

LOUISIANA HEALTH CARE COMMISSION

**Louisiana Department of Insurance
Commissioner of Insurance James J. Donelon**



Report to the Legislature

January 1, 2005 - December 31, 2005

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Louisiana Health Care Commission

James J. Donelon, Commissioner of Insurance
LOUISIANA DEPARTMENT OF INSURANCE

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I. HISTORY OF THE LOUISIANA HEALTH CARE COMMISSION

On July 14, 1992, the Governor signed into law Act 1068 creating the Louisiana Health Care Commission (L.R.S. 22:9). The Louisiana Health Care Commission (LHCC) is a 50 member multi-disciplined, advisory board which undertakes comprehensive review of complex health care issues facing Louisiana. The commission examines certain health policy developed by the Department of Insurance as well as other issues addressing reform of the health care and health insurance systems in Louisiana, in order to make access to quality health care more affordable and available for its citizenry. Through public meetings and forums the commission receives testimony, reports and informational presentations about the availability and affordability of health care and health insurance coverage in the state from regional and national experts. The commission openly solicits, encourages and receives public comment at all meetings. The commission coordinates its efforts with other study commissions, state agencies and executive initiatives.

II. MEMBERSHIP - LOUISIANA HEALTH CARE COMMISSION

The Louisiana Health Care Commission is composed of a great variety of health care experts and stakeholders, including health care payors, providers, employer organizations and community leaders. Members are also nominated from the governing boards of Louisiana's colleges and universities, the Senate and House Insurance Committees, as well as at-large appointments designated by the Commissioner of Insurance.

Since its inception in 1992, the commission has grown to include 50 members. During the 1995 Regular Session of the Louisiana Legislature, Act 594 revised and re-enacted the authorizing legislation to expand the commission to 39 members and extend its work until June 30, 1999. During the 1997 Regular Session of the Louisiana Legislature, Act 869 increased the size of the commission, to 44 members. During the 1999 Regular Session of the Louisiana Legislature, Act 446 was passed, which further increased the number of commission members and transferred the Louisiana Health Care Commission to the Department of Insurance by L.R.S. 36:686 (B).

During the 2004 Regular Session of the Louisiana Legislature, Act 495 amended R.S. 22:9 removing one dissolved organization and adding six new organizations to the commission, expanding the membership to 50 members.

The members of the Louisiana Health Care Commission as of December 31, 2005 were as follows:

(See Appendix I)

Ms. Sandra C. Adams
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Glenn A. Ally, Ph.D.
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Ms. Coletta C. Barrett
Louisiana Hospital Association

Ms. Leah Barron
Louisiana Health Plan

Mr. Warren Benoit
At-Large Appointee

Mr. Aaron Brace
Louisiana Association of Health Plans

Honorable Sharon Weston Broome
Senate Committee on Insurance

Mr. Scott Broussard
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Ms. Kathy Chittom
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Mr. Kelly Cox
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Mr. Steve Deist
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Mr. Kerry B. Drake
Louisiana Association of Insurance & Financial
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Louisiana Health Care Review, Inc.

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Ms. Donna Fraiche, Esq.
Chairperson
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Louisiana Council on Human Relations

Ms. Veronica F. Gray
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Blue Cross & Blue Shield of Louisiana

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Mr. Scott Kipper
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America's Health Insurance Plans

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Louisiana Primary Care Association

Romell J. Madison, D.D.S.
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Alan M. Miller, Ph.D., M.D.
Vice-Chairperson
At-Large Appointee

Ms. Myra Myers
League of Women Voters of Louisiana

J. Patrick O'Brien, Ph.D.
Loyola University

Mr. Joseph "Butch" Passman
Louisiana Business Group on Health

Ms. Christine A. Peck
Department of Health and Hospitals

Ms. Phyllis Perron
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Mr. Richard Raether
Louisiana Health Care Alliance

Mr. George Renaudin, II
Humana Health Benefit Plan of Louisiana

Ms. Bridgette Richard
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Honorable Gary L. Smith, Jr.
House Committee on Insurance

Mr. Donald R. Smithburg
LSU Health Sciences Center - HCSD

Ms. Donna Swanson
National Independent Insurance Agents

Ms. Marsha Mason Wade
Louisiana Trial Lawyers Association

Ms. Tammy Woods
Louisiana Independent Pharmacies Association

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Ms. Vanessa Vince, Compliance Examiner
Ms. Karen Krumholt, Compliance Examiner
Ms. Deborah D. Harkins, Legal Counsel

III. MEETINGS AND SUBCOMMITTEES – LOUISIANA HEALTH CARE COMMISSION

The Louisiana Health Care Commission conducted 13 public meetings during the calendar year, January 1, 2005 through December 31, 2005. The Louisiana Health Care Commission began a new two-year study period on July 1, 2003 in which members gave their recommendations for possible study issues.

