optimize	32:16, 34:13,	outcome
159:10, 162:18,	144:23	39:20, 42:8,	189:10
163:3, 163:10,	optimum	43:16, 45:23,	outlier
163:16, 168:17,	182:12, 184:21,	47:21, 48:3,	24:16
174:21, 174:22,	185:4	48:4, 48:5,	outliers
178:5, 178:19,	option	49:1, 53:16,	50:9
181:14, 181:19, 187:10	17:18, 19:5,	53:21, 54:8,	outside
onto	19:9, 19:16,	54:19, 56:2,	9:12, 77:17,
30:4	19:20, 57:2,	57:19, 60:2,	····
50.4			

225

	Conducted on	July 24, 2010		220
83:8, 141:9	oversell	participate	167:10, 187:19	
outweigh	14:6	6:3	path	
184:10	overview	participated	169:5	
over	5:20, 9:4, 12:2	107:2	patient	
13:5, 17:8,	owings	participates	84:20	
17:12, 18:8,	155:13	116:8, 187:10	pause	
20:7, 22:9,	own	participating	160:23	
22:14, 24:5,	80:15, 107:6,	12:25, 13:10,	pay	
24:18, 25:1,	137:9, 164:22,	15:7, 15:16,	32:23, 32:25,	
27:2, 34:1,	166:18	72:3, 74:16	39:22, 43:14,	
35:3, 40:2,	owned	participation	47:21, 48:2,	
40:24, 41:5,	114:12, 168:16	4:20, 12:16,	48:4, 48:5,	
41:7, 42:1,	owner	13:14, 15:19,	82:25, 89:2,	
49:2, 67:17,	117:1, 119:15	117:2	104:12, 104:18,	
68:14, 70:5,	owns	particular	104:20, 105:13,	
70:9, 70:11,	42:16	13:22, 30:14,	129:22, 131:21,	
71:14, 71:18,	P	31:22, 51:6,	136:14, 137:17,	
72:7, 73:1,		51:21, 81:11,	141:11, 142:20,	
78:2, 78:16,	page	82:23, 87:12,	143:1, 143:2,	
78:20, 80:7,	3:3, 54:14,	100:8, 101:18,	146:12, 148:3,	
80:18, 88:4,	151:2	107:16, 108:15,	150:24, 151:10,	
101:23, 105:15,	paid	109:17, 147:20,	165:10, 169:16,	
112:18, 117:22,	82:25, 128:18,	169:9	172:4	
117:25, 128:3,	129:1, 129:17,	particularly	payer	
134:6, 139:5,	144:21, 148:22	14:2, 41:13,	104:3, 142:10	
143:23, 148:18,	paint	59:23, 84:12	paying	
153:13, 156:22,	38:17	parties	30:8, 45:22,	
156:23, 157:17,	pales	189:8	104:25, 129:20,	
158:3, 160:5,	159:9	partnership	130:5, 171:20	
163:17, 168:13,	panel	179:6, 180:9,	payment	
168:19, 170:6,	107:3	180:11	89:5, 134:18	
174:1, 176:1,	pardon 129:2	parts	payments	
178:18, 178:25,	part	64:4, 64:7,	30:4, 89:1,	
180:23	5:19, 17:8,	64:11, 187:11	139:8	
overall	22:4, 49:17,	party	payor	
18:23, 29:4,	75:16, 80:21,	112:5	187:21	
86:24, 105:25,	82:9, 83:20,	pass	payout	
123:21, 125:1,	92:16, 110:15,	54:4, 58:10,	90:16	
126:8, 126:10,	112:10, 121:5,	58:19	pays	
148:22, 153:12, 167:14, 176:3,	123:3, 124:13,	passed	144:25	
177:13, 177:14,	129:13, 133:12,	115:1, 147:9,	pcp	
177:20	134:20, 135:25,	147:18	171:12	
overcome	136:3, 142:19,	past	peak	
113:11	157:12, 158:20,	31:3, 41:21,	24:11	
overestimated	162:11	44:25, 46:7,	peeked	
145:16	parte	48:25, 58:5,	24:5	
overlap	1:9	58:8, 71:8,	penalize	
157:16, 159:17	-	113:2, 164:19,	166:6	
±J/•±U, ±JJ•±1				

226

penalty	permanent	piece	55:7, 55:11,
77:10, 77:17	40:4	121:8, 173:24,	55:13, 55:14,
people	person	174:4	56:9, 57:18,
20:3, 26:2,	32:23, 32:24,	pieces	57:22, 58:8,
26:13, 27:14,	33:3, 33:5,	32:11, 34:9,	58:11, 58:12,
27:18, 47:19,	33:13, 56:11,	63:17, 173:24	58:15, 58:22,
47:22, 53:5,	57:5, 81:15,	piedmont	59:24, 65:3,
53:8, 54:23,	84:25, 85:7,	3:11, 18:13,	65:8, 65:14,
58:5, 58:18,	107:8, 110:8,	150:3, 150:5,	65:16, 65:21,
69:17, 92:12,	135:7, 156:2,	152:17, 152:21,	68:25, 69:2,
92:16, 103:22,	156:8, 156:10	153:13, 153:25,	71:10, 75:9,
112:19, 117:12,	person's	154:11	75:17, 76:23,
129:12, 129:16,	156:3	piedmont's	78:19, 79:21,
131:18, 136:18,	persons	152:2, 154:8	79:24, 90:24,
138:3, 138:4,	82:8	piggy	91:6, 99:6,
138:6, 138:9,	perspective	114:20	100:14, 100:17,
148:11, 158:23,	64:18	pike	100:18, 101:5,
161:16, 163:1,	pervasive	19:23	102:8, 103:12,
163:15, 164:12,	41:6	pill	105:10, 105:14,
166:5, 166:15,	pervasiveness	134:22	105:20, 115:7,
166:17	58:23	place	118:13, 118:17,
people's	peter	40:3, 109:8,	118:18, 120:3,
146:10	155:11	137:4, 165:8	121:1, 126:16,
per	phased	places	131:2, 141:2,
29:21, 30:10,	183:20	48:17	141:18, 143:17,
42:7, 141:19,	phone	plagued	151:18, 154:22,
156:19, 158:4	71:23, 72:3,	41:7	158:25, 160:1,
percentage	106:12, 119:7,	plain	160:3, 160:14,
29:15, 62:2,	119:17	54:25	164:18, 165:3,
152:7	physical	planned	174:2, 174:7,
perfect	36:9	65:14	174:20, 175:5,
73:22, 74:13	physically	planning	181:3, 181:5
perform	32:13	183:18	platinum
4:18	physician	plans	115:8, 131:2,
perhaps	83:19, 107:12,	4:10, 4:16,	184:18, 186:19
20:2, 117:10,	107:15, 108:3,	5:1, 5:12, 5:21,	play
141:5, 145:6	108:13, 141:8,	6:6, 6:19, 6:20,	46:1, 62:14,
period	144:17	17:17, 18:21,	102:9
45:19, 70:5,	physicians	19:24, 19:25,	player
70:9, 70:11,	64:19, 107:17	23:11, 23:21,	157:2
101:2, 103:24,	picked	27:12, 27:13,	playing
105:2, 105:6,	184:7	30:4, 35:25,	131:5
116:22, 129:13,	picking	36:1, 45:17,	please
129:19, 152:15,	76:1	53:11, 53:12,	6:18, 7:9,
153:7, 156:15,	picks	53:15, 53:22,	7:21, 73:1,
156:22, 158:21,	76:21, 76:24,	53:24, 53:25,	73:19, 74:3,
161:10, 164:8,	76:25	54:1, 54:9,	74:4, 120:15,
167:6	picture	54:10, 54:17,	132:6, 136:10,
	22:23	,,	
	22.23		

		ury 21, 2010	
150:1, 150:5,	78:14, 93:11,	104:17, 116:24,	powers
182:15	166:15	139:6, 141:25,	113:13
plumber	policyholders	158:16, 161:18,	рро
26:19, 30:7,	31:13	167:9, 168:22,	115:7, 118:8,
56:19	pool	171:7, 171:24,	120:20, 132:8,
plus	28:13, 56:15,	173:5, 173:6,	132:9, 133:23,
30:7, 89:7,	56:16, 57:9,	173:7, 174:12,	140:15, 140:19,
89:12, 94:22,	57:10, 57:13,	174:13, 176:11,	146:2, 148:12,
129:18, 144:25	57:14, 57:17,	176:18	155:15, 155:16,
pmpm	58:20, 58:21,	portion	157:3, 157:16,
133:17, 174:3	80:4, 88:7,	31:19, 34:24,	157:17, 159:3,
pocket	88:18, 92:24,	80:4, 92:8,	160:25, 161:1,
121:17, 121:18,	101:23, 116:14	138:23, 144:25,	161:13, 163:13,
141:18, 141:22,	pools	146:13, 147:14,	164:17, 167:3,
183:10, 185:18,	41:16, 41:22,	149:18, 187:12	167:4, 167:11,
186:1, 186:2	42:1, 42:14	pose	175:24, 178:11,
pockets	popular	85:21	180:17, 181:17,
100:23	75:10, 76:20,	position	181:18
podium	87:4, 87:9,	67:8, 79:6,	practice
7:9	90:4, 94:24,	79:12, 114:5,	35:11, 150:9
point	95:2, 98:13,	140:1, 140:2	pre-aca
10:18, 14:14,	98:18, 99:22,	positive	160:7
14:17, 15:25,	99:24, 115:6,	13:12, 13:20,	predictable
16:22, 17:12,	118:13, 121:1,	17:20, 17:24,	57:15, 57:16
20:17, 22:13,	121:9, 124:15,	20:23, 103:20,	predicting
22:21, 29:20,	126:1, 127:8,	106:1, 115:21	145:2
30:20, 31:9,	127:23, 128:2,	possibility	predominantly
34:2, 49:1,	131:7, 132:18,	48:12, 137:21	178:2
51:1, 58:10,	141:6, 145:20,	possible	preexisting
66:19, 67:15,	146:6, 146:8,	34:14, 40:23,	54:3, 58:6,
68:17, 76:9,	152:4, 153:15, 154:18, 156:6,	47:11, 47:12,	58:19
76:10, 76:13,	171:10, 176:5,	69:16, 72:11,	preface
94:14, 98:8,	176:7, 177:1,	111:4, 157:24	115:9
114:9, 115:19,	177:20, 178:6,	potential 27:20	prefer
117:15, 136:17,	178:14, 179:7,	potentially	18:24, 109:5
138:2, 139:12,	180:1, 180:3,		preferred
150:12, 151:1, 156:15, 178:19	180:12, 181:6,	17:5, 17:6 poverty	140:15
points	183:2, 184:12,		prefiled
21:14, 51:3,	185:4, 185:7,	27:3, 30:22, 32:20	115:15
71:10, 138:18	186:5, 186:8,		preliminary
policies	187:4, 187:25,	power 82:16, 82:18,	7:17
58:4, 70:21,	188:3	83:2, 84:12,	premier
102:9, 166:6,	population	84:17, 108:25,	3:13, 167:21,
166:7, 166:16	35:24, 37:2,	109:22, 109:24,	168:9, 168:11,
policy	52:7, 52:11,	110:10, 112:16,	168:16, 169:24,
27:10, 27:16,	77:24, 80:4,	113:19, 139:18,	170:7, 174:21
27:22, 58:2,	104:9, 104:11,	140:4	premiere
,,,			13:2, 16:16
	I		

