

**Florida Health Insurance Advisory Board  
Board of Directors Meeting Minutes  
Tuesday, October 8, 2024, 9:00 AM  
Via Teleconference  
Tallahassee, FL**

**Board Members Present:**

Alexis Bakofsky, Chair	Louisa McQueeney	Eric Johnson
John Mathews	Robert Muszynski	Bill Herrle
Rick Wallace	Seth M. Phelps	Richard B. Weiss
Nathan Landsbaum	Vickie Whaley	

**Others Present:**

- Jack McDermott, FHIAB Executive Director
- Christina Jackson, Deputy Director of Legal Affairs, Life & Health Product Review

**I. Call to Order**

Alexis Bakofsky (Chief of Staff, Office of Insurance Regulation), as the Chair, called the meeting to order at 9:00 am, indicating the meeting was properly noticed to the public in accordance with Florida Law. The Chair thanked the members for their attendance, especially given Hurricane Milton; she acknowledged that Board members may have other commitments due to the impending storm, and promised to try to finish the meeting as expeditiously as possible.

**II. Roll Call**

Jack McDermott conducted a roll call of members, noting the presence of a quorum.

**III. Antitrust Statement**

Christina Jackson was recognized to review the antitrust statement.

**IV. Approval of Minutes, September 11, 2024**

The Chair presented the minutes from the Board's September 11, 2024, meeting and asked for questions or comments. The Chair accepted a motion from Rick Wallace to approve the minutes, seconded by Seth Phelps. The minutes were approved without changes.

**V. Executive Director's Report**

The Chair recognized Jack McDermott to present the executive director's report. Mr. McDermott presented the latest financial statements from September 30, 2024, and noted the Board has roughly \$83,000 in total assets, and \$61,600 in net assets – the difference (liability) being the audits for 2022, and 2023. Although checks were sent to Purvis Gray for the 2022 audits – the checks in the amount of \$6,850 for the small group market and \$3,500 for the individual market had not cleared the bank as of September 30<sup>th</sup>.

The Chair asked if any Board members had questions. Hearing none, the Chair moved to the next agenda item.

## **VI. Legislative Proposals for 2025**

The Chair noted the purpose of the meeting today was to hear legislative proposals submitted by Board members and discuss them; a Board vote on these proposals will occur during a future meeting. She mentioned that for expediency, she would appreciate it if Board members held their questions until the end.

All eight (8) of the proposals were submitted by Louisa McQueeney, so she was asked to present them:

- Proposal # 1: Deductible Health Credit Transfer
- Proposal # 2: Provide Health Care Consumers with One Free Copy of their Own Medical Records
- Proposal # 3: Protect Consumers from Prescription Drug Formulary Changes During a Policy Year
- Proposal # 4: Cap the Cost of Insulin at \$35 a Month
- Proposal # 5: Prohibit Balance Billing for Ground Emergency Medical Transportation
- Proposal # 6: Include Applied Behavioral Analysis as a Covered Benefit in all Insurance Plans
- Proposal # 7: Add Fetal Alcohol Spectrum Disorder (FASD) to Include to the Definition of the Term Developmental Disabilities
- Proposal # 8: Apply Payments by, or on Behalf of, a Beneficiary to Count Toward the Out-of-Pocket Cost Sharing Calculations

The Chair asked the Board if there were any questions. Board member Vickie Whaley had questions about Proposal # 1 and Proposal # 3.

### **Proposal # 1 -**

Ms. Whaley started with a question pertaining to the timing of the deductible transfer. Louisa McQueeney stated this pertains to a special enrollment, when a person has paid part or all of a deductible with one carrier and has to switch mid-year and start over again with a new carrier.

Ms. Whaley expressed concern about the underwriting – a carrier may have to underwrite for the risk of a new insured transferring into a new plan who has paid for some or all of their deductible with another carrier, and that could potentially impact rates; there was also a question as to whether money could be transferred between the first and second carrier. Ms. McQueeney stated these were fair points. They agreed to work together through the Executive Director to potentially amend this proposal.

### **Proposal # 3 -**

Ms. Whaley asked whether it was true in this proposal that if a drug in the drug formulary decreased – that savings would be passed along to the insured, but if a drug increased, it would not affect the consumer. Ms. McQueeney stated that is correct; the intent of the proposal is that individuals make a decision for a one-year contract based on the current formula, and it does not seem to be fair that insurers can “change the contract” mid-year.

Ms. Whaley was concerned about the risk-reward being one-sided – the insurer may need to use “decreases” in drug costs to offset “increases” in drug costs. Again, both Ms. McQueeney and Ms. Whaley agreed to work together to potentially amend this proposal.

The Executive Director reminded the Board they will need to work through the Executive Director as two Board members should not meet outside a public forum to conduct any Board business. The Board members agreed to work with the Executive Director on Proposals # 1 and # 3.

The Chair asked if there any other questions, or any other proposals. Hearing none, the Chair moved to other business.

**VII. Other Business**

The Chair asked if any Board member had other business. Hearing none, the Chair moved to the next agenda item.

**VIII. Public Comment**

The Chair asked if anyone from the public had comments about any of the items discussed during the Board meeting. There were no members of the public that wished to speak.

**IX. Adjourn**

The Chair urged everyone to be safe with regards to Hurricane Milton, and the Board will meet again before the end of the year to vote on the legislative proposals. She thanked everyone who participated. Having completed the agenda, the Chair adjourned the meeting.



**February 11, 2025**

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Prepared by: Jack McDermott, Executive Director

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Approved by Board