

**FLORIDA HEALTH MAINTENANCE ORGANIZATION  
CONSUMER ASSISTANCE PLAN**

**Board Meeting  
Tuesday, August 25, 2020  
3:00 p.m. EST**

**By Teleconference  
Call In Number: 844.263.5416 Passcode: 8504251634**

**AGENDA**

**I. Call to Order** **Stephen Harris**

**II. Antitrust Preamble** **Stephen Harris**

We are here to discuss and act on matters relating to the business of the Florida Health Maintenance Organization Consumer Assistance Plan (HMOCAP). We are not here to discuss or pursue the business of our individual member companies. All of us should proceed with caution and awareness of the requirements and prohibitions of federal and state antitrust laws. We should not engage in discussions, either at this meeting or in private conversation, of our individual companies' plans or contemplated activities. We should concern ourselves only with the business of the HMOCAP as set forth in the agenda for this meeting. Only HMOCAP matters may be discussed at the meeting and each company's business plans cannot be discussed.

**III. Approval of Minutes** **Stephen Harris**

- November 18, 2019  
(Attachment "A")

- May 19, 2020  
(Attachment "B")

**IV. Welcome New Board Members:**

- Ronald Weeden on behalf of Humana Medical Plan, Inc.
- Holly Prince on behalf of Simply Health Care Plans, Inc.
- Jamie Forrest on behalf of Health First Health Plans, Inc.

**V. Request for Link to MesotheliomaVeterans.org.** **Bruce Platt**  
(Attachment "C")

**VI. Resignation of Stephen Harris and Appointment of New Board Chair** **Sabin Bass**

**VII. Recommendation of Appointment of Jeff Tindall to the HMOCAP Board of Directors** **New Chair**  
(Attachment "D")

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| <b>VIII. Selection of Board Member to Serve on the FLAHIGA Board</b> | <b>New Chair</b> |
| <b>IX. Other Business</b>  | <b>New Chair</b> |
| <b>X. Adjourn</b>  | <b>New Chair</b> |

**FLORIDA HEALTH MAINTENANCE ORGANIZATION  
CONSUMER ASSISTANCE PLAN**

**Annual Meeting of the Board of Directors  
Monday, November 18, 2019 at 11 a.m. Eastern Time**

**Hilton Orlando Bonnet Creek**

Board Members Participating

Dr. Raed Assar, Chairman  
David Schandel, Secretary/Treasurer  
Stephen Harris, Vice Chairman  
Sabin Bass  
John Matthews

Others in Attendance

Bruce Platt, Akerman LLP  
Sheryl Rosen, Akerman LLP  
LeShan Smith, Akerman LLP  
Leean Chojnowski, Florida Office of Insurance Regulation  
Champa Burns, Florida Office of Insurance Regulation  
Toma Wilkerson, Florida Department of Financial Services  
Ron Weeden, Humana Medical Plan, Inc.  
William Falck, Florida Life and Health Insurance Guaranty Association

**I. Call to Order**

Chairman Dr. Raed Assar noted the presence of a quorum and called the meeting of the Board to order.

**II. Antitrust Preamble**

Dr. Assar read aloud the following antitrust preamble:

We are here to discuss and act on matters relating to the business of the Florida Health Maintenance Organization Consumer Assistance Plan ("HMOCAP"). We are not here to discuss or pursue the business of our individual member companies. All of us should proceed with caution and awareness of the requirements and prohibitions of federal and state antitrust laws. We should not engage in discussions, either at this meeting or in private conversation, of our individual companies' plans or contemplated activities. We should concern ourselves only with the business of the HMOCAP as set forth in the agenda for this meeting. Only HMOCAP matters may be discussed at the meeting and each company's business plans cannot be discussed.

**III. Approval of Minutes**

Dr. Assar asked the Board members for comments or changes to the draft minutes of the May 23, 2019 Board meeting. Hearing none, Stephen Harris moved to approve the minutes as drafted. Sabin Bass seconded the motion, which passed without opposition.

#### **IV. Status of Board Vacancies**

Plan Manager Bruce Platt informed the Board of Directors that there are currently two vacant positions on the Board. Member companies nominated Ron Weeden of Humana and Brad Bentley of AvMed. However, Mr. Bentley since left AvMed and is therefore no longer eligible to serve. Mr. Platt explained that Florida HMOs have voted to confirm Mr. Weeden's appointment, and the next step was for the HMOCAP to also approve him and to request that the Department of Financial Services appoint him to the Board.