premium	182:9	price	43:9, 52:8,
1:10, 4:15,	presentation	26:15, 28:10,	53:6, 54:10,
5:17, 25:1,	7:20, 8:3,	38:5, 38:22,	54:15, 54:18,
25:7, 25:9,	31:20, 49:21,	39:4, 47:21,	54:19, 59:9,
29:21, 29:22,	99:11, 149:18,	59:20, 67:24,	69:20, 86:5,
30:1, 30:10,	182:17, 188:22	68:2, 68:5,	101:15, 102:13,
33:10, 33:12,	presentations	101:1, 166:9,	107:21, 109:2,
33:16, 41:23,	1:10, 4:2,	170:20	109:5, 115:4,
46:16, 70:6,	4:10, 5:19,	priced	138:4, 142:14,
78:22, 97:5,	5:24, 6:15,	179:25, 181:1	162:24, 186:19
101:6, 128:2,	7:23, 8:9,	prices	problem
129:20, 129:22,	12:13, 49:16,	26:11, 26:15,	37:7, 37:9,
142:16, 144:19,	71:3, 98:2,	27:19	37:14, 37:18,
145:4, 152:23,	188:13	pricing	92:4
154:9, 156:2,	presented	46:11, 46:23,	problematic
172:5, 179:9	176:4, 179:23,	47:1, 47:19,	107:22
premiums	188:14	47:23, 47:25,	problems
5:6, 10:15,	presenter	48:9, 48:23,	27:23, 113:24,
10:22, 21:10,	71:23, 86:8,	49:3, 52:1,	135:6, 137:9
25:12, 25:17,	150:4	52:2, 52:3,	procedure
26:8, 26:22,	presenters	55:20, 75:5,	134:16, 135:11
27:6, 28:4,	3:3	79:7, 97:24,	proceed
29:12, 33:8,	presenting	99:9, 103:8,	74:10, 132:6
39:23, 39:24,	6:4, 6:17,	143:23, 144:2,	proceeding
40:1, 40:6,	71:21, 97:17,	145:12, 145:14,	6:22
41:12, 43:3,	119:4, 119:7,	148:9, 149:7,	proceedings
43:23, 44:1,	175:12, 182:1	153:24, 177:17	1:17, 189:3,
44:2, 44:11,	presents	primarily	189:6
44:24, 46:13,	52:1	88:3, 122:3	process
55:10, 56:20,	president	primary	4:22, 9:6,
57:6, 68:13,	168:8	112:24, 137:5,	9:18, 11:24,
129:19, 147:16,	presiding	141:8, 141:10,	12:5, 31:22,
147:23	2:2, 4:6	144:17	34:18, 35:21,
prepared	pressure	principal	36:18, 43:2,
6:18, 7:2,	- 111:20	119:23, 120:3,	51:25, 109:1
170:2	pretty	128:21	processes
prescribed	78:15, 79:14,	print	43:7
10:7	79:18, 93:3,	58:3	product
prescription	102:21, 105:4,	prior	59:20, 67:16,
57:24, 124:19	117:17, 153:22,	5:18, 49:14,	67:21, 67:23,
prescriptive	167:16, 187:21	82:19, 170:11	68:1, 68:7,
165:23	preview	private	77:19, 122:2,
presence	159:6	42:21, 108:2,	123:23, 157:5,
52:21, 53:25,	previous	139:9	161:5, 163:13,
54:16	25:5, 98:2,	privileges	169:9, 170:1
present	101:13, 158:10	136:9	products
72:7, 142:23,	previously	probably	13:19, 92:18,
142:24, 142:25,	79:10, 124:20	20:23, 32:19,	105:9, 106:3,

	Conducted on .	July 24, 2018	230
146:18, 168:23,	proposed	112:11, 135:20,	push
169:1, 170:21,	4:3, 5:7, 5:12,	140:15	97:11
174:21, 174:22	6:15, 6:18, 8:5,	providers	pushed
profile	9:20, 27:22,	64:7, 82:12,	26:21
53:4, 53:9,	51:9, 57:21	107:18, 109:14,	put
54:15, 103:22,	proposing	111:5, 131:11,	80:2, 91:16,
103:25, 104:25	86:25, 152:3,	143:14, 143:15,	103:13, 122:22,
profit	160:18, 161:21	148:4, 151:5,	122:23, 148:16,
	proprietor	169:11, 169:13,	164:19
147:21	19:16	169:14	putting
program	proprietors	provides	70:20, 70:24,
31:12, 39:19,	159:21	22:11, 23:4,	71:2
40:3, 41:10,	prospect	23:23, 28:21	Q
41:19, 43:6,	118:25	providing	
139:10	protect	6:3, 13:19,	qhp
programs	84:18, 106:7,	42:5, 83:19	11:21, 33:24, 66:12
168:8	110:19, 110:24	proxy	
progress	protecting	154:1	qualified
118:20	85:12	public	35:15
project	protection	6:23, 37:25,	qualify
149:5, 176:23	111:5	38:1, 38:2	53:3, 171:19
projected	protections	published	qualitative
10:11, 12:24,	151:25	79:13, 79:16,	51:12
15:6, 18:2,	provide	79:23	quantitative
23:19, 24:10,	6:15, 6:24,	pull	51:14
25:15, 44:16,	8:9, 9:4, 9:20,	60:9, 66:6,	quarter
71:22, 78:5,	10:3, 10:9,	161:2	115:11, 115:12,
90:10, 129:1,	10:14, 10:15,	pulled	115:15, 129:6,
179:16	11:20, 12:2,	14:17, 131:21	129:7, 129:16,
projecting	27:11, 31:16,	pulling	130:4, 130:9,
22:15, 95:16,	31:17, 31:23,	104:16	183:5, 183:6,
95:24, 176:16,	51:12, 51:13,	purchase	183:17, 184:1, 184:3
179:15	58:16, 59:3,	93:6	quarterly
projection	60:22, 72:11,	purchaser	130:3
96:16, 147:4,	83:13, 144:14,	65:5, 67:7,	quarters
179:12	169:4	109:4	117:21, 117:23,
projections	provided	purchasing	183:19
22:11, 23:4,	10:23, 11:4,	65:9, 93:3,	question
23:16, 49:13,	35:8, 73:7,	148:12	16:10, 21:20,
96:16	136:21, 150:14,	purple	39:9, 50:21,
promote	150:17	18:22	82:3, 83:7,
100:13	provider	purpose	85:16, 85:22,
proportion	80:17, 82:2,	10:10, 31:6	107:11, 113:24,
101:4	82:10, 89:14,	purposes	125:6, 138:15,
proposal	107:5, 107:19,	138:17	169:7, 187:1
31:9	110:18, 110:20,	pursuant	questions
proposals	110:22, 110:23,	4:20	7:14, 9:18,
69:9	111:9, 111:21,	pursuing	/····, 9···0,
		168:24	

230

	Conducted on 5		
50:19, 51:24,	187:5, 188:4	123:14, 142:6,	63:14
85:14, 92:1,	ranges	143:2, 148:16,	ratzlaff
92:9, 106:4,	142:5, 142:7,	149:14, 150:10,	134:7, 134:8,
113:13, 118:21,	180:2	153:13, 153:17,	134:9, 135:23,
120:6, 132:4,	ranging	153:24, 159:13,	137:8, 138:15,
133:24, 145:25,	87:2, 94:21	160:22, 162:20,	140:5, 140:9
149:16, 153:10,	ranked	170:11, 170:15,	re-enroll
154:25, 160:24,	13:18	176:24, 182:10	129:23
163:19, 175:2,	rare	rating	reach
184:13, 185:11,	67:20, 94:8,	18:14, 30:14,	65:19, 100:23,
188:7	94:9	31:22, 58:15,	145:22, 162:19
quick	rates	60:9, 62:19,	reaching
32:12, 60:8,	1:10, 4:3,	62:20, 62:24,	147:5
159:11, 161:3	4:15, 5:1, 5:11,	63:1, 63:5,	reaction
quickly	5:17, 8:5, 9:2,	63:10, 63:13,	55:8
12:10, 115:2,	9:20, 10:1,	63:18, 63:25,	read
115:5, 118:6	10:5, 10:12,	64:15, 74:15,	30:25, 58:3,
quit	10.3, 10.12, 11:2, 11:3,	74:16, 75:11,	85:2, 137:21
129:20	11:16, 11:17,	75:12, 75:14,	ready
quite	12:3, 19:14,	80:23, 125:6,	34:21, 56:7,
36:6, 41:23,	20:24, 34:8,	125:7, 125:11,	72:25
46:6, 49:2,	35:3, 35:11,	125:12, 125:18,	real
57:12, 58:17,	35:25, 39:20,	125:23, 125:25,	51:16, 70:19,
71:6, 71:13,	40:11, 40:19,	126:23, 127:1,	159:11, 161:2
100:19, 142:7,	43:12, 44:18,	128:15, 144:4,	realizing
144:1, 145:18,	45:21, 46:18,	144:7, 157:13,	160:3
183:20	50:10, 50:15,	165:1, 166:2,	really
R	54:16, 54:23,	170:18, 174:23,	9:22, 10:25,
radar	55:23, 58:16,	176:8, 177:6,	11:8, 12:4,
160:16	59:19, 60:4,	177:10, 177:21,	16:4, 19:19,
	63:23, 64:2,	178:22, 187:10,	20:6, 37:9,
<pre>radiologists 107:18</pre>	66:11, 66:12,	187:11, 188:20	39:13, 40:12,
radiology	66:15, 67:22,	ratio	41:2, 43:15,
144:16	69:1, 70:16,	10:16, 11:6,	44:23, 62:20,
rainbow	70:23, 74:17,	44:12, 44:13,	65:24, 71:7,
	77:7, 77:23,	44:15, 44:16,	75:2, 75:16,
38:17, 38:18,	78:10, 80:2,	44:19, 44:22,	80:16, 87:12,
38:19	86:4, 89:25,	45:5, 45:16,	87:14, 88:22,
raise	91:6, 91:7,	46:1, 47:2,	88:24, 92:4,
56:4, 62:5,	97:21, 99:2,	47:25, 48:9,	95:19, 104:5,
62:6	99:5, 103:1,	48:11, 129:24,	111:7, 113:9,
<pre>raising 162:20</pre>	103:5, 103:14,	144:21	113:18, 118:24,
	104:4, 104:11,	rational	120:9, 121:19,
range	108:1, 111:8,	28:15	123:3, 124:3,
5:21, 60:13,	114:24, 114:25,	rationale	124:10, 124:18,
60:20, 142:4,	115:10, 115:16,	168:12, 168:24	134:23, 135:14,
152:9, 152:18,	118:3, 120:5,	ratios	136:15, 137:18,
184:16, 185:8,	120:17, 123:6,	46:9, 48:24,	139:14, 147:6,
			· · ·
	1		
	1		
L		I	

		, , , , , , , , , ,	
149:4, 150:21,	46:7, 103:4	reevaluation	refuse
150:25, 152:19,	recently	118:4	111:9
153:16, 160:7,	5:11, 49:19,	refer	regard
163:17, 165:4,	50:6, 65:12,	120:8	64:8, 140:2
168:20, 168:25,	65:15, 135:10,	referred	regarding
172:18, 181:20,	168:22, 187:19	30:24, 145:8	4:3, 11:21,
184:25, 185:1,	recess	refers	11:23, 134:13
185:14, 187:2,	73:14, 73:17,	110:21, 144:12,	regardless
187:17, 187:22	149:23, 149:24	149:4	48:19
realm	recommendations	refile	regards
83:8	5:1, 11:21,	115:17, 122:22,	159:15
reason	33:24	141:20	region
65:18, 69:17,	record	refine	86:12, 183:24,
83:17, 101:6,	7:23, 150:6,	99:8	184:2, 187:10
103:6, 107:19,	170:5, 188:25,	reflect	regis
114:9, 130:23,	189:6	41:19, 78:22,	175:16
162:19	recourse	79:6, 80:22,	registered
reasonable	134:23	104:5, 118:11,	189:17
10:22, 11:3,	redeveloped	171:7, 172:8,	regression
35:10, 43:25,	177:9	172:11, 176:22,	79:11
44:10, 47:17,	reduce	176:25, 178:6	regs
139:4	78:10, 102:23	reflected	43:24
reasonableness	reduced	19:10, 104:4,	regular
36:5	23:1, 79:6,	105:5, 105:6,	88:8
reasons	123:13, 123:15,	160:22, 161:19,	regulate
47:6, 47:10,	153:17	162:2, 173:10	37:24, 38:2,
48:15, 48:17,	reduces	reflecting	38:13, 82:16,
96:10, 100:1	140:4, 143:16,	77:10, 78:4,	82:17, 84:9,
reassessed	147:19	78:6, 79:5,	84:10, 108:20,
105:12	reducing	79:25, 89:23,	108:21, 108:23
recall	131:17, 148:7,	115:24, 177:2,	regulated
55:2, 71:3,	152:13	177:7, 180:24	139:22
142:3	reduction	reflective	regulating
receivable	55:11, 68:25,	105:12	37:24, 38:11
146:25, 147:9	78:22, 88:9,	reflects	regulation
receive	89:15, 89:22,	13:4, 23:11,	10:8, 10:19,
9:8, 29:15,	90:5, 95:21,	105:1, 141:21,	38:2, 38:4,
89:2, 172:5	123:17, 123:19,	152:11, 176:17,	38:10, 38:24,
received	127:18, 132:1,	177:8, 177:16,	39:2, 128:19
32:10	133:7, 133:21,	179:5, 179:24,	regulations
receiver	143:21, 143:22,	180:10, 181:6	10:22, 35:18,
104:3, 142:9,	148:9, 179:18	reform	35:20, 57:20,
187:20	reductions	106:23, 108:6,	57:21, 152:12
receives	55:3, 55:6,	110:17	regulator
143:20	55:16, 173:23,	refund	38:5
receiving	174:1	45:1, 46:5,	regulatory
29:23, 30:2	reestimate	129:2, 130:13	44:7, 113:10,
recent	80:19	refunding	114:5
6:4, 6:12,		49:1	

