

**Report on the Plan Year 2024 Recommendations for Network Adequacy Standards**

**Presented by:  
The Network Adequacy Advisory Council**

**To: Barbara Richardson  
Commissioner of Insurance, Nevada Division of Insurance**

**Prepared by: Jeremey Gladstone  
Division of Insurance**

**September 8, 2022**

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## NAAC Recommendations for Network Adequacy Standards for Plan Year 2024

### Overview of the NAAC Recommendations Process.

This section includes a description of the:

- 1) Commencement of the Plan Year 2024 meetings of the Network Adequacy Advisory Council (hereinafter referred to as “Council” or “NAAC”)
- 2) Process of Plan Year 2024 NAAC meetings
- 3) Timeline and significant discussions made at each of the five meetings.

The NAAC is comprised of nine individuals representing consumers across Nevada, providers of health care services, and health insurance carriers. The Council’s first meeting for Plan Year 2024 was held on March 8, 2022 (NAC 687B.770 subsection 4 requires that the first meeting of the NAAC must be held no later than June 15<sup>th</sup>). They continued to meet through August 11, 2022, to finalize the recommendations of network adequacy standards for Plan Year 2024. The Council recommends these standards to achieve network adequacy for individual and small employer group health benefit plans.

At the March 11, 2021, meeting, the Council revisited its vision for what it hoped to achieve during the Plan Year 2024 NAAC meetings. The vision is:

- Standards are pragmatic, achievable and meaningful.

In addition, the Council continues to be committed to creating conditions that ensure Nevada has:

1. Maximized access for consumers with adequate workforce and providers cost containment.
2. Validated data about whether providers are available.
3. Access to care<sup>1</sup>.
4. Access to health insurance.
5. Maximized health and wellness.
6. Educate consumers so that, whether their health needs are emergent or non-emergent:
  - a. Consumers know how to use their network care;
  - b. Are informed; and
  - c. Access care appropriately.
7. Contribute to health literacy: transparent to consumer.
8. Provide care that is culturally and linguistically appropriate.
9. Influenced the other 93% of non-regulated plans.

The data that the Nevada Division of Insurance (Division) was able to provide assisted the Council to: 1) make some recommendations that aligned with its vision and 2) consider what the implications of such recommendations might be on the conditions it had established as requisites for achieving its vision. This year the presentations included participation from both Division and other relevant parties. It should be noted that the Council continues to seek data which would provide greater insights into patient access and network adequacy in Nevada.

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<sup>1</sup> Access to care—consumers can utilize their health plan benefits; Access refers to clinical best practice.

A total of four public meetings were conducted. The result of these meetings is contained in this report that will be submitted to the Commissioner of Insurance on or before September 15, 2022.<sup>2</sup>

March 8<sup>th</sup> – The Council reviewed and confirmed their vision and future considerations from last year’s meetings. Presentations were given by Ryan High, the Silver State Health Exchange, Charles Quintana, NV Department of Health and Human Services, Office for Consumer Assistance, M. Tabor Griswold, Health Workforce Research, University of Nevada, Reno School of Medicine, and Jeremy Gladstone, NV Division of Insurance. The presentations covered exchange data, NV arbitration process under AB469, data collected under AB179, work force supply and demand, as well as factors impacting the workforce, and NV’s current network adequacy standards and information related to provider denial letters reported under the requirements of SB 234. The Council members discussed potential concerns related to access and network adequacy. Some of the topics of discussion were Behavioral Health hospitals, licensing/credentialing, and the difficulty of setting 2024 standards when 2023 standards have not been finalized. The Council discussed additional information they would like to see before putting forth any recommendations.

June 16<sup>th</sup> – The Council heard information from Corie Nieto, Director of Telehealth Services, Nevada Health Centers related to the telehealth services offered by Nevada Health Centers and data was presented on historical utilization of telehealth services. Ms. Nieto also discussed how telehealth is being administered within her organization and other related activities being conducted. Jeremy Gladstone, NV Division of Insurance, shared data on the uninsured population in Nevada and Plan Year 2023 Network Adequacy Standards with a comparison between Nevada Network Adequacy Standards and CMS Network Adequacy Standards. The Council’s discussion included wait times, along with time and distance by county, adding specialties to 2024 Network Adequacy, having an adequate amount of emergency rooms that are in network to prevent consumers getting out of network bills, narrowing down what is considered a stand-alone emergency room/hospital to determine if we have an adequate amount of in network emergency rooms, and tracking access to care concerning provider work force. The Council requested additional data and information that they would like presented at the next meeting to further their discussion on possible recommendations.

July 21<sup>st</sup> – At this meeting, Janel Davis, Chief Operations Officer for the Silver State Health Exchange (SSHIX) presented information on the ARPA subsidy expansion, as well as, the efforts being made by SSHIX to conduct outreach and inform Medicaid recipients who may lose their eligibility with the end of the Federal Public Health Emergency. The council had discussion on the presentations as well as the possible recommendation for plan year 2024. The Council passed a motion to recommend to the Commissioner of Insurance to maintain the existing standards for plan year 2024, except for the Essential Community Provider requirement. The Council recommended changing the current standard from 30% to 35%. The motion was passed unanimously by all members present. The Council talked further on

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<sup>2</sup> The video recordings of the meetings and supporting materials are available on the Division website at [http://doi.nv.gov/Insurers/Life\\_and\\_Health/Network\\_Adequacy\\_Advisory\\_Council/](http://doi.nv.gov/Insurers/Life_and_Health/Network_Adequacy_Advisory_Council/). Included in the Appendix of this Report are the minutes of each meeting.

items to address in future meetings and looked at the timeline for submission of the report to the Commissioner.

August 11<sup>th</sup> – Meeting had to be cancelled due to technical issues with Webex.