Mr. Weeden next introduced himself to the Board and gave a brief overview of his experience with HMOs both outside and within Florida. Mr. Harris moved to appoint Mr. Weeden to the Board. Mr. Bass seconded the motion, which passed without opposition. Mr. Platt said that he would notify the Department so that Mr. Weeden can be appointed.

Mr. Platt confirmed that he will petition the member HMOs for additional nominations to fill the remaining vacancy in the beginning of 2020.

#### **V. Financial Statements**

Secretary/Treasurer Schandel reviewed the financial statements and stated that they were consistent with prior years. He noted that there were increased legal expenses because of Florida's legislative initiative to include HMOs in the long-term care insurance assessment base. He explained that these expenses had been approved in advance by the HMOCAP Board.

#### **VI. Independent Auditor Report**

Secretary/Treasurer Schandel discussed the independent auditor's report and noted the auditor's opinion that the financial statements were presented fairly, in all material respects. Mr. Bass moved to accept the report. Mr. Harris seconded the motion, and it passed without objection.

#### **VII. Budget and Proposed Budget**

Secretary/Treasurer Schandel reviewed the 2019 budget and the proposed 2020 budget. He noted that the HMOCAP was approximately \$2,385 under budget in 2019, and he said that the 2020 budget was consistent with the 2019 budget, except the accounting and audit fees had been adjusted downward to reflect the expected expenses for 2020. Mr. Platt reminded the Board that legal fees associated with insolvencies, including long-term care insolvencies, and legal fees associated with integration with the Florida Life and Health Insurance Guaranty Association were not included in the budget as they were not predictable at this time. Mr. Harris moved to approve the 2020 budget. Mr. Bass seconded the motion, and it passed without objection.

#### **VIII. Investment Report**

Secretary/Treasurer Schandel reviewed the investment report and noted that the investments were consistent with the investment policy that had been adopted by the HMOCAP Board of Directors. Mr. Harris moved to approve the investment report. Mr. Bass seconded the motion, and it passed without objection.

#### **IX. Selection of Auditor**

Mr. Platt explained that Moran and Smith have been the HMOCAP's auditors for several years, and he said that Moran and Smith's past responses to the HMOCAP's solicitation for an auditing firm were significantly lower than any of the other respondents. Mr. Platt noted that Moran and Smith proposed to provide auditing services for 2020 to the HMOCAP for \$7,500, which was the same amount as in 2019. Mr. Platt recommended that the HMOCAP Board accept Moran and Smith's proposal for 2020, and Mr. Platt said that the HMOCAP's policies and procedures do not require a new solicitation for an auditor this year. Mr. Harris moved to accept Moran and Smith's proposal to audit the HMOCAP in 2020 for \$7,500. Mr. Schandel seconded the motion, and it passed without objection.

#### **X. Plan Manager Report**

Mr. Platt reviewed the proposed changes to the HMOCAP's Plan of Operations. He noted that the vast majority of the changes are necessary to reflect the statutory changes that require Florida HMOs to contribute to long-term care insurance insolvencies and that require the HMOCAP to select a Board member to participate on the Florida Life and Health Insurance Guaranty Association's Board of Directors. He noted that he had received two comments after initially circulating the draft. First, in Article IX, Section 2, the reference to Article X should be changed to Article XI (a new Article X was created, and this citation was not updated). Second, in the newly created Article X, Section 1, the language should be amended to reflect that the Department of Financial Services must approve the HMOCAP's appointment to the Florida Life and Health Insurance Guaranty Association's Board of Directors. Mr. Harris moved to approve the revisions to the Plan of Operations with the changes that were discussed. Mr. Bass seconded the motion, and it passed without objection.

#### **XI. Longer-Term Care Assessment Issue**

Mr. Platt explained that he contacted each of the eligible members of the HMOCAP's Board of Directors to determine whether the member was interested in also serving on the Florida Life and Health Insurance Guaranty Association's Board. Mr. Platt explained that Mr. Harris was the only eligible member of the HMOCAP Board who responded with an interest in serving in that capacity.