232

Conducted on July 24, 2018 233			
reimbursement	released	reported	requirements
64:20	57:20, 57:21,	1:25	34:17, 35:12,
reinstate	160:20	reporter	36:2, 117:3
105:7	relied	7:22, 189:1,	requires
reinsurance	10:4	189:17, 189:18	4:24, 5:4,
31:11, 39:19,	relying	represent	10:9, 142:20,
39:25, 40:3,	10:1	51:4, 54:10,	142:21, 165:10
40:11, 41:10,	remain	69:3	research
41:16, 41:19,	178:24, 180:14	represented	182:7
42:14, 42:21,	remained	18:3, 18:4,	resiliency
43:1, 43:6,	180:16	18:11, 18:19,	21:16
43:7, 43:12,	remaining	18:22, 23:22,	respect
43:14, 43:18	28:13, 57:9,	24:15	35:22, 44:2,
reject	174:12, 175:12	represents	53:24, 69:8
54:4	remains	12:16, 12:19,	respectively
rel	116:14, 179:12	12:21, 16:10,	29:18
1:5	remember	23:6, 23:7,	respects
relate	14:16, 29:3,	23:8, 24:2,	15:20
81:12	86:13, 164:8	25:3, 25:6,	respond
related	reminder	29:17, 78:1,	134:12
112:21, 113:13,	33:22, 89:16	80:1, 107:5,	responsible
189:7	removal	131:12, 144:21,	152:15, 152:25
relates	117:17, 176:12,	157:2, 157:3, 164:4, 174:24	rest
172:25	176:25, 179:19	repricing	11:22, 17:11,
relation	remove	46:22	75:8, 85:22,
10:23, 11:4,	40:22, 116:2,	reproduced	116:14, 172:15
44:1, 44:11	165:2	36:7	restriction
relationship	removed	reproductions	114:22
135:24, 142:23, 166:23	166:10	68:12	resubmissions
relative	removing	request	36:23
13:13, 15:18,	97:1	145:20, 149:13	resubmitted 36:21, 49:20,
35:23, 44:24,	render	requested	36:21, 49:20, 65:15
53:6, 66:8,	144:10 renew	74:20	result
148:13, 187:21	160:6	requesting	30:3, 65:22,
relatively	renewal	149:15, 153:12,	80:8, 116:13
13:25, 14:1,	5:7	176:2, 179:4,	resulted
37:11, 37:13,	renewing	180:8	79:23
95:9, 101:23,	183:19	require	resulting
116:11, 117:12,	repeal	10:19, 80:11,	133:20
142:4, 144:14,	69:8, 172:14	82:9	results
157:13	repealed	required	38:14, 145:16,
relativities	102:4	4:14, 4:19,	160:13, 187:18
35:24, 36:3	replace	34:12, 34:24,	resumes
relativity	69:8	49:15, 50:3,	73:18, 149:25
144:21, 148:20	replacement	108:14, 130:3,	retained
relayed	144:16	148:6	101:9
93:10	report	requirement	retrospective
	31:16, 31:17	64:1, 108:12	44:23
	····/ ····/	1	

233

		<i>mij = ., =</i>	
retrospectively	14:24, 19:1,	rises	role
90:19, 129:21	19:8, 20:9,	25:13	62:14, 137:12
revenue	20:13, 21:19,	rising	rolled
43:8, 89:24,	22:9, 25:15,	25:17, 26:15,	69:19
177:13	27:4, 27:7,	40:5	room
revenues	27:23, 28:14,	risk	106:13, 107:17
42:9	28:17, 29:10,	40:12, 41:16,	rose
reverified	29:13, 30:9,	41:22, 42:1,	15:10, 25:12,
36:7	30:19, 37:15,	53:4, 53:9,	29:21
review	38:8, 41:10,	77:11, 78:3,	roughly
4:14, 4:25,	47:18, 48:10,	78:5, 79:17,	24:19, 145:17,
5:20, 6:5, 6:12,	55:4, 57:7,	80:4, 88:19,	147:12, 149:11
9:6, 9:16,	57:25, 58:7,	88:24, 88:25,	routine
11:10, 11:13,	59:17, 59:19,	89:1, 89:5,	165:10, 166:18
11:16, 11:19,	60:1, 61:22,	96:23, 103:19,	row
11:24, 31:21,	61:25, 62:8,	104:1, 104:3,	101:17
34:22, 35:21,	66:16, 73:2,	104:6, 104:8,	ruff
36:20, 50:3,	74:1, 74:13,	104:12, 104:18,	170:2, 170:4
50:19, 51:25,	76:15, 77:2,	104:20, 105:1,	rule
74:10, 175:25,	81:7, 85:3,	124:3, 130:19,	160:1
188:17	86:1, 86:7,	131:3, 131:4,	rules
reviewed	86:9, 86:14,	142:8, 142:9,	53:16, 54:7,
9:10, 36:4	86:16, 87:25,	146:21, 146:23,	54:19, 59:25,
reviewing	89:10, 89:14,	146:24, 147:2,	60:2
5:16, 188:18	91:21, 91:22,	147:9, 152:19,	run
reviews	92:1, 92:5,	153:23, 154:5,	66:10, 155:13
33:21, 34:2	92:14, 93:20,	154:6, 162:18,	rx
revise	96:19, 98:20,	173:4, 173:8,	133:13
100:4	99:10, 99:14,	176:12, 176:21,	ryan
revision	99:23, 100:16,	176:22, 179:16,	182:5
10:11	105:3, 109:19,	180:16, 187:17	<u> </u>
revisions	112:6, 113:16,	river	
11:17, 24:23	115:2, 119:12,	182:14, 182:16,	said
rich	122:4, 126:6,	187:9, 187:13	30:7, 38:17,
186:20	128:4, 128:14,	rmr	65:24, 81:23,
richer	129:11, 130:3,	1:25, 189:2	82:1, 85:18,
146:10, 174:5,	130:6, 130:11,	road	95:17, 96:5,
180:21	132:15, 141:13,	153:22	111:7, 126:10,
richest	146:2, 152:4,	roads	135:11, 136:7,
174:14	154:24, 155:3,	125:8, 126:20,	136:10, 137:1,
richmond	156:1, 156:12,	127:11, 144:4	163:13, 164:19,
1:23, 97:20,	160:21, 161:20,	robust	166:9, 171:6,
174:25	162:22, 162:23,	14:4, 14:5,	174:19
richness	165:8, 165:19,	20:22, 111:4	sales
141:16	171:22, 171:25,	rock	96:12
rick	172:21, 173:1,	111:11	same
168:7, 170:1	181:24, 185:21,	rockville	15:8, 25:5,
right	186:5	86:14	27:25, 38:9,
11:14, 12:14,			
····			

	Conducted on 5	ury 21, 2010	200
38:24, 39:2,	53:24, 54:8,	scope	88:1, 90:8
42:2, 55:19,	60:20, 61:23,	10:10	sector
60:17, 61:3,	69:20, 75:22,	score	42:21
61:7, 61:15,	83:7, 86:5,	88:25	see
61:21, 62:2,	92:23, 100:10,	scores	12:12, 12:15,
62:4, 70:9,	100:21, 103:18,	88:25	12:19, 12:24,
70:11, 74:17,	109:14, 110:11,	scott	13:4, 15:6,
85:21, 96:7,	118:22, 125:25,	3:5, 6:7, 7:25,	16:1, 16:14,
97:2, 100:8,	145:15, 146:10,	32:5, 33:20,	16:19, 18:6,
104:14, 108:14,	149:10, 166:22,	36:20, 39:15,	18:17, 19:2,
118:8, 128:20,	167:22, 181:9	39:18, 49:7,	19:25, 24:5,
132:20, 133:6,	saying	53:10, 68:12,	24:6, 24:19,
135:6, 140:23,	25:18, 48:5,	119:18, 119:22,	25:11, 31:18,
141:12, 141:14,	115:9, 128:7,	132:13	38:4, 49:16,
145:14, 148:19,	134:25, 135:1,	scrambled	51:24, 60:21,
149:7, 151:24,	142:11, 145:9,	113:5	61:5, 64:23,
158:25, 164:16,	148:11	scrambling	66:3, 68:14,
178:6, 178:24,	says	169:7	69:1, 70:12,
179:12, 181:6,	43:25, 76:15,	screen	76:3, 86:22,
181:12, 181:21,	84:25, 112:3,	76:11, 86:18,	86:23, 87:7,
185:1	144:15, 165:16	89:22, 115:14,	88:14, 90:22,
sample	scenario	155:17	95:20, 96:24,
50:18	58:12, 84:2	scroll	98:5, 98:10,
satisfy	scenarios	98:15, 98:17,	98:19, 98:22,
11:1, 125:1	5:25	98:24, 105:9,	99:9, 100:16,
save	scenes	118:6, 178:8	100:18, 100:21,
14:25, 136:13	162:5	scrutiny	112:4, 115:17,
savings	schedules	36:16, 60:18	117:4, 118:2,
164:17, 164:18,	64:20, 97:23	season	118:9, 120:22,
164:20	school	55:4, 68:18,	122:9, 123:22,
savvy	57:19	69:25	124:16, 125:13,
93:3	schools	season's	129:15, 130:25,
saw	27:10	49:10	132:25, 133:5,
24:16, 37:1,	schroer	seated	134:1, 141:4,
50:6, 60:23,	86:9, 86:10,	73:19, 150:1	141:24, 143:6,
63:7, 101:13,	86:21, 90:17,	second	145:20, 145:22,
116:21, 156:20,	90:20, 91:16,	5:4, 9:3,	146:2, 146:7,
160:11, 161:9	91:20, 92:7,	15:17, 28:25,	148:18, 149:14,
say	92:15, 92:22,	51:16, 130:1,	153:14, 156:13,
13:9, 13:17,	93:1, 93:7,	130:8, 162:14,	158:11, 159:11,
15:21, 18:23,	93:12, 94:1,	184:22, 184:24	160:2, 160:21,
21:15, 25:16,	94:7, 94:15,	second-lowest	160:23, 161:20,
25:20, 25:23,	94:18, 95:25,	33:2	162:3, 162:13,
27:17, 28:16,	96:2, 96:4,	secondly	164:1, 164:7,
31:1, 32:22,	96:10, 96:15,	183:13	167:5, 169:3,
33:4, 33:5,	96:19	section	171:1, 176:3,
38:24, 45:8,	scientist	4:21, 9:11,	178:5, 182:24,
45:9, 51:10,	163:22	17:4, 18:20,	183:4, 183:8,

	Conducted of	July 24, 2018	250
183:9, 184:15,	seller	87:13, 87:17,	sharply
184:25, 185:8,	38:7, 38:11,	87:22, 92:13,	13:7
187:2, 188:4,	65:2, 67:8	93:24, 95:19,	she
188:19	sellers	109:5, 109:10,	81:17, 107:6,
seeing	67:15	110:5, 111:13,	120:3, 135:23
21:5, 21:9,	selling	111:20, 112:11,	shea's
21:10, 21:11,	55:7, 67:21,	133:18, 137:16,	142:3
26:16, 26:17,	67:24, 68:1,	139:7, 141:10,	sheila
45:21, 47:19,	78:14	150:11, 157:23,	86:10
47:22, 47:24,	sense	165:11, 169:16,	shifting
67:10, 67:12,	17:20	171:12	40:12, 40:16
105:14, 105:17,	sensing	session	shop
105:19, 106:2,	53:21	7:6, 73:19,	16:5
108:1, 113:20,	sent	108:8, 150:1	shopper
115:14, 117:16,	34:21, 94:9	set	164:21
118:14, 157:9,	sentara	39:16, 42:14,	short-term
158:21, 161:13	3:10, 119:5,	42:22, 42:24,	19:24, 27:12,
seem	119:8, 119:15,	43:9, 46:18,	53:11, 53:25,
84:8	134:11	68:5, 119:12,	54:9, 54:10,
seems	separate	134:21, 137:10	56:8, 56:14,
109:2, 109:22,	43:6, 43:9,	sets	57:18, 57:22,
139:4	110:25, 124:20	154:3	58:15, 59:24,
seen	separated	setting	102:9, 159:25,
19:19, 20:16,	124:8	62:15, 142:2	160:2, 160:3
22:23, 61:2,	separately	seven	shortage
62:12, 71:18,	49:24, 107:13,	16:17, 176:10	107:24
88:13, 101:4,	140:19	several	shortening
116:7, 133:10,	series	15:23, 16:21,	152:14
158:2, 160:18,	171:3, 174:17	21:18, 23:18,	shortfall
172:24	serve	24:20, 31:4,	131:14
segments	5:20, 168:19,	32:11, 115:25,	shortly
155:14	169:2	129:8	160:20
selection	service	shall	should
157:9, 161:13,	84:4, 84:22,	43:25	6:1, 85:7,
161:21	85:8, 106:18,	share	85:11, 91:16,
selections	113:2, 113:4,	22:16, 22:18,	108:7, 108:12,
75:3	129:21, 129:23,	68:25, 71:22,	108:13, 124:8,
self-contained	136:20, 140:3,	165:18	134:2, 166:20,
63:24	144:15, 150:14,	shared	169:4, 185:18,
self-insure	150:17, 150:23,	68:12, 165:17	185:24, 185:25
116:5, 116:10	169:11	sharing	shouldn't
self-insured	services	75:15, 79:8,	95:11, 166:6
137:24, 139:21,	4:24, 50:24,	80:5, 87:11,	show
151:24	50:25, 51:5,	100:20, 124:25,	13:12, 39:11,
sell	57:25, 61:13,	143:14, 151:16,	40:21, 51:14,
65:14, 65:21,	65:6, 80:20,	185:17, 185:22,	60:6, 68:8,
68:7, 140:13,	81:22, 82:2,	185:23 sharp	112:19, 116:16,
140:15	85:1, 86:11,	24:6, 25:14	135:5, 170:9,
		24:0, 20:14	

