

Network Adequacy

Colorado Division of Insurance

Network Adequacy

- Welcome and Introductions – Commissioner Salazar
- Meeting Overview - Peg Brown
 - o Model law vs. current Colorado Law and Proposed Federal Regulations
 - o Timing and Rulemaking for compliance
 - o Stakeholder participation/prioritization of topics

Network Adequacy

- Today's Meeting
 - o Past/Current Network Adequacy Activities
 - o Immediate Future/Plan of Action
 - o Longer-term Topics and Approach

Network Adequacy

Ability of carrier to provide access to sufficient numbers and types of providers, that are included in terms of member/employer policies

Why this is important

Ensures consumers have choices and access to covered benefits

Past/Current Network Adequacy Activities

- Colorado has had a managed care law since 1997, which provides for network adequacy (CFR §10-16-704):
 - Network is sufficient in numbers and types of providers to cover all covered benefits
 - Services are accessible without reasonable delay
 - For emergency care, covered persons have access to health care services 24 hours per day, seven days a week.

What the DOI has done:

- Two studies, 2014 & 2015 looking at driving time in 2014 and changed to driving distance in 2015 – mapped providers and facilities 2015 (more standardized and more providers) and 2016 (more providers and included enrollments for possible provider/enrollee ratios)
- 2014 – Present: reviewed and collected provider/facility listings, network access plans, attestations of adequate networks and attestations to meeting essential community providers (ECPs)
- Reviewed network adequacy filings in 2014, 2015 and 2016 for issues and problems.

Essential Community Providers

- The Affordable Care Act (ACA) requires a sufficient number and geographic distribution of essential community providers (ECPs), where available.
- ECPs are providers that serve predominately low-income, medically underserved individuals. ECPs include but are not limited to Federally Qualified Health Centers, Ryan White Provides, Family Planning Providers, Native American Providers, and specific hospitals.

Current Network Adequacy Law

- Carriers can use reasonable criteria to determine sufficiency, such as:
 - Provider/Covered persons ratios, by specialty (which can include telehealth);
 - Primary care provider-covered person ratios;
 - Geographic accessibility, which may include crossing of county or state lines;
 - Waiting times for appointments, participating providers & hours of operation
 - Volume of technological and specialty services available to covered persons; and
 - Adequate number of assessable acute hospital services within a reasonable driving distance, travel time or both



Plan of Action

- Access to Care is #1 Priority
- Hold Stakeholder meetings on Network Adequacy Topics
 - Network Composition and Metrics
 - Discuss requirements for 2017 plan year filings
 - Metrics for Access to Service/Waiting time Standards, Primary Care Provider Ratios, Geographic Access Standards
 - Essential Community Provider Data
 - Access Plans/Access Standards
 - Filing and consumer accessibility requirements
 - Required disclosures
 - Provider Directories
 - Access, information contained, update requirements, audit standards



Plan of Action

- Hold Stakeholder meetings on NAIC Network Adequacy Model Act as it relates to current Colorado law and regulations
 - Discuss those areas of the model already addressed by current law
 - Discuss areas of the model that can be addressed by rulemaking
 - Discuss areas of federal requirements that need to be addressed by rulemaking
 - Identify those areas that require statutory changes for implementation
 - Prioritizing and scheduling relevant rulemaking



Plan of Action

- Future Stakeholder Meetings
 - February 17th, 1:30-3:30PM – Room 110D – Network Composition/Metrics (due to filing deadlines)
 - March 2nd, 1:00 – 3:00PM – Room 110D – Access Plans
 - March 15th, 1:00 – 3:00PM – Room 850B – Provider Directories
 - March 30th, 1:00 – 3:00PM – Room 850B – Rulemaking topics/process
 - April and beyond – As needed



Immediate future

- Drafting bulletins and corresponding regulations in 2016, to provide more quantifiable network adequacy filing and data requirements
 - Access to services (including metrics), access plan requirements and provider directory requirements
 - Filing instructions currently under development
 - Expect a mid-March completion date
 - Dependent upon release of final federal templates
- New federal template for filing network adequacy information
 - Current Colorado Template is working
 - Federal template will combine network adequacy and ECP templates
 - Federally filed templates will require federal validation
 - Is required for 2017 filings – DOI will using this template for 2017 filings



Long-term Goals/Process

- If needed, draft a bill to address any identified or remaining items in the NAIC Network Adequacy Model Law and/or consumer issues
 - That are needed to protect Colorado consumers
 - Make sense for Colorado



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Questions

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Materials and agendas will be sent out at least a week prior to each meeting so that the meeting time can be devoted to discussion



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