Chairman Assar asked if any other Board members would like to be nominated to serve on the Florida Life and Health Insurance Guaranty Association's Board. Board members stated that they were comfortable with Mr. Harris serving in this role. Mr. Bass moved to submit Mr. Harris' name to the Department of Financial Services to approve him as a member of the Florida

Life and Health Insurance Guaranty Association's Board of Directors. Mr. Matthews seconded the motion, and it passed without objection.

Mr. Platt said that the Florida Life and Health Insurance Guaranty Association's next Board meeting is scheduled for Friday, January 10, and that he would attend the meeting. Mr. Harris reminded the Board that the statute allows him to select an alternate from CIGNA if he is unable to attend a Florida Life and Health Insurance Guaranty Association Board meeting, and Mr. Harris said that he probably would need to select an alternate to attend this meeting.

## **XII. Review of Plan Manager**

Chairman Assar asked Mr. Platt to discuss his firm's proposal to contract with the HMOCAP as plan manager and legal representative for 2020. Mr. Platt said that Akerman's proposal was the same as the contract that currently is in effect. Representatives of Akerman left the meeting while the Board discussed the proposed plan manager contract. Following discussion, the Board agreed to enter the plan manager contract with Akerman for another year.

## **XIII. Election of Board Officers**

Chairman Assar announced that he is planning to step down from his role as chair of the board but wishes to continue serving as a board member through the end of the year. He thanked all board members for their work on behalf of the HMOCAP, and he asked members to speak if they are interested in becoming chair. Mr. Platt announced that Mr. Harris, who currently serves as vice-chairman of the Board, had expressed interest in serving as chair. Mr. Harris added that he has been serving on the board intermittently since the 1990s and was familiar with HMOCAP issues. Mr. Schandel moved to appoint Mr. Harris as chair of the HMOCAP Board of Directors. Mr. Bass seconded the motion, and it passed without objection.

New Chairman Harris then asked for nominations for persons to serve as Vice-Chair. Mr. Bass said that he would serve as Vice-Chair. Dr. Assar nominated Mr. Bass as Vice-Chair of the HMOCAP Board of Directors. Mr. Schandel seconded the motion, and it passed without objection.

Mr. Schandel said that he would continue to serve as Secretary/Treasurer of the Board. Dr. Assar nominated Mr. Schandel to serve as Secretary/Treasurer of the HMOCAP Board of Directors. Mr. Bass seconded the motion, and it passed without objection.

## **XIV. Office of Insurance Regulation Updates and Issues**

Ms. Chojnowski said that the Office of Insurance Regulation had nothing to report.

## **XV. Department of Financial Services Updates and Issues**

Ms. Wilkinson said that the Department of Financial Services had nothing to report.

## **XVI. Other Business**

Mr. Platt and members of the Board thanked former chairman Assar for his service. There was no other business.

**XVII. Adjourn**

By unanimous consent, the meeting was adjourned.

\_\_\_\_\_  
David C. Schandel, Secretary/Treasurer  
Florida HMO Consumer Assistance Plan

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

**FLORIDA HEALTH MAINTENANCE ORGANIZATION  
CONSUMER ASSISTANCE PLAN**

**Board Meeting**

**Thursday, May 19, 2020 at 10:30 A.M. Eastern Time  
by Teleconference**

Board Members Participating

Stephen Harris, Vice Chairman

David Schandel, Secretary/Treasurer

Dr. Raed Assar

John Matthews

Others in Attendance

Bruce Platt, Plan Manager

Ron Weeden

Leean Chojnowski, Florida Office of Insurance Regulation

Champa Burns, Florida Office of Insurance Regulation

Toma Wilkerson, Florida Department of Financial Services

**I. Call to Order**

Chairman Harris welcomed attendees and called the meeting to order.

**II. Antitrust Preamble**

Chairman Harris read aloud the following antitrust preamble:

We are here to discuss and act on matters relating to the business of the Florida Health Maintenance Organization Consumer Assistance Plan ("HMOCAP"). We are not here to discuss or pursue the business of our individual member companies. All of us should proceed with caution and awareness of the requirements and prohibitions of federal and state antitrust laws. We should not engage in discussions, either at this meeting or in private conversation, of our individual companies' plans or contemplated activities. We should concern ourselves only with the business of the HMOCAP as set forth in the agenda for this meeting. Only HMOCAP matters may be discussed at the meeting and each company's business plans cannot be discussed.