	Conducted on	, ,	
170:15	signal	118:16, 121:6,	67:10, 82:13,
showed	101:22	132:9, 132:18,	82:14, 84:1,
25:5	signature-u6sqd	133:13, 153:6,	84:7, 114:21,
showing	189:14	161:8, 173:19,	135:2, 135:4,
113:18, 118:7,	signed	178:15, 178:18,	152:22, 154:8,
120:22, 120:25,	170:3	179:11, 179:23,	163:18, 169:19
126:21, 126:24,	significant	180:14, 180:17,	situations
127:11, 171:8,	79:14, 79:18,	180:23, 185:14,	19:12
183:23	113:21, 141:24,	187:2	sixth
shown	143:7, 147:14,	similarly	8:3, 9:6, 12:5,
29:23, 51:8,	154:11	70:8, 152:22	12:18
95:4, 95:12,	significantly	simple	sizable
173:15, 183:15,	23:1, 158:15	55:1, 142:15	172:11, 188:1
184:8, 185:17	signing	simplified	size
shows	72:15, 73:4,	132:23	24:20, 50:13,
15:12, 17:25,	74:7, 83:14	simply	123:25, 187:21
18:8, 23:15,	silver	26:22, 28:9,	slice
29:21, 107:7,	30:4, 33:2,	51:19, 56:22,	140:3
145:12	33:3, 33:4,	57:6, 68:11,	slide
shrink	35:25, 36:1,	139:6, 143:22,	12:15, 14:23,
102:13, 117:24,	55:11, 55:13,	148:11, 173:9	16:10, 17:25,
139:14, 139:23	55:14, 66:11,	since	22:8, 23:4,
shrinking	66:12, 66:15,	15:4, 29:3,	23:15, 23:23,
101:21, 116:18	69:1, 69:2,	77:12, 77:18,	24:24, 25:5,
shrinks	75:11, 79:20,	78:9, 99:3,	25:16, 27:2,
139:16	80:2, 80:9,	123:14, 152:22,	28:19, 32:9,
shrunk	90:24, 91:6,	153:25, 173:5,	37:1, 56:8,
158:3	98:14, 99:6,	173:14	60:6, 132:7,
sick	99:15, 99:22,	single	132:16, 185:2
88:22, 163:2,	105:10, 105:14,	43:7, 43:17,	slides
163:15	121:2, 121:4,	80:4, 167:6,	12:7, 15:12,
sicker	124:15, 126:11,	167:15	72:9, 101:20,
54:23, 157:11,	126:13, 126:22,	singling	187:3
158:1, 158:15,	127:8, 127:24,	81:13, 82:22	slight
158:18, 158:23,	131:1, 152:5,	sir	60:24, 78:21,
159:7, 161:15,	171:8, 171:15,	61:13	79:23, 100:5,
161:17, 161:25,	171:16, 172:4,	sit	118:14, 123:10,
167:9	174:2, 174:20,	49:24	123:17, 130:20,
side	176:7, 178:2,	situation	176:20, 179:20,
46:16, 46:17,	178:3, 178:15,	14:10, 14:16,	187:20
65:4, 67:3,	180:12, 181:7,	17:7, 17:10,	slightly
88:19, 89:4,	181:8, 181:20, 184:17	18:24, 20:4,	28:25, 61:17,
104:7, 104:18,	silvers	20:12, 20:25,	61:18, 103:25,
113:19, 116:20,	106:1	28:15, 31:2,	106:3, 118:9, 131:22, 133:9,
137:14	similar	37:22, 38:21, 39:3, 64:8,	179:13
sides	75:17, 87:21,	39:3, 64:8, 65:9, 65:12,	sloping
98:24	105:19, 115:4,	66:22, 67:2,	130:24
sign 112:4	100.10, 110.4,	00.22, 01.2,	100.21
112:4			

		J	
slower	167:4, 167:15,	75:20, 89:9,	160:15, 186:17
162:25	175:13, 176:17,	95:7, 98:2,	sometime
small	178:3, 182:10,	100:14, 101:8,	130:9
1:13, 4:4,	182:22	102:11, 102:21,	sometimes
4:11, 5:15,	smaller	103:21, 104:16,	46:21, 47:21,
5:22, 6:20, 8:5,	15:19, 63:17,	105:19, 107:19,	60:5, 83:17,
9:5, 12:3,	116:22, 159:6,	108:9, 109:15,	83:22, 97:7,
13:25, 14:1,	177:18	112:23, 113:12,	100:4
15:3, 15:13,	smidge	114:11, 114:12,	somewhat
15:16, 15:17,	148:18	115:22, 116:8,	13:11, 17:24,
15:21, 16:12,	smoothly	116:12, 116:21,	21:13, 24:17,
16:17, 17:3,	50:13	116:22, 117:21,	112:21
19:7, 19:10,	snack	117:23, 117:25,	soon
19:17, 23:5,	186:16	118:4, 118:13,	128:23
23:12, 23:17,	snapshot	118:24, 119:8,	sorry
23:20, 23:24,	23:23	120:6, 122:19,	126:14, 145:11,
24:14, 28:17,	sold	123:13, 124:13,	173:14
35:1, 44:9,	4:16, 146:2,	125:2, 131:18,	sort
44:20, 60:11,	4:16, 146:2, 161:2	132:10, 133:3,	84:2, 122:22
61:6, 66:9,		142:5, 142:20,	
70:8, 70:10,	sole	145:13, 152:10,	sounds
70:11, 70:16,	19:15, 159:21	152:12, 153:2,	87:12, 130:6,
92:8, 93:21,	solely	153:4, 154:16,	165:7
94:17, 94:18,	52:12, 175:13	157:21, 159:16,	source
94:20, 95:9,	solid	159:17, 163:11,	10:13, 139:5
95:14, 95:17,	27:21, 88:24	164:13, 164:24,	sources
96:13, 97:3,	solution	167:8, 167:23,	40:25, 49:13
97:5, 97:8,	27:22	168:23, 177:11,	southwest
100:12, 115:3,	solutions	177:18	17:4, 187:11
115:10, 116:1,	31:7	somebody	speak
116:14, 116:16,	some	39:6, 137:3,	6:18, 7:8, 7:9,
117:8, 117:11,	7:2, 13:4,	141:7	7:10, 7:21,
117:13, 120:12,	13:12, 13:15,	somehow	8:18, 57:19,
131:6, 133:17,	14:8, 14:12,	40:4	65 : 5
134:2, 138:22,	19:5, 20:1,	someone	speakers
140:2, 140:11,	20:5, 20:18,	32:18, 59:1,	7:14
140:12, 140:11, 140:12, 141:23,	25:9, 25:20,	65:25, 135:13,	speaking
142:4, 142:9,	27:13, 27:16,		37:12, 37:14,
142:17, 143:2,	28:18, 28:20,	139:19, 157:22,	46:11, 57:22,
143:3, 145:21,	31:23, 36:13,	164:20, 172:4	95:10
	36:15, 36:23,	something	specialty
148:12, 148:22, 151:20, 153:11	39:14, 39:22,	15:1, 42:22,	124:23
151:20, 153:11,	41:21, 44:2,	43:9, 81:21,	specific
153:14, 153:16,	45:11, 46:3,	83:9, 83:21,	6:24, 9:25,
153:21, 154:14,	48:17, 50:7,	83:23, 85:3,	32:15, 51:2,
155:16, 157:2,	50:25, 59:3,	85:10, 95:4,	60:15, 124:22
157:13, 159:21,	63:18, 64:2,	100:19, 105:8,	specifically
163:20, 163:25,	67:6, 68:12,	110:16, 110:21,	10:8, 63:11,
164:5, 167:3,	69:9, 69:24,	157:8, 158:6,	63:13, 107:10,
			· · · · · ·
			1

