

STATE OF VERMONT
GREEN MOUNTAIN CARE BOARD

In re: MVP Health Insurance Company)
December 2015 Agriservices Rate Filing)

GMCB-12-15-rr

HCA's RESPONSE TO MVP's MOTION FOR RECONSIDERATION

The Office of the Health Care Advocate opposes MVP Health Insurance Company's (MVP's) Motion asking the Green Mountain Care Board (the Board) to reconsider its decision in this rate review filing and approve the rates requested by the carrier. The HCA asks the Board to continue to deny the requested rate increase for the reasons stated in its Memorandum and in the Board's Decision dated December 24, 2015.

As noted in the HCA's initial Memorandum for this filing, the actuarial analysis does not discuss all of the criteria which the Board must consider in reviewing a filing. When "deciding whether to approve, modify, or disapprove each rate request, the Board shall determine whether the requested rate is affordable, promotes quality care, promotes access to health care, protects insurer solvency, is not unjust, unfair, inequitable, misleading, or contrary to law, and is not excessive, inadequate, or unfairly discriminatory." GMCB Rule 2.000 §2.301(b); GMCB Rule 2.000 §2.401; 8 V.S.A. §4062(a)(3). The Board's Decision in this matter properly emphasizes the issue of affordability because the requested rate increase is so large and because lack of affordability will affect access to health care. It also discusses additional factors unique to this filing which lead the Board to conclude that the proposed rates are unfair, unjust and inequitable to plan members.

The HCA disagrees with MVP's assertion that the Board's Decision sets a dangerous precedent for denying rate requests. This is a very unusual case in that it involves grandfathered association plans which have a small and declining membership but for which rates are set using large group (experience based) methodology. The unusually high rate increase is affected by the experience of the members. Moreover, as the Board Decision notes, Agriservices failed to follow the Board's Order for its December 2014 filing in several important respects. The HCA agrees with the Board that this unusual chain of events " taken together, illustrate a lack of accountability to the Board as well as to the Agriservices membership" and with the Board's conclusion "that the proposed rates do not promote access to quality health care and are unfair, unjust and inequitable to plan members." Decision at page 6.

The HCA therefore asks the Board not to modify its original Decision for this filing.

Dated at Montpelier, Vermont this 19th day of January, 2016.

/s/ Lila Richardson

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CERTIFICATE OF SERVICE

I, Lila Richardson, hereby certify that I have served the above Response to MVP's Motion for Reconsideration on Michael N. Donofrio, General Counsel to the Green Mountain Care Board, Judith Henkin, Health Policy Director of the Green Mountain Care Board, and Susan Gretkowski, representative of MVP Health Insurance Company, by electronic mail, return receipt requested this 19th day of January, 2016.

/s/ Lila Richardson

Lila Richardson
Office of the Health Care Advocate