**III. Submission of Nomination of Jamie Forrest to the Department of Financial Services**

Mr. Platt explained that there currently are six persons on the HMOCAP Board of Directors, and that traditionally the HMOCAP has nine directors. He said that Mr. Ron Weeden has been through the nomination process, and that the HMOCAP is awaiting the Department of Financial Services appointment to the Board. There are two other vacant positions on the Board, and Mr. Platt said that

there Jamie Forrest of Health First Health Plans and Holly Prince of Simply Health were the only two persons who were nominated by Florida HMOs to fill the positions, and that the Florida HMOs had voted to accept them. He said that the HMOCAP Board must review them, and if the Board approves, their names will also be sent to the Department of Financial Services for appointment to the Board.

After that introduction, Mr. Schandel made the motion to forward Ms. Forrest's name to the Department of Financial Services for appointment to the HMOCAP Board of Directors. Dr. Assar seconded the motion, and the motion passed without opposition.

**IV. Submission of Nomination of Holly Prince to the Department of Financial Services**

Dr. Assar made the motion to forward Ms. Prince's name to the Department of Financial Services for appointment to the HMOCAP Board of Directors. Mr. Schandel seconded the motion, and the motion passed without opposition

**V. Other Business**

Mr. Platt noted that review of the minutes for the November 18, 2019 Board meeting inadvertently was not included with this meeting's agenda. He explained that those minutes, as well as minute of this May 19, 2020 meeting, will be reviewed at the next meeting of the HMOCAP Board of Directors.

Mr. Platt explained that there were several new persons on the HMOCAP Board of Directors, and he said that a review of Florida's sunshine laws might be helpful for the new Board members. Chairman Harris asked Mr. Platt to review the sunshine law requirements in the next meeting.

**VI. Adjourn**

Hearing no further business, a motion to adjourn was made and accepted. Chairman Harris declared the meeting adjourned.

\_\_\_\_\_  
David C. Schandel, Secretary/Treasurer  
Florida HMO Consumer Assistance Plan

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_

## Jay, Terri (LAA-Tlh)

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**From:** Lindsey Berger <lindsey@mesotheliomaveterans.org>  
**Sent:** Tuesday, July 28, 2020 11:24 AM  
**To:** Platt, Bruce (Ptnr-Tlh)  
**Subject:** Health Support Inquiry

Hello Bruce,

I came across Florida Health Maintenance Organization Consumer Assistance Plan while searching for organizations to reach out to about mesothelioma awareness. I want to thank you and your organization for offering great support and resources to those who are in need of your services. I'm a member of the advocacy support team with the Mesothelioma Veterans Center at MesotheliomaVeterans.org.

I'm reaching out to you in an effort to bring awareness about mesothelioma, cancer that deeply affects families throughout the country. Mesothelioma is caused by exposure to asbestos. Asbestos can be found in many places such as houses, fire stations, Naval Shipyards and other older structures. **Asbestos is such a dangerous material because it only takes limited exposure to the fibers for them to become deadly. Over time, this cancer spreads throughout the body, affecting all the vital organs.**

I noticed you have some great resources, here – <http://flhmocap.com/additional-resources/>. I believe our website would be a great addition and benefit those who visit your site. Do you mind including our link as well?

Best,

**Lindsey Berger**  
Advocacy Support  
[MesotheliomaVeterans.org/treatment/](http://MesotheliomaVeterans.org/treatment/)  
1330 Boylston St. Suite #400  
Chestnut Hill, MA 02467  
(800) 484-0115

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Jeffrey E. Tindall

Director, Regulatory and State Government Affairs

Jeff joined Cigna in November 2004 as a Director of Regulatory and State Government Affairs. He is responsible for state government affairs and compliance for the southeastern states. In his role, Jeff serves as the primary representative with state legislators and regulators. He influences regulatory and legislative action, responds to regulatory inquiries, provides risk avoidance and management services and manages implementation of enacted laws. Prior to joining Cigna, Jeff served as a Legislative Director for the America's Health Insurance Plans, the health insurance industry's trade association, from 1997 - 2004.

Jeff is a graduate of Hobart College (B.A., 1991) and Georgetown University (M.P.P., 1994)