114:4, 183:17	147:
specifics	star
11:13	49:1
spend	star
8:12, 8:24	35:1
spending	46:1
129:14	star
spike	44:7
24:16, 25:14	104:
spiral	137:
27:20, 139:14,	star
161:22, 162:20,	105:
162:25, 163:1	stai
split	28:7
172:12, 173:23	73:1
spoke	99:1
107:6	117:
spot	125:
50:8, 111:11	155:
spread	170:
174:1, 174:7	175:
stability	stai
13:13, 15:18,	13:5
100:14	31:1
stabilization	128:
40:7	star
stabilize	74:1
stabilize 39:17, 42:12	74:1 171:
<pre>stabilize 39:17, 42:12 stabilizing</pre>	74:1 171: 173:
<pre>stabilize 39:17, 42:12 stabilizing 40:21, 42:3,</pre>	74:1 171: 173: 173:
<pre>stabilize 39:17, 42:12 stabilizing 40:21, 42:3, 71:16</pre>	74:1 171: 173: 173: stat
<pre>stabilize 39:17, 42:12 stabilizing 40:21, 42:3, 71:16 stable</pre>	74:1 171: 173: 173: stat 1:2,
<pre>stabilize 39:17, 42:12 stabilizing 40:21, 42:3, 71:16 stable 57:15, 57:17,</pre>	74:1 171: 173: 173: stat 1:2, 14:1
<pre>stabilize 39:17, 42:12 stabilizing 40:21, 42:3, 71:16 stable 57:15, 57:17, 70:12, 164:6</pre>	74:1 171: 173: 173: stat 1:2, 14:1 17:8
<pre>stabilize 39:17, 42:12 stabilizing 40:21, 42:3, 71:16 stable 57:15, 57:17, 70:12, 164:6 staff</pre>	74:1 171: 173: 173: stat 1:2, 14:1 17:8 17:1
<pre>stabilize 39:17, 42:12 stabilizing 40:21, 42:3, 71:16 stable 57:15, 57:17, 70:12, 164:6 staff 9:10, 9:15,</pre>	74:1 171: 173: 173: stat 1:2, 14:1 17:8 17:1 18:1
<pre>stabilize 39:17, 42:12 stabilizing 40:21, 42:3, 71:16 stable 57:15, 57:17, 70:12, 164:6 staff 9:10, 9:15, 11:15, 33:21,</pre>	74:1 171: 173: 173: stat 1:2, 14:1 17:8 17:1 18:1 20:2
<pre>stabilize 39:17, 42:12 stabilizing 40:21, 42:3, 71:16 stable 57:15, 57:17, 70:12, 164:6 staff 9:10, 9:15, 11:15, 33:21, 34:5, 34:11,</pre>	74:1 171: 173: 173: stat 1:2, 14:1 17:8 17:1 18:1
<pre>stabilize 39:17, 42:12 stabilizing 40:21, 42:3, 71:16 stable 57:15, 57:17, 70:12, 164:6 staff 9:10, 9:15, 11:15, 33:21, 34:5, 34:11, 34:18</pre>	74:1 171: 173: 173: stat 1:2, 14:1 17:8 17:1 18:1 20:2 31:1
<pre>stabilize 39:17, 42:12 stabilizing 40:21, 42:3, 71:16 stable 57:15, 57:17, 70:12, 164:6 staff 9:10, 9:15, 11:15, 33:21, 34:5, 34:11, 34:18 stakeholders</pre>	74:1 171: 173: 173: stat 1:2, 14:1 17:8 17:1 18:1 20:2 31:1 35:1 42:6 44:1
<pre>stabilize 39:17, 42:12 stabilizing 40:21, 42:3, 71:16 stable 57:15, 57:17, 70:12, 164:6 staff 9:10, 9:15, 11:15, 33:21, 34:5, 34:11, 34:18 stakeholders 31:5</pre>	74:1 171: 173: 173: stat 1:2, 14:1 17:8 17:1 18:1 20:2 31:1 35:1 42:6 44:1 46:1
<pre>stabilize 39:17, 42:12 stabilizing 40:21, 42:3, 71:16 stable 57:15, 57:17, 70:12, 164:6 staff 9:10, 9:15, 11:15, 33:21, 34:5, 34:11, 34:18 stakeholders 31:5 standard</pre>	74:1 171: 173: 173: stat 1:2, 14:1 17:8 17:1 18:1 20:2 31:1 35:1 42:6 44:1 46:1 103:
<pre>stabilize 39:17, 42:12 stabilizing 40:21, 42:3, 71:16 stable 57:15, 57:17, 70:12, 164:6 staff 9:10, 9:15, 11:15, 33:21, 34:5, 34:11, 34:18 stakeholders 31:5 standard 10:25, 11:7,</pre>	74:1 171: 173: stat 1:2, 14:1 17:8 17:1 18:1 20:2 31:1 35:1 42:6 44:1 46:1 103: 187:
<pre>stabilize 39:17, 42:12 stabilizing 40:21, 42:3, 71:16 stable 57:15, 57:17, 70:12, 164:6 staff 9:10, 9:15, 11:15, 33:21, 34:5, 34:11, 34:18 stakeholders 31:5 standard 10:25, 11:7, 11:9, 44:7,</pre>	74:1 171: 173: stat 1:2, 14:1 17:8 17:1 18:1 20:2 31:1 35:1 42:6 44:1 46:1 103: 187: stat
<pre>stabilize 39:17, 42:12 stabilizing 40:21, 42:3, 71:16 stable 57:15, 57:17, 70:12, 164:6 staff 9:10, 9:15, 11:15, 33:21, 34:5, 34:11, 34:18 stakeholders 31:5 standard 10:25, 11:7, 11:9, 44:7, 44:8, 44:22,</pre>	74:1 171: 173: stat 1:2, 14:1 17:8 17:1 18:1 20:2 31:1 35:1 42:6 44:1 46:1 103: 187: stat 4:23
<pre>stabilize 39:17, 42:12 stabilizing 40:21, 42:3, 71:16 stable 57:15, 57:17, 70:12, 164:6 staff 9:10, 9:15, 11:15, 33:21, 34:5, 34:11, 34:18 stakeholders 31:5 standard 10:25, 11:7, 11:9, 44:7, 44:8, 44:22, 44:23, 46:1,</pre>	74:1 171: 173: stat 1:2, 14:1 17:8 17:1 18:1 20:2 31:1 35:1 42:6 44:1 46:1 103: stat 4:23 41:2
<pre>stabilize 39:17, 42:12 stabilizing 40:21, 42:3, 71:16 stable 57:15, 57:17, 70:12, 164:6 staff 9:10, 9:15, 11:15, 33:21, 34:5, 34:11, 34:18 stakeholders 31:5 standard 10:25, 11:7, 11:9, 44:7, 44:8, 44:22,</pre>	74:1 171: 173: stat 1:2, 14:1 17:8 17:1 18:1 20:2 31:1 35:1 42:6 44:1 46:1 103: 187: stat 4:23
<pre>stabilize 39:17, 42:12 stabilizing 40:21, 42:3, 71:16 stable 57:15, 57:17, 70:12, 164:6 staff 9:10, 9:15, 11:15, 33:21, 34:5, 34:11, 34:18 stakeholders 31:5 standard 10:25, 11:7, 11:9, 44:7, 44:8, 44:22, 44:23, 46:1, 46:4, 46:19,</pre>	74:1 171: 173: stat 1:2, 14:1 17:8 17:1 18:1 20:2 31:1 35:1 42:6 44:1 46:1 103: stat 4:23 41:2

:25 ndardized 11, 71:13 ndards 10, 43:22, 12, 47:2 ndpoint 7, 102:18, :2, 109:23, :19 nds :6, 105:7 rt 7, 63:16, 1, 74:2, 18, 112:19, :24, 119:21, :3, 127:7, :7, 156:24, :25, 172:22, :14, 176:1 rted 5, 15:9, 16, 49:1, :15, 168:23 rting 19, 170:16, :6, 172:8, :2, 173:11, :16, 176:15 te , 1:6, 10, 16:24, 8, 17:11, 13, 17:19, 1, 19:1, 21, 23:11, 11, 34:16, 12, 42:4, 6, 42:9, 12, 44:20, 12, 52:16, :22, 150:5, :12, 189:4 tes 3, 14:8, 21, 55:25, :7

statewide 50:8, 52:11, 62:10, 68:13, 129:7, 142:12, 142:14, 154:5, 173:7, 182:24, 184:24 status 35:23, 52:10, 52:14, 52:15, 52:16, 53:6, 58:14, 66:8, 134:14, 143:11 stay 40:3, 77:13, 100:2 staying 61:21 stays 87:14 steadily 25:12, 25:13 steady 24:4, 24:17 step 41:12 still 46:10, 62:6, 93:8, 99:8, 117:16, 140:8, 158:13, 160:19, 161:17, 164:1, 167:6, 167:12, 182:17, 183:21, 188:17 story 115:4, 118:8, 118:16, 163:21, 185:14 street 86:14 stress 188:16 strictly 16:2 strongest 114:11 structure 48:17, 146:18

structured 89:19 stuck 151:2 student 38:16 study 55:25, 79:11 studying 106:24 stuff 46:25, 120:10, 132:8 subject 87:15, 87:18, 87:22, 109:11, 110:12, 160:12 submission 9:23 submissions 11:21, 33:23 submit 7:3, 33:24, 34:25, 50:4, 125:15 submits 9:19 submitted 34:10, 34:13, 68:23 subsequent 34:15, 41:22 subsidiary 134:10, 175:5 subsidies 26:11, 26:20, 30:5, 33:17, 42:5, 172:5 subsidized 26:3, 26:7, 101:7, 131:19 subsidizes 40:12 subsidy 16:7, 26:25, 27:6, 28:22, 30:24, 32:13, 33:12, 33:14,

	Conducted on 5	,	
33:15, 42:8,	166:24	take	29:23, 30:2,
103:12, 129:18,	surgeon	27:25, 32:17,	30:17, 30:23,
171:19	134:16, 134:17,	43:17, 73:14,	31:14, 32:10,
substantial	135:24, 136:6	109:7, 149:16,	32:13, 33:9,
14:20	surgeries	149:22, 158:19,	133:19, 142:19,
substantially	148:6	168:10, 173:11,	143:1, 143:2,
151:11	surgery	174:14	147:15, 147:19,
subtract	81:19, 81:25,	takeaway	147:22, 152:25,
33:7	94:2, 94:5,	23:14, 25:16,	173:10
such	111:16	71:15	taxed
10:10, 27:11,	surprise	takes	147:17
138:22, 147:25,	84:24, 106:25	43:8, 88:16,	taxes
170:12, 177:18	surprising	91:5, 95:19,	133:19
sufficient	159:5, 167:10	130:18	teaching
35:8, 68:5	survey	taking	175:4
suggest	160:11	27:17, 39:20,	team
29:11	suspect	89:16, 92:8,	83:10, 83:22,
suggesting	116:23	102:8, 166:18	96:16
96:17	suspicion	talk	technical
summary	117:6	9:3, 15:2,	51:16, 73:10
6:4, 9:24,	sustainable	15:24, 17:21,	technicality
50:5, 143:18	41:24	19:4, 19:10,	75:6
summer	swallow	19:22, 25:8,	teensy
69:6	134:23	27:2, 30:2,	96:20
supervisor	swearing	31:21, 35:5,	tell
9:11	7:16	43:21, 43:22,	21:17, 93:12,
support	swing	62:13, 62:19,	97:23, 106:18,
43:8, 51:14,	187:18	64:6, 67:14,	122:10, 128:23,
60:17, 102:11	switch	69:9, 69:14,	163:23, 186:10,
supporting	104:2	69:15, 85:20, 86:4, 97:21,	186:15
10:3, 34:7,	switching	112:3, 140:17,	telling
35:8	79:16	159:16, 175:21,	162:4, 162:15
supposed	swung	183:8	tells
33:8, 110:24	187:20	talked	29:4, 29:15, 83:25
suppress	system	64:8, 66:19,	template
89:4	65:20, 65:25,	90:2, 97:6,	49:8, 49:11,
sure	113:16, 119:16,	98:25, 116:20,	49:17, 50:1,
11:18, 42:19,	157:20, 168:16,	136:5, 147:12,	50:2, 50:3,
53:20, 54:6,	179:3, 179:6,	156:19, 159:14,	50:13, 50:17,
81:12, 83:2,	180:10	164:8, 164:12	73:7, 74:20,
85:3, 91:23, 93:22, 94:5,	systems	talking	86:17, 97:25
100:2, 106:22,	80:18, 114:13	24:12, 29:19,	templates
107:8, 111:3,	<u> </u>	61:11, 61:12,	49:22, 50:15,
112:17, 112:24,	table	81:15, 129:3,	74:11
113:14, 114:15,	176:3, 176:4,	139:19, 159:4,	temporary
134:3, 141:5,	178:13	159:12	59:4
143:18, 151:22,	tad	tax	ten
	123:7	29:9, 29:15,	12:7, 89:7

	Conducted on .	July 24, 2010	241
tend	161:15, 161:17,	60:22, 65:16,	48:25, 54:6,
99:24, 139:6,	162:25, 165:18,	66:11, 66:12,	54:13, 62:18,
169:15, 186:23	167:5, 167:9,	68:6, 68:23,	69:24, 71:4,
term	170:10, 171:2,	71:10, 72:7,	75:20, 76:22,
135:20, 149:2	172:10, 174:12,	76:18, 80:15,	76:24, 79:20,
terminated	185:6	81:17, 83:11,	80:24, 87:3,
113:17	thank	85:11, 85:12,	87:20, 89:21,
terms	8:1, 8:21,	95:20, 100:23,	90:1, 90:5,
12:21, 13:18,	32:2, 32:3,	103:5, 111:23,	90:13, 91:6,
13:22, 19:23,	32:5, 33:19,	112:7, 112:18,	91:21, 91:23,
22:17, 25:11,	49:5, 72:12,	113:4, 113:15,	93:17, 97:1,
31:21, 144:19,	73:16, 73:22,	115:4, 116:13,	97:2, 97:13,
146:22, 174:11	77:4, 85:13,	119:6, 129:13,	109:12, 111:2,
textbook	86:2, 94:16,	129:17, 129:20,	113:3, 120:19,
37:21	97:15, 113:5,	129:22, 131:20,	121:2, 123:11,
th	114:13, 114:14,	154:11, 154:15,	124:12, 124:22,
5:9, 11:18,	118:21, 130:10,	154:18, 156:9,	129:1, 129:15,
24:22, 36:21,	134:8, 149:20,	158:9, 164:22,	129:21, 131:24,
49:20	149:21, 150:6,	166:18, 169:2,	133:8, 133:13,
than	155:3, 155:4,	169:5, 169:25,	133:16, 133:18,
5:2, 13:1,	167:16, 167:17,	183:20, 187:21	136:21, 139:7,
23:12, 30:12,	168:6, 175:9,	them	140:18, 142:24,
46:23, 49:3,	180:5, 181:24,	39:20, 46:14,	144:7, 147:2,
51:8, 58:16,	181:25, 186:25,	48:24, 51:11,	153:6, 154:19,
61:4, 62:6,	188:11, 188:12,	52:22, 56:2,	158:7, 160:20,
66:9, 66:16,	188:14, 188:21,	56:3, 56:23,	168:12, 171:3,
69:9, 77:21,	188:24	57:13, 58:23,	172:7, 172:14,
78:21, 82:12,	their	63:22, 72:9,	172:16, 172:23,
84:23, 89:18,	5:1, 5:5, 5:7,	80:14, 83:13,	174:4, 174:9,
89:24, 90:10,	5:11, 6:15, 8:5,	103:19, 107:24,	176:14, 177:1,
95:15, 96:20,	8:8, 9:2, 10:1,	110:4, 112:4,	179:21, 179:22,
100:19, 101:13,	10:5, 10:15,	112:8, 113:9,	180:19, 180:22,
103:23, 104:19,	10:16, 11:2,	113:17, 115:5,	183:22, 184:2,
105:2, 106:17,	11:16, 17:16,	131:21, 139:21,	184:15, 184:18,
114:10, 115:24,	18:10, 23:1,	143:15, 148:5,	185:13, 186:23,
117:8, 122:20,	26:8, 32:23,	148:16, 160:6,	187:5, 187:7,
123:7, 123:8,	33:1, 33:7,	160:15, 163:16,	187:20, 187:24,
123:9, 128:6,	33:10, 33:11,	165:12, 170:6,	188:3
128:10, 128:12,	33:12, 33:15,	175:23	therefore
128:15, 129:1,	34:22, 36:21,	themselves	69:17, 166:2
130:2, 133:5,	43:12, 44:18,	34:8, 42:5,	these
134:19, 143:15,	45:4, 45:8,	42:15, 43:1,	4:15, 5:10,
145:2, 145:10,	45:9, 45:17,	93:17, 116:2,	5:16, 7:23, 8:6,
145:11, 146:10,	49:12, 49:13,	117:2	11:10, 12:10,
146:25, 148:9,	49:20, 51:8,	then	12:13, 15:11,
149:6, 153:8,	51:11, 52:11,	20:7, 25:13,	16:24, 19:5,
154:7, 158:15,	52:14, 53:9,	43:13, 45:10,	20:1, 20:18,
161:5, 161:10,	55:10, 60:4,	46:18, 48:20,	20:21, 21:14,
, ,			
	<u> </u>		