Presentations and Reports to the Louisiana Health Care Commission

Throughout the study period, several representatives of the health care industry and state government presented information regarding ongoing projects to improve the level of health care for Louisiana's citizenry. Some of the topics discussed included: local community health coverage initiatives, the Health Insurance Flexibility and Accountability waiver and the Louisiana Campaign for Tobacco Free Living. Due to the events of Hurricanes Katrina and Rita, the commission also received several presentations regarding the status of Louisiana's Medicaid program and the health care infrastructure in the affected regions.

LHCC Strategic Planning Subcommittee

The LHCC Strategic Planning Subcommittee was created to adopt guidelines for the operations of the commission over the next five years. The subcommittee held three meetings during this reporting period. The subcommittee members identified and evaluated the strengths and weaknesses of the Louisiana Health Care Commission and determined external positive and negative factors that could impact the commission's performance. The subcommittee members created multiple goals and established objectives along with an action plan to achieve each goal.

The draft five year strategic plan was submitted to the commission members on February 25, 2005. The commission members voted to adopt the LHCC Strategic Plan as presented.

LHCC Pharmaceutical Subcommittee

The LHCC Pharmaceutical Subcommittee was created during the LHCC 2003-2005 two-year study period. The subcommittee held its first of three meetings during this reporting period on March 31, 2005. During these three meetings, the subcommittee members agreed to focus and study the following issues during future subcommittee meetings:

- Market Practices of the Pharmacy Industry
- State Assistance Programs and Purchasing Pools
- Education on the Impact of Medicare Part D

Federal Medicaid Budget Issues Subcommittee

A motion by the Louisiana Health Commission members was approved at the regular meeting of the commission on February 25, 2005 to form a subcommittee to study the federal Medicaid budget issue. The motion was also in response to a previous motion approved at the

same meeting suggesting that the commission send a letter to the Louisiana Congressional delegation opposing President George W. Bush's proposal to establish a cap on federal Medicaid payments to each state.

The Federal Medicaid Budget Issues Subcommittee met on March 21, 2005. The subcommittee requested that the commission staff draft a letter to President George W. Bush urging him not to reduce the state's Medicaid funding until Louisiana had sufficient alternate funding sources in place. The subcommittee also requested that the staff draft a letter to Secretary Fred Cerise of the Louisiana Department of Health and Hospitals urging him to locate alternate sources of funding for the state's Medicaid program. The commission discussed the draft letters at the regular meeting of the Louisiana Health Care Commission on April 8, 2005. The commission members approved a motion to send the letters to President Bush and Secretary Cerise.

IV. OTHER KEY ISSUES ADDRESSED BY THE LOUISIANA HEALTH CARE COMMISSION

LaCHOICE Technical Advisory Group

Act 424 of the 2003 Regular Session authorized the Department of Insurance and the Department of Health and Hospitals to establish a pilot health insurance program for small employers – LaCHOICE. LaCHOICE is a health insurance program to increase access to affordable health insurance for small employers. The plan may be offered by commercial insurers to small employers that have not offered health insurance benefits to their employees for the previous six months.

Act 813 of the 2003 Regular Session directed the Department of Health and Hospitals to develop a Health Insurance Flexibility and Accountability (HIFA) waiver proposal for approval by the Joint Legislative Committee on the Budget during the 2004 Regular Session. This proposal was approved by the Joint Legislative Committee on the Budget during the 2004 session. The use of a federal waiver as the vehicle to fund LaCHOICE allows Louisiana to use federal funds to provide a premium subsidy to reduce the costs for both the employer and the employee.

Act 751 of the 2004 Regular Session further outlined the specific requirements and details including the eligibility criteria for participation in the LaCHOICE program.

In order to further develop the LaCHOICE program, as a component of the HIFA waiver, the staff of the Louisiana Health Care Commission and Louisiana Department of Health and Hospitals together formed the LaCHOICE Technical Advisory Group (TAG) in November 2004. This advisory group is made up of insurance providers, carriers, producers, consumers, and business and industry representatives. Issues discussed by the TAG included the enrollment process, the benefit package and outreach marketing issues.

Task Force on the Working Uninsured

The Task Force on the Working Uninsured was created by Senate Concurrent Resolution (SCR) 48 of the 2002 Regular Session. This task force was created to study and make recommendations regarding possible solutions to Louisiana's serious problem of the working uninsured.

House Concurrent Resolution (HCR) 105 of the 2004 Regular Session extended the study period of the Task Force on the Working Uninsured to January 1, 2007. The resolution also authorized the Office of Health of the Department of Insurance to staff the 25 member task force. The Louisiana Health Care Commission staff will continue to work with the chairperson and members of the task force to complete its mission.

During this reporting period, three meetings of the Task Force on the Working Uninsured were held. A Subcommittee on Data Collection was created to gather information pertinent to the study of the uninsured from the various organizations assigned to the task force. Two meetings of the Subcommittee on Data Collection were held during this reporting period.

