

**STATE OF VERMONT
GREEN MOUNTAIN CARE BOARD**

In re: Modifications to 2021 Qualified)
Health Plans and Reflective Silver Plans)
)
)
_____)

**ORDER APPROVING MODIFICATIONS TO THE
2021 STANDARD QUALIFIED HEALTH PLANS
AND REFLECTIVE SILVER PLANS**

The Green Mountain Care Board (GMCB or Board) reviews and approves, with recommendations from the Commissioner of Vermont Health Access, the benefit package or packages for qualified health benefit plans and reflective silver plans offered in Vermont.¹ See 18 V.S.A. § 9375(b)(9); 33 V.S.A. chapter 18, subchapter 1. The Board must approve changes to standard plan designs unless the changes are “minor,” as set forth by prior order of the Board. See In re: Minor Modifications to Vermont Health Connect qualified health plan designs that do not require Green Mountain Care Board Approval, May 19, 2014 (effective Oct. 4, 2012).

At an open meeting on February 12, 2020, representatives of the Department of Vermont Health Access (DVHA) recommended several changes to the designs of standard qualified health plans that will be offered through Vermont Health Connect (VHC) and reflective silver plans that will be offered outside of VHC in 2021.² At an open meeting on February 19, 2020, DVHA returned before the Board to answer questions on the recommended plan designs and provide follow up information requested at the February 12th meeting. In particular, the Board asked for further detail regarding DVHA’s proposal to lower the copay for chiropractic and physical therapy services for the Silver Deductible Plan and the two Bronze Deductible Plans to 125 percent of the primary care practice office visit copay, rounded *down* to the nearest five dollar increment, given that current state law requires the copay for these services to remain between 125 and 150 percent of the plan’s primary care practice office visit copay. DVHA requested that the Board approve the lower copay amounts in light of potential legislative action affecting plan designs for the 2021 plan year,³ explaining that changes made to the plan designs following the end of the legislative session are difficult to incorporate into the established plan design certification timeline. DVHA confirmed that if there are no changes to state law, the copay for chiropractic and physical therapy services for the Silver Deductible Plan and the two Bronze Deductible Plans would remain unchanged from the 2020 standard plan designs (125 percent of the primary care practice office visit copay, rounded *up* to the nearest five dollar increment).

¹ Reflective silver plans are defined in 33 V.S.A. § 1802(10) and § 1813 as health benefit plans that are similar to, but contain at least one variation from, silver-level qualified health plans offered through VHC that include funding to offset the loss of federal cost-sharing reduction payments. For 2019 and 2020, the benefit variation was a \$5 or 5% higher cost share for ambulance services. This variation will remain unchanged for 2021.

² DVHA’s February 12, 2020 presentation of recommended changes to the 2021 Standard QHP Designs may be viewed here: <https://gmcboard.vermont.gov/content/2020-board-meetings>

³ See S.202 (An act relating to limiting the co-payment amount for chiropractic services in certain health insurance plans), available at: <https://legislature.vermont.gov/bill/status/2020/S.202>

On February 19, 2020, following discussion and public comment, the Board voted to: (1) approve the non-minor modifications recommended by DVHA to the Bronze Deductible Plan with Rx Limit and the Bronze Deductible Plan without Rx Limit;⁴ and (2) conditionally approve lowering the copay for chiropractic and physical therapy services for the Silver Deductible Plan and the two Bronze Deductible Plans to 125 percent of the plan’s primary care practice office visit copay, rounded down to the nearest five dollar increment, so long as state law permits a copay below 125% of the plan’s primary care practice office visit copay for the 2021 plan year.⁵

SO ORDERED.

Dated: March 4, 2020 at Montpelier, Vermont

| | | |
|-------------------------------|---|----------------|
| <u>s/ Kevin Mullin, Chair</u> |) | |
| |) | |
| <u>s/ Jessica Holmes</u> |) | GREEN MOUNTAIN |
| |) | CARE BOARD |
| <u>s/ Robin Lunge</u> |) | OF VERMONT |
| |) | |
| <u>s/ Maureen Usifer</u> |) | |
| |) | |
| <u>s/ Tom Pelham</u> |) | |

Filed: March 4, 2020

Attest: /s/ Jean Stetter
Green Mountain Care Board
Administrative Services Director

NOTICE TO READERS: This document is subject to revision of technical errors. Readers are requested to notify the Board (by e-mail, telephone, or in writing) of any apparent errors, so that any necessary corrections may be made. (Email address: Abigail.Connolly@vermont.gov).

⁴ The full list of minor and non-minor modifications recommended by DVHA may be viewed on page 40 of DVHA’s “Presentation of Proposed 2021 Standard Qualified Health Plan (QHP) Designs” to the Board on February 12, 2020.

⁵ The changes approved by the Board to the standard Silver Deductible Plan will apply to reflective silver plans.