	Conducted on .	uij 21, 2010	
23:6, 24:21,	67:24, 76:4,	172:24	21:12, 27:22,
25:4, 26:11,	78:20, 83:14,	think	31:14, 34:11,
26:13, 27:13,	84:21, 88:22,	12:7, 15:12,	35:3, 36:3,
27:14, 29:8,	92:22, 93:3,	15:20, 16:7,	36:10, 36:23,
31:6, 36:4,	101:7, 109:9,	18:11, 18:13,	40:1, 41:13,
36:15, 44:17,	111:25, 112:2,	18:23, 20:20,	41:23, 41:25,
45:21, 51:22,	112:5, 112:8,	20:23, 21:12,	43:8, 44:14,
53:12, 53:22,	115:1, 129:14,	22:6, 24:22,	44:15, 47:2,
54:1, 54:17,	138:11, 139:22,	25:20, 26:23,	47:16, 47:20,
55:7, 56:25,	157:22, 158:15,	27:6, 27:21,	47:23, 48:20,
58:4, 58:8,	158:17, 158:18,	28:15, 39:13,	50:25, 51:4,
58:22, 60:15,	164:21, 174:22,	45:20, 54:22,	51:19, 51:23,
62:24, 64:5,	188:17	63:3, 66:19,	52:4, 52:5,
65:1, 66:6,	they've	68:1, 72:24,	53:5, 53:6,
67:22, 71:17,	12:9, 31:3	76:4, 85:10,	53:8, 53:14,
78:24, 83:3,	thing	89:3, 92:3,	53:15, 55:10,
84:18, 99:12,	9:3, 10:18,	94:14, 96:21,	55:19, 58:11,
100:16, 100:17,	12:13, 13:3,	99:10, 101:5,	58:12, 60:17,
101:6, 102:25,	13:17, 15:15,	102:12, 103:6,	64:21, 65:2,
103:10, 103:11,	15:25, 22:21,	103:9, 103:11,	67:19, 68:11,
106:8, 109:13,	24:9, 27:9,	103:22, 103:25,	69:13, 69:19,
112:18, 112:20,	31:3, 38:1,	104:5, 104:7,	71:3, 79:24,
117:6, 117:19,	38:9, 66:18,	104:10, 104:12,	80:10, 88:5,
117:23, 117:25,	82:5, 84:11,	104:24, 105:3,	91:2, 92:11,
118:19, 120:3,	84:20, 94:19,	105:11, 108:12,	92:12, 92:16,
121:5, 122:22,	109:18, 111:22,	114:22, 115:25,	92:24, 95:18,
126:16, 127:1,	122:7, 128:20,	116:5, 116:8,	98:7, 98:19,
127:2, 129:12,	132:20, 133:6,	117:9, 117:21,	98:22, 100:22,
135:6, 141:18,	148:20, 159:10,	121:24, 122:2,	103:22, 105:13,
160:14, 160:22,	166:5, 170:12,	122:11, 128:9,	107:18, 107:20,
162:5, 163:1,	185:15	130:17, 130:20,	111:19, 113:8,
163:15, 182:10,	things	133:9, 133:23,	113:14, 114:12,
183:24, 184:5,	35:19, 41:5,	135:4, 136:18,	116:11, 117:5,
186:22, 188:18,	42:10, 42:18,	138:4, 138:16,	118:15, 122:23,
188:20	48:21, 49:14,	138:20, 141:4,	123:2, 124:9,
they'll	49:25, 50:7,	153:20, 155:1,	125:3, 131:2,
57:15, 57:16	50:9, 52:17,	160:8, 163:8,	131:13, 133:17,
they're	55:24, 57:23,	163:10, 164:21,	135:10, 142:7,
11:15, 23:21,	57:24, 67:20,	167:24, 178:8,	144:22, 146:18,
26:20, 36:12,	69:13, 69:19,	184:22	151:24, 158:14,
38:3, 43:2,	71:12, 89:6,	thinking	164:13, 168:15, 169:13, 169:16,
43:11, 46:23,	90:23, 102:5,	142:13	173:23, 174:5,
48:9, 48:23,	104:10, 112:20,	third	174:17, 184:7,
48:24, 54:18,	115:25, 120:7,	74:14, 157:6,	184:9, 185:25,
55:6, 56:16,	133:4, 135:5,	160:15, 161:6	188:2
56:21, 57:10,	142:20, 147:14,	those	though
62:16, 62:24, 63:24, 67:21,	158:4, 164:11,	7:3, 7:8,	46:12, 100:25,
03.24, 07:21,	164:13, 167:8,	12:21, 18:5,	10.12, 100.23,
		1	

	Conducted on J	,	
117:15, 139:25,	tier	together	transfer
161:12	130:21	15:12, 31:4,	41:15, 78:5,
thought	tiering	36:6, 53:17,	79:17
8:9, 12:3,	148:2	101:16, 102:2,	transfers
27:10, 50:18,	ties	104:13, 118:9,	89:2
82:21, 144:1,	36:6	147:6, 184:8,	treated
146:22	tight	188:2	135:18
thousand	60:20	told	tremendous
24:21, 30:8,	tim	84:5, 84:21,	66:25, 114:3
33:5	97:18	110:13, 136:17,	tremendously
thousands	time	138:7	66 : 24
17:5, 134:22,	12:4, 19:4,	too	trend
135:21	27:25, 38:17,	19:15, 44:2,	21:13, 35:22,
threatening	40:2, 41:7,	66:19, 67:3,	50:22, 50:23,
53:23	45:19, 49:2,	104:8, 104:22,	51:9, 51:13,
three	51:4, 67:22,	113:20, 114:16,	51:15, 52:3,
9:10, 18:18,	68:3, 69:6,	114:24, 114:25,	60:10, 60:13,
24:11, 39:7,	70:1, 70:5,	128:23, 136:19	60:21, 60:23,
75:9, 81:20,	70:9, 71:10,	took	61:10, 77:25,
120:25, 166:10,	71:14, 72:4,	113:3, 132:22,	88:20, 89:10,
168:21, 182:16,	88:16, 91:22,	138:10	89:12, 89:13,
183:7, 183:24,	115:17, 117:4,	tool	96:19, 96:21,
184:6, 184:9	117:25, 136:10,	31:22, 60:9	108:1, 123:20,
three-quarters	141:4, 149:8,	top	123:22, 132:25,
69:3	150:3, 177:17	48:21, 54:14,	133:5, 142:2,
three-tenths	times	68:11, 74:19,	143:21, 143:24,
60:24, 61:8	83:16, 135:14	78:17, 121:15,	146:16, 148:7,
through	timing	124:16, 144:6,	148:8, 152:17,
12:7, 12:10,	60:5, 60:7	156:14, 159:11,	153:20, 158:4,
12:12, 12:13,	title	176:15, 185:22	173:2, 173:3,
23:20, 34:11,	72:11, 150:5	total	175:3, 175:7,
43:2, 66:5,	today	23:24, 25:1,	176:12, 176:20,
73:6, 78:14,	4:2, 4:9, 6:1,	25:6, 30:10,	179:13, 180:15,
78:18, 97:22,	6:7, 6:18, 12:8,	60:10, 144:10,	184:10, 187:14
105:13, 115:4,	24:10, 31:24,	152:23, 154:9,	trending
120:11, 120:13,	43:11, 49:16,	159:22, 182:22	67:2
120:15, 120:21,	66:20, 85:23,	totally	trends
121:8, 129:6,	110:23, 119:7,	93:6	51:2, 51:3,
130:4, 130:18,	120:1, 120:16,	touched	51:7, 60:15,
139:9, 145:15,	145:7, 155:15,	112:22	60:17, 61:2,
165:11, 165:12,	157:6, 168:19,	toward	61:6, 142:4
168:14, 175:5,	169:2, 169:15,	33:10, 46:11,	trigger
176:9, 183:8	170:4, 175:21,	49:3	36:16
throughout	175:25, 182:2,	towards	trip
18:1, 19:1	182:17, 188:14,	33:8, 66:21,	68:20
thrust	188:15, 188:22	67:2, 166:18	trouble
147:8	today's	transcript	8:16, 186:17
tied	4:1, 5:19, 6:22	1:17, 189:5	true
104:9			56:18, 56:19,

	Conducted on 5	uij 2 1, 2 010	
57:11, 57:12,	129:12, 140:12,	67:4, 67:17,	unified
58:25, 59:13,	140:25, 155:14,	75:3, 95:23,	50:2
63:2, 64:13,	155:15, 157:6,	111:20, 119:16,	uninsured
185:18, 189:5	157:7, 158:3,	121:15, 155:17,	17:6
true-up	161:6, 163:16,	161:2, 164:1,	unique
128:19, 128:25	173:23, 175:12,	165:1, 165:25,	17:10, 92:3,
try	175:21, 175:23	189:11	94:1, 152:22,
38:4, 38:13,	type	underestimated	154:8
38:15, 38:18,	10:6, 84:22,	91:10, 146:24,	unit
39:4, 40:2,	93:23, 94:5,	149:10	80:19
40:22, 53:13,	98:8, 106:17,	underlies	united
64:18, 65:9,	107:18, 108:7	11:9	4:23, 182:2
72:21, 72:25,	types	underlying	united's
83:22, 97:23,	111:9	35:22, 40:5,	182:11
97:24, 98:15,	typical	41:9, 41:11,	unitedhealth
99:5, 100:13,	100:10	50:24, 51:4,	3:15, 20:20
110:19, 131:2,	typically	61:12, 95:4,	unitedhealthcare
136:23, 140:8,	93:24, 129:16	140:23	16:23, 182:6,
148:15	typo	underneath	182:12, 182:13,
trying	185:16	124:24, 133:14	182:14, 182:20,
38:17, 38:22,	U	understand	185:13, 187:9
59:20, 99:8,	ultimate	33:18, 57:18,	university-based
99:9, 100:22,		66:19, 83:25,	168:18
102:3, 109:3,	5:18, 111:6	84:3, 112:9,	unless
153:16, 163:1,	ultimately 110:2	112:14	86:3, 105:8,
163:18		understandable	135:12, 135:13,
tuesday	unaffordable	138:1	137:2, 140:10,
1:21	19:15, 116:25	understanding	145:19, 145:25,
turn	unannounced	65:19, 138:17	149:12, 150:16
12:1, 15:5,	112:19	understands	unlimited
72:6, 72:16,	uncertain	107:9	108:25
72:21, 134:6,	57:25, 69:20	underwrite	unring
168:13	uncertainty	160:4	136:20, 150:24
turning	40:23, 40:25,	underwriting	unsubsidized
22:8, 24:24	41:1, 41:3,	54:5, 58:10,	26:18, 28:2,
two	41:6, 55:22,	58:20	29:7, 41:13
13:8, 15:11,	56:5, 56:10, 59:20, 59:21,	underwritten	until
16:21, 18:18,	59:24, 69:11,	58:9	18:20, 22:24,
23:22, 27:10,	145:13, 147:7	undoubtedly	67:21, 88:21,
39:7, 44:15,	uncovered	56:10 -	129:23, 136:19,
53:12, 65:17,	119:1	unforeseen	150:22
76:22, 79:24,	under	94:13	upcoming
81:16, 89:6,	4:13, 9:6,	unfortunate	12:25
90:23, 101:13,	9:13, 20:15,	22:4, 90:11,	updated
102:19, 110:25,	21:3, 22:4,	135:2, 137:8	24:22, 79:13
115:3, 120:18,	26:7, 28:2,	unfortunately	updating
121:12, 122:25,	41:17, 66:25,	18:6, 41:4,	50:17
123:2, 123:5,	····/, 00·20,	72:1	upon
			10:4, 60:16,
			,,