Action taken by the Task Force on the Working Uninsured included the adoption of a resolution in support of the LaCHOICE program on April 12, 2005.

Minority Health Care Forum

One of the objectives of the commission is to bring awareness to the many important and diverse issues related to the delivery of health care in our state. In order to further this objective, on July 14, 2005, the Louisiana Health Care Commission and the Department of Insurance held a public forum on Minority Health Care. Speakers from the Henry J. Kaiser Family Foundation and Aetna Inc. discussed the challenges many minorities face in obtaining access to quality health care and the unique health care needs of the minority population.

The forum was attended by over 100 insurance industry representatives, health care providers, health and accident insurance producers, business leaders, as well as the general public and news media.

Other Action Taken:

The commission adopted a resolution on April 8, 2005 in support of the national event, Cover the Uninsured Week.

On April 12, 2005, the Louisiana Health Care Commission sent a letter to President George W. Bush regarding proposed budget cuts to Louisiana's Medicaid program. The letter recommended that the President's Fiscal Year 2006 budget proposal protect adequate funding for the Louisiana Medicaid program.

On April 12, 2005, the Louisiana Health Care Commission sent a letter to Fred P. Cerise, M.D., Secretary of the Louisiana Department of Health and Hospitals. The letter advised Secretary Cerise that a letter was sent to President Bush requesting that the President's Fiscal Year 2006 budget proposal protect the funding and current structure of Louisiana's Medicaid program. The letter also expressed the continued support by the commission of Dr. Cerise's

efforts to find adequate sources of funding for Louisiana's Medicaid program that would not exacerbate the overall high cost of health care.

V. HEALTH CARE LEGISLATIVE CONCEPTS APPROVED BY THE LOUISIANA HEALTH CARE COMMISSION FOR ADOPTION DURING THE 2005 REGULAR LEGISLATIVE SESSION

House Bill 203 of the Department of Insurance 2005 Legislative package was recommended by a vote of the commission on May 20, 2005. The legislation provides relative to group health insurance coverage of a dependent previously enrolled in the Louisiana Children's Health Insurance Program. The legislation was approved during the 2005 Regular Session as Act 47.

VI. DEPARTMENT OF INSURANCE ANNUAL HEALTH CARE CONFERENCE

The Louisiana Department of Insurance, in conjunction with the Louisiana Health Care Commission, scheduled its Tenth Annual Health Care Conference for October 18, 2005 in Baton Rouge, Louisiana.

Due to the aftermath of Hurricane Katrina on August 29, 2005 and Hurricane Rita on September 24, 2005, the Tenth Annual Health Care Conference was rescheduled to January 23, 2006.

VII. LOOKING AHEAD

The Louisiana Health Care Commission will continue to study, monitor and make recommendations related to the availability and affordability of health care and health care coverage to the Commissioner of Insurance. One of the main efforts to accomplish this goal during 2006 will be in assisting with the final development and implementation of the LaCHOICE program. LaCHOICE is a positive step forward to assist small employers of Louisiana who are currently unable to purchase health insurance benefits due to cost barriers.

The Louisiana Health Care Commission will continue to study issues related to the provision of pharmaceutical benefits for all Louisiana citizens, including the implementation of the federal Medicare Prescription Drug Improvement and Modernization Act.

The Louisiana Health Care Commission will continue to monitor all federal and state legislation and make recommendations accordingly.

The Louisiana Health Care Commission staff will continue working with the Chairperson and members of the Task Force on the Working Uninsured to complete its mission.

The Louisiana Health Care Commission will continue with the implementation of the goals and objectives included in the strategic plan.

CONCLUSION

We trust that this report is both informative and enlightening to our state legislators. The Louisiana Health Care Commission remains committed to addressing the many health policy issues with which the state is faced today in the provision for and payment of affordable, available, quality health care. In light of the recent events of Hurricanes Katrina and Rita, the challenges facing Louisiana in regards to the uninsured population have increased dramatically. In a state where we can ill afford to add more people to the uninsured rolls, now is the time where creative solutions will be of the utmost importance. This is an unprecedented exciting time of exploration for new ideas to improve the position of our state in the health care arena. The commission looks forward to playing a role in the search for more effective and efficient solutions for the delivery of health care in Louisiana.



Handwritten signature of Donna D. Fraiche in black ink.

Donna D. Fraiche, Chair
Louisiana Health Care Commission

Handwritten signature of Alison M. Jones in black ink.

Alison M. Jones, Executive Director
Louisiana Health Care Commission

For more information about the Department of Insurance and the Louisiana Health Care Commission, you may access the Department of Insurance official Web site at <http://www.lidi.state.la.us>. A list of Louisiana Health Care Commission members and meeting dates are available on the Web site.

Appendix 1

The members of the Louisiana Health Care Commission as of December 31, 2005 were as follows:

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