	Conducted on J	uly 21, 2010	243
147:23	valid	14:16, 18:7,	37:3, 37:20,
upshot	47:16, 140:25	27:8, 34:5,	38:21, 39:16,
17:4	valley	42:16, 57:11,	40:21, 43:5,
use	182:14, 182:16,	58:22, 64:13,	43:24, 44:12,
5:12, 5:18,	187:9, 187:13	73:23, 75:17,	44:15, 44:20,
7:10, 12:20,	value	78:14, 92:8,	52:24, 53:1,
51:15, 51:21,	15:11, 91:10,	94:1, 94:2,	60:12, 61:5,
61:13, 64:1,	100:2, 144:13,	95:16, 97:3,	62:20, 63:19,
65:9, 82:15,	185:18	101:13, 102:17,	63:23, 64:4,
82:17, 111:23,	variable	105:16, 106:6,	64:7, 64:12,
112:2, 144:14,	48:21	117:19, 118:23,	66:22, 68:15,
154:1	variables	121:6, 129:8,	70:7, 72:19,
used	30:15, 142:5	132:8, 132:18,	73:5, 74:8,
52:3, 98:8,	variance	138:1, 140:2,	74:15, 113:25,
132:23, 138:5,	16:8, 80:6	143:6, 144:7,	114:10, 114:12,
159:22, 161:24,	variation	153:13, 155:4,	115:8, 116:9,
170:20	118:2	157:15, 157:17,	118:17, 118:19,
useful	varied	160:16, 163:2,	125:9, 126:20,
31:23	71:6, 130:21	163:15, 164:10,	127:10, 139:3,
uses	varies	165:16, 165:23,	160:3, 160:13,
94:13, 110:21,	87:1, 123:22,	166:23, 167:16,	167:21, 168:9,
140:22, 140:24,	177:10, 183:1	168:6, 170:23,	168:11, 168:16,
170:19	various	178:18, 181:24,	169:24, 170:7,
using	31:5, 170:20	185:1, 186:20	174:21, 175:20,
32:20, 60:9,	vary	vice	182:10, 182:22,
79:10, 79:17,	63:23, 64:2,	168:8	183:25, 184:4
80:23, 115:6,	123:25, 138:24	view	virginia's
140:21, 149:2,	varying	17:23, 94:14,	5:15
154:2, 161:24,	143:16	160:7	virtually
170:17, 173:2	vboi	viewed	71:11
usually	164:24, 165:25,	13:11	visit
41:23, 89:8	166:23	vigilant	95:7
utilities	vcu	164:22	visuals
37:25, 38:2	168:16	virginia	119:11
utility	venture	1:1, 1:5, 1:23,	volatility
38:2, 38:4,	41:4, 179:3,	3:13, 4:13,	13:4
38:10, 38:12,	180:9	4:17, 4:21, 5:4,	W
38:24, 39:2,	version	5:18, 13:2,	wait
128:18	120:19	13:17, 14:20,	68:4, 72:21,
utilization	versus	16:15, 17:4,	73:24, 129:23,
50:25, 51:5,	75:1, 134:14,	17:5, 17:17,	160:21
144:18, 164:23,	144:22, 146:17,	18:9, 18:16,	waive
172:19, 174:6	176:23, 177:16,	18:20, 20:8,	117:2
utilize	178:22, 179:17,	23:9, 28:23,	walk
95:18	180:25, 183:6	29:1, 29:16, 29:19, 29:24,	12:7, 12:10,
utilizes	very	31:1, 33:23,	73:6, 97:22,
79:9	11:11, 11:15,	35:2, 37:2,	120:21, 168:14
v	11:18, 12:10,	JJ:Z, J/:Z,	
vac			
10:8			

	Conducted on J	<i>alj = ., = • 1 •</i>	
want	84:21, 85:12,	52:2, 59:23,	50:10, 51:8,
7:6, 10:18,	86:20, 89:19,	62:13, 64:24,	51:19, 51:23,
14:6, 20:3,	97:24, 102:1,	66:17, 67:13,	52:4, 53:12,
21:19, 30:17,	116:13, 132:12,	75:21, 80:25,	61:4, 65:12,
40:3, 43:9,	144:12, 152:24,	81:2, 81:14,	66:6, 66:10,
43:15, 57:19,	161:23, 166:9	82:1, 83:24,	69:18, 70:23,
	-	84:25, 85:23,	71:4, 71:6,
65:7, 68:16,	ways		
74:25, 77:7,	42:11, 116:2,	86:4, 93:5,	71:10, 71:11,
83:7, 84:14,	116:4	100:13, 104:21,	75:1, 80:19,
85:1, 85:9,	we're	105:4, 105:10,	80:21, 92:9,
86:3, 93:20,	12:24, 167:16	105:21, 106:5,	100:8, 102:5,
98:16, 100:1,	we've	106:16, 108:16,	113:2, 113:9,
106:22, 109:25,	52:18, 90:3,	111:14, 112:2,	118:24, 123:15,
110:11, 111:3,	101:19, 153:17,	113:23, 115:13,	131:18, 145:15,
111:4, 112:23,	173:5	117:5, 117:18,	147:17, 149:6,
113:5, 120:12,	weakened	121:22, 122:9,	153:2, 153:4,
121:20, 122:6,	69:15	122:18, 122:21,	160:13, 161:14,
140:10, 156:15,	wealthy	126:18, 127:10,	163:17, 178:2,
156:24, 157:23,	42:17	129:21, 135:16,	186:4, 189:3
166:4, 166:15,	wear	136:4, 136:7,	weren't
166:16, 185:15,	117:22	137:1, 138:9,	69:16, 136:17
188:14, 188:16,	webcast	139:11, 145:24,	western
188:21	7:7	148:2, 158:17,	14:7
wanted	website	163:14, 165:6,	whatever
51:19, 68:8,	7:2	166:8, 167:2,	43:13, 63:25,
84:22, 113:14,	week	167:13, 173:18,	83:17, 85:1,
117:15, 164:15,	60:3	174:13, 177:4,	98:6
165:5	weekend	177:18, 181:3	whatnot
wants	170:6	well-functioning	175:5
111:13, 111:18	weeks	22:19	whatsoever
warren	80:19, 81:19,	went	14:21
42:15	81:20, 103:6	13:6, 22:9,	when
washington	weighted	36:10, 50:13,	7:21, 9:8,
69:7, 142:21	25:1, 25:6	51:13, 55:14,	9:19, 11:20,
wasn't	welcome	65:16, 68:21,	14:2, 14:7,
84:6, 85:19,	102:18, 167:23,	70:3, 70:17,	17:1, 19:10,
93:15, 109:17,	168:2, 175:11	81:18, 81:24,	20:18, 29:19,
113:9	well	92:9, 116:17,	33:7, 34:4,
watching	14:16, 17:8,	133:11, 167:7,	34:23, 38:6,
117:14	21:5, 21:21,	178:18, 178:25,	38:12, 39:5,
wauwatosa	27:11, 27:17,	180:23	39:7, 41:3,
182:7	27:24, 34:3,	were	45:1, 45:25,
waves	36:17, 38:25,	10:12, 16:24,	48:24, 48:25,
157:10	39:9, 40:10,	17:7, 17:11,	49:18, 59:20,
way	40:18, 41:14,	20:20, 29:5,	61:23, 63:15,
13:6, 39:17,	42:13, 42:17,	29:12, 33:23,	68:7, 75:22,
40:8, 66:1,	45:7, 46:4,	46:3, 46:4,	79:13, 82:5,
79:5, 82:3,	48:8, 50:11,	47:16, 49:15,	88:13, 90:2,

		3	
92:8, 100:22,	whether	165:2, 165:15,	57:5, 58:18,
103:9, 107:14,	4:16, 30:13,	167:10, 167:15,	58:19, 65:3,
110:25, 111:15,	52:22, 56:24,	170:18, 171:9,	69:11, 69:12,
112:22, 113:1,	69:11, 89:16,	174:1, 175:19,	82:4, 85:20,
113:19, 123:6,	90:24, 108:10,	177:15, 178:11,	93:9, 106:13,
135:3, 138:7,	135:15, 160:1	182:11, 183:25	107:4, 119:25,
138:20, 139:3,	which	whichever	120:5, 134:16,
143:5, 144:2,	10:16, 24:2,	83:19	135:5, 135:7,
144:17, 145:12,	24:14, 28:12,	while	135:13, 135:24,
147:2, 147:5,	30:5, 37:4,	7:13, 23:7,	137:3, 137:15,
147:8, 147:16,	37:21, 41:23,	68:4, 69:8,	138:8, 138:13,
148:8, 148:15,	50:3, 54:13,	73:14, 84:9,	139:9, 157:22,
149:6, 158:14,	59:21, 63:6,	95:19, 108:24,	158:8, 168:15,
161:18, 170:16,	64:7, 64:10,	145:15	170:2, 172:4,
174:14	64:14, 65:16,	white	188:14
where	66:18, 67:16,	3:5, 6:8, 7:25,	whole
11:14, 12:8,	68:13, 75:10,	8:1, 8:19, 8:21,	72:3, 124:11,
14:16, 16:6,	78:12, 79:6,	8:24, 14:1,	154:13, 172:9
17:7, 17:19,	80:9, 84:12,	14:5, 14:13,	whom
18:21, 18:24,	86:25, 87:23,	14:18, 14:22,	45:14
18:25, 19:11,	94:24, 101:12,	15:1, 19:8,	whose
19:13, 20:5,	102:3, 102:9,	20:9, 20:13,	81:16
21:1, 21:19,	103:4, 103:8,	20:16, 21:5,	why
22:4, 24:5,	104:13, 104:25,	21:9, 21:23,	16:3, 56:3,
24:10, 24:16,	106:7, 108:2,	22:1, 22:6,	65:18, 68:21,
27:13, 30:13,	113:20, 114:4,	26:1, 26:4,	71:16, 82:8,
31:18, 33:3,	116:1, 118:4,	26:9, 26:12,	95:24, 96:8,
49:24, 55:5,	118:7, 119:1,	26:23, 27:5,	113:4, 114:9,
58:10, 58:12,	120:18, 120:20,	28:6, 28:14,	129:8, 157:25,
58:13, 63:22,	121:1, 121:3,	29:8, 29:11,	166:14, 167:2,
67:20, 69:21,	121:4, 122:11,	29:14, 30:9,	184:6
70:23, 76:15,	125:2, 125:21,	32:2, 46:21,	wide
76:23, 76:25,	126:20, 126:23,	188:21	94:25, 118:2,
87:17, 102:21,	127:12, 130:22,	white's	158:25
106:1, 116:22,		6:10	widen
121:11, 121:17,	131:25, 133:8,	whittling	141:5
122:5, 124:17,	133:11, 133:12,	63:16, 69:18	width
129:16, 130:25,	138:13, 140:3,	who	163:4
133:14, 137:4,	140:25, 141:14,	6:8, 6:12,	wife
143:7, 146:4,	141:16, 143:23,	6:23, 7:8, 7:23,	81:16, 81:18,
148:20, 151:22,	143:24, 144:4,	9:13, 26:2,	134:15, 135:18
154:8, 156:21,	144:6, 144:8,	26:19, 26:20,	williams
159:11, 160:13,	144:21, 145:3,	26:21, 31:14,	1:19, 2:2, 4:5
162:1, 185:20,	145:14, 146:1,	32:10, 32:18,	winter
187:16	149:5, 149:7,	33:13, 35:15,	106:20, 107:25,
wherein	150:23, 152:9,	38:17, 41:13,	108:22, 109:19,
143:12	153:20, 154:17,	42:4, 45:15,	110:14, 111:17,
wherever	159:24, 164:12,	56:12, 56:13,	111:24, 112:6,
110:19			,,
			1

	Colladeted off J		
112:15, 112:21,	73:21, 113:9,	years	155:22, 156:1,
114:1, 114:8	119:11, 188:18	12:9, 13:5,	156:5, 156:10,
wisconsin	works	13:8, 15:11,	156:12, 159:1,
182:7	9:15, 32:14,	15:18, 15:23,	162:9, 165:13,
wish	33:18, 152:24	16:13, 16:21,	166:19, 168:1,
6:23, 112:15	world	20:18, 21:18,	168:4, 169:20,
wishes	138:5	22:22, 22:25,	171:17, 172:1,
114:16	worry	24:8, 24:11,	172:2, 175:1,
withdrew	93:2	25:2, 25:13,	178:4, 181:4,
65:16, 103:21	worse	28:4, 28:8,	184:7, 184:16,
within	97:10, 117:10,	33:13, 34:1,	184:23, 186:4,
10:24, 18:5,	117:11, 162:21	40:24, 41:5,	187:1, 187:3
52:20, 63:10,	worst	42:2, 46:5,	yesterday
63:13, 100:2,	119:1, 119:2	52:3, 67:18,	16:3, 72:1
145:13, 150:16,	worth	68:14, 70:14,	yet
151:15, 185:9	45:21, 88:15,	71:18, 116:17,	57:20, 128:16,
without	101:19, 131:23,	129:25, 157:6,	132:10, 132:16,
17:6, 65:25,	154:17	157:7, 158:3,	159:24
82:19, 83:4,	wouldn't	161:6, 163:16,	you'd
84:19, 110:13,	113:7, 119:10,	166:10	122:21
111:16, 171:13	171:20	yep	you're
witnesses	wrap	105:24	27:1
7:16	101:15	yes	younger
won't	write	14:13, 14:18,	20:3, 27:17,
38:18, 58:6,	152:23	14:22, 20:16,	88:6
66:5, 162:3	writers	26:1, 26:4,	your
wonder	16:24, 20:19	26:9, 28:6,	6:18, 7:22,
97:7	writing	29:14, 30:9,	8:17, 16:9,
wonderful	6:25, 15:3,	44:3, 48:8,	21:20, 28:20,
119:11	16:2, 18:10,	54:25, 57:3,	36:25, 38:20,
words	19:13, 20:20,	59:10, 61:13,	44:24, 47:19,
82:15	22:14, 154:9	62:4, 70:18,	48:17, 50:23,
work	wrong	73:22, 79:1,	51:13, 55:22,
9:12, 9:13,	32:17, 99:20	81:8, 81:9,	57:14, 57:15,
12:12, 32:21,	wyman	83:6, 90:17,	57:17, 64:15,
35:14, 42:11,	160:11	90:20, 91:20,	72:11, 74:10,
53:21, 64:18,		93:7, 93:12,	81:6, 82:7,
73:14, 83:22,	Y	94:15, 96:4,	82:8, 82:11,
135:6, 136:15,	y'all	98:9, 98:20,	82:15, 82:17,
188:17	137:14	98:22, 101:14,	82:18, 83:2,
worked	yeah	102:24, 114:17,	84:11, 84:15,
12:14, 49:8	14:5, 102:24,	120:14, 122:1,	84:16, 84:18,
working	163:9	122:24, 126:13,	90:16, 98:13,
-	year's	127:13, 127:17,	98:18, 99:21,
11:15, 11:18, 28:3, 31:4,	50:10, 88:15	129:5, 132:14,	99:22, 104:15,
	year-old	134:4, 135:11,	105:22, 106:7,
31:6, 31:15, 39:16, 57:5,	33:15	136:12, 137:1,	107:11, 108:15,
71:16, 72:8,	year-to-date	151:7, 151:13,	109:11, 110:5,
/1.10, /2:0,	129:6		

	Conducted on J	ulj 21, 2010	24)
111:13, 112:1,	\$2,000	\$7350	1.4
121:18, 126:20,	33:6	75 : 19	177:7, 177:11
126:21, 126:22,	\$20,000	\$750	1.5
127:8, 128:16,	32:18, 32:25,	183:2	145:21
128:22, 128:25,	33:14	\$7900	1.6
135:18, 136:8,	\$2000	-	94:24
136:25, 137:5,	141:7	75:19, 171:11	94:24 1.9
137:14, 137:20,		\$800	
137:21, 140:4,	\$25	32:25, 33:4,	153:5
	141:9	33:7, 100:21	10
150:5, 151:9,	\$275	\$96	10:8, 23:6,
151:21, 151:22,	171:1	174:3	23:10, 73:14,
158:24, 169:6,	\$3000	•	73:15, 73:17,
172:18, 172:19,	180:13	.2	74:16, 75:12,
181:3, 181:18,	\$412	130:20, 130:23	91:11, 157:13,
188:21	145:22	.4	159:12, 159:23,
yourself	\$491	159:16	161:25, 162:18,
72:10, 74:4,	172:3, 174:18	.5	164:5, 178:22,
119:21	\$50	.5 133:18	183:24
Z	42:7		10,000
zach	\$50,000	.8	163:17
72:14, 73:3,	26:6, 56:20,	183:5, 184:11	10.9
73:9, 74:6,	57:4	.9	179:4
77:3, 85:14,	\$500	124:10, 185:9	10455
86:2, 150:8	146:9	0	155:13
zero	\$5000	0.2	10701
77:11, 77:18,	133:10	176:21	182:7
91:21, 94:21,	\$55,000	0.3	111
96:11, 101:12,		146:20	13:6, 23:7,
173:9, 173:15,	26:6, 28:9	0.4	63:5
179:8, 186:19	\$5500	177:2	11.5
zoom	132:19	0.9	
	\$58.78	146:4	77:22
98:6	30:2	00	11.6
\$	\$60,000	1:22	179:14
\$0.74	26:19	00083	11.9
130:6	\$6000		152:3, 176:19
\$1,200	141:17, 176:8,	1:7, 4:1	110
33:9	178:6, 178:15	03	162:25
\$10,000	\$6100	149:24	119
81:21, 81:25,	100:19	06156	3:10
136:14	\$640	175:17	12
\$100	128:6	1	23:7, 63:4,
33:10	\$6500	1	149:24, 187:11
\$15	76:21, 171:10	1:22, 188:25	12.12
171:12	\$6600	1.1	187:22
\$1500	152:5	179:21, 187:3	12.4
76:23	\$7,000	1.2	184:19
10:23	141:19	164:2	12.6
	\$7000	$\perp \lor \neg \iota \bullet \bigtriangleup$	187:5
			± · · · · ·
	76:24		
b			-

	Conducted on J	,	
120	170:13, 173:20,	2016	50:14, 60:12,
162:20	183:6, 184:1	13:7, 24:4,	70:6, 74:18,
13	1800	24:6, 24:11,	75:17, 77:6,
1:22, 23:7,	121:4	123:7, 156:19	77:11, 78:5,
70:25, 188:25	182	2017	78:21, 80:21,
13.7	3:15	22:24, 29:1,	88:12, 102:10,
185:10	19	29:22, 74:16,	108:8, 118:20,
130	15:9, 115:11,	77:19, 80:20,	120:17, 133:8,
	118:14, 142:1,	90:9, 97:12,	140:22, 142:14,
10:8			142:25, 143:2,
14	161:14, 170:13,	101:3, 103:23,	147:4, 149:5,
10:8, 23:8,	173:21, 183:5	105:2, 112:23,	149:15, 152:3,
23:10	1995	142:23, 145:9,	
14.2	168:17	145:14, 145:16,	154:17, 158:8,
87:3	1q	149:4, 156:20,	160:16, 167:20,
15	118:14	158:7	170:8, 170:15,
23:8, 88:4,	1st	2018	171:10, 176:11,
90:9, 90:10,	4:11, 5:13	1:7, 1:21, 4:1,	176:22, 177:9, 179:17, 179:25,
97:10, 149:22,	2	5:3, 5:23,	
176:3, 178:13	2.1	25:14, 29:2,	182:10, 186:1
15.1	178:21, 184:17	29:22, 60:22,	2020
74:21, 74:23	2.4	60:23, 68:14,	105:8, 183:18
15.2	152:16, 179:15	68:18, 75:17,	20852
74:24	2.5	77:6, 78:21,	86:15
150	140:21	89:24, 90:23,	21
3:11	2.6	91:10, 101:3,	73:17, 75:3,
151	131:7, 187:5	123:6, 123:12,	94:23, 133:20,
175:16	2.9	123:14, 129:4,	147:20
155	167:12	132:23, 140:25,	21.4
3:12	20	142:12, 142:24,	180:4
158		143:1, 143:23,	21.7
70:7	13:7, 55:12,	144:2, 145:12,	188:2
16	55:15, 69:2,	145:14, 147:15,	2101
13:7, 15:6,	151:2, 158:10,	147:16, 148:8,	86:14
164:7, 176:4	158:18	149:7, 150:12,	21117
16.6	20,000	151:13, 152:20,	155:13
180:8	32:20	153:13, 154:12,	22
168	20.2	154:16, 158:7,	5:3, 11:19,
3:13	177:21	158:8, 170:16,	11:20, 69:2
17	2010	170:25, 173:2,	22.7
11:18, 24:22,	46:2	176:11, 176:23,	66:13, 66:15
	2011	177:9, 177:18,	220,000
36:21, 49:20, 149:23, 153:7,	46:2	179:17, 181:1,	168:20
149:23, 153:7, 164:7	2014	186:2, 189:11	2221
164:7 175	13:6, 15:4,	2019	97:20
	15:9, 24:1,	4:3, 18:1,	23
3:14	24:4, 25:12,	22:11, 23:4,	15:10, 149:24
18	70:5, 70:20	23:16, 24:1,	23.4
5:9, 15:11,	2015	25:15, 44:18,	178:13
70:15, 142:1,	24:16		

	Conducted on J	ulj 21, 2010	231	
24	34	44.4	6.2	
1:21	156:4, 156:14	87:5	60:13	
24.5	35	4500	6.6	
176:2	133:20, 147:17,	121:2, 125:2,	88:3, 146:17,	
25	161:15, 164:9	185:19, 186:1	182:25	
70:10, 126:24	350,000	48	6.9	
26.8	24:17	150:16, 151:15	123:21, 124:1,	
188:4	358,000	49	142:2, 146:17	
27	24:11	87:3	60	
	36	4q	33:15, 54:2,	
33:25, 130:1 28	161:10	49 115:16	76:25, 161:17,	
	364	4th	161:25, 162:17	
73:17, 162:13 29	160:2		60,000	
		33:23, 115:12,	24:12	
68:19, 68:21,	365,000	129:16	6000	
69:4, 70:4,	24:18	5		
156:16, 158:4,	3700	5-	87:11, 87:21, 177:3	
158:22, 164:9	159:6	10:8	6100	
2nd	38.2	5-year		
115:12	4:21	70:11	99:17, 100:17	
2q	3800	5.2	63	
115:16	161:4, 163:16	94:22	121:10	
3	39	5.3	640	
3.2	86:25	60:14, 60:18,	30:8	
176:24	3q	78:1	65	
3.3	115:16	5.4	139:5	
94:22, 183:11,	3rd	184:8	6500	
183:15	115:12	5.7	76:7	
3.4	4	152:9	69	
154:17	4.3	50	68:22, 70:4	
3.5	180:2, 180:3	26:19, 30:7,	69.1	
140:22	4.6	45:10, 45:16,	68:16, 68:18	
3.6	127:14, 127:15,	152:6	7	
106:1	128:10, 128:11,	50,000	7.2	
3.8	128:12	28:1	89:11	
96:21	4.9	5000	7.3	
3.9	133:22	177:3	123:5, 123:19,	
164:10	40	53226	124:16	
30	77:7, 156:7,	182:8	7.4	
33:13, 54:2,	177:21	55,000	120:25, 126:22,	
73:15, 141:11,	400	28:2	127:9, 127:11,	
156:20, 171:11	27:3, 30:22	5500	133:21, 153:20,	
3000	4000	133:11	176:16, 179:12,	
186:23	185:19, 186:1	58	187:15	
32	418,000	87:4	7.6	
3:6, 153:15,	24:5	6	95:14	
177:24	43.5		7.7	
326	23:20	6-month	88:10	
4:21	20.20	160:5		

		uly 24, 2018	
70	47:25, 49:4,		
18:8, 20:7,	157:17		
32:19, 37:1,	8000		
37:3, 37:19,	185:19		
38:21, 64:9,	81		
65:1, 75:23,	160:13		
75:24, 76:1,	85		
76:21, 84:13,	76:24, 182:22		
184:5	86		
7000	3:8		
177:5	87		
72	29:17		
3:7	89,000		
74.9	53:1		
129:7, 130:4	9		
7400	9		
122:10, 122:11			
75	1:22 9.1		
5:6, 10:17,			
11:6, 44:11,	60:14, 60:19, 152:18		
44:16, 44:19,	9.3		
47:25, 49:3	173:3		
755	9.5		
128:13	177:24		
7600	90		
152:5	22:14, 54:2,		
78	129:19		
161:21, 162:24	9000		
7900	185:19		
177:5	94		
792	131:18		
128:12	95		
7th	57:1		
189:11	97		
8	3:9		
8.1			
167:5			
8.4			
184:10, 187:14			
8.9			
51:9, 132:25,			
188:4			
80			
30:1, 44:13,			
44:25, 45:5,			
46:4, 46:9,			
46:18, 46:23,			
L			