September 8<sup>th</sup> - The Council convened this meeting to continue discussion on the Plan Year 2024 network adequacy recommendations and to determine if the Council's recommendation would stand or if there would be further discussion or possible adjustment. The Council moved forward with the recommendations as previously approved and unanimously approved the draft report for submission to the Commissioner<sup>3</sup>.

### **Council's Recommendation for Plan Year 2024.**

The Council's discussion with regards to the recommendation for plan year 2024 included work force shortages, provider access for both adults and children in Nevada, Nevada's network adequacy standards in comparison to federal standards, and emerging technologies and the role they play in accessing care. Regarding the data on the expanded federal network adequacy standards, the members considered recommending the expansion of Nevada's standards to align more with the federal standards but ultimately decided that the access and provider shortages impacting Nevadans should be addressed through work force improvement and did not feel that recommending additional adequacy standards would appropriately address these issues. As it is not the Council's charge to address workforce issues, the Council's recommendation strongly encourages the responsible state agencies and government entities to put forth an action plan to strengthen the health care workforce to address the shortages Nevada faces both in the urban and rural areas. These efforts should also include work force shortages related to nurses in the state.

With these considerations in mind, the Council recommends maintaining the current network adequacy regulations as adopted by the state in regulation R067-19 except for the Essential Community Provider (ECP) requirements. The Council recommends that the Nevada's ECP standards be updated to align with the CMS Plan Year 2023 ECP standards related to ECPs. Specifically, the Council recommends the following:<sup>4</sup>

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<sup>3</sup> The Council vote was unanimous for all members present at the September 8, 2022, meeting for the plan year 2024 Report. Council members Jon Bilstein and Brian Knudsen were not present at the meeting.

<sup>4</sup> The Council vote was unanimous for all members present at the July 21, 2022, meeting for the plan year 2024 recommendations. Council members Joy Cleveland and Thomas McCoy were not present at the meeting.

The Plan Year 2024 Recommendations are noted below in the Network Adequacy Time/Distance Standards Chart.

<b>Network Adequacy Time/Distance Standards : Plan Year 2024 Recommendations</b>								
<b>Specialty</b>	<b>Metro</b>		<b>Micro</b>		<b>Rural</b>		<b>CEAC</b>	
	<b>Max Time (Mins)</b>	<b>Max Distance (Miles)</b>	<b>Max Time (Mins)</b>	<b>Max Distance (Miles)</b>	<b>Max Time (Mins)</b>	<b>Max Distance (Miles)</b>	<b>Max Time (Mins)</b>	<b>Max Distance (Miles)</b>
<b>Primary Care</b>	15	10	30	20	40	30	70	60
<b>Endocrinology</b>	60	40	100	75	110	90	145	130
<b>Infectious Diseases</b>	60	40	100	75	110	90	145	130
<b>Psychiatrists</b>	45	30	60	45	75	60	110	100
<b>Psychologist</b>	45	30	60	45	75	60	110	100
<b>Licensed Clinical Social Workers (LCSW)</b>	45	30	60	45	75	60	110	100
<b>Oncology - Medical/Surgical</b>	45	30	60	45	75	60	110	100
<b>Oncology - Radiation/Radiology</b>	60	40	100	75	110	90	145	130
<b>Pediatrics</b>	25	15	30	20	40	30	105	90
<b>Rheumatology</b>	60	40	100	75	110	90	145	130
<b>Hospitals</b>	45	30	80	60	75	60	110	100
<b>Outpatient Dialysis</b>	45	30	80	60	90	75	125	110
<b>Adequacy Requirement</b>	90% of the population in a service area must have access to these specialties types with in the specified time or distance metrics.							
<b>Plan Year 2024 Standards for ECPs:</b>								
Contract with at least 35% of available Essential Community Providers (ECP) in each plan's service area								
Offer contracts in good faith to all available Indian health care providers in the service area								
Offer contracts in good faith to at least one ECP in each category in each county in the service area								
Offer contracts in good faith to all available ECPs in all counties designated as Counties with Extreme Access Considerations (CEAC)								

### **Rationale and Criteria for Recommended Standards.**

The recommendation above, based on extensive discussion by the Council, related to whether additional standards would have a positive impact on:

- Network adequacy
- Consumer access to high quality health services
- Affordability and the capacity of carriers to offer products to both individuals and small groups

### **Future Considerations.**

Considerations for future action were discussed to prepare the Council with a better understanding of what additional standards might be added for Plan Year 2024 and beyond. The Council maintains the stance that data collection and standards should not impose burdens that might compromise the adequacy of current networks. The following considerations were put forth:

- 1) Examine whether telehealth/virtual visits can be used to meet network adequacy requirements.
- 2) Identify opportunities for providers and licensing agencies to systematically report on data useful to the Council.
- 3) Improve Workforce data to support the work and decisions of the Network Adequacy Advisory Council (e.g., Provider FTEs for patient care within network). Potential sources of data:
  - a. NV Bureau of Health Care and Quality Compliance (Facilities Data)
  - b. NV State Board of Medical Examiners, NV State Board of Nursing, and other NV State Boards of licensing for various providers
- 4) Work on building a communication channel with Governor’s Patient Protection Commission (“Commission”) and other similar task forces to allow for collaboration and to ensure consistency in data and to minimize duplication of efforts.
- 5) Review and consider other metrics for the determination of network adequacy e.g. appointments wait times, provider enrollee ratios, etc.
  - a. Continue reviewing existing network adequacy models used by other state agencies and federal agencies
  - b. If feasible research the metrics and standards currently required by carriers when contracting with providers
- 6) Support efforts to expand the development of the health workforce in critical provider categories required for network adequacy.
- 7) Examine the impact of network adequacy regulations on the insurance market place (i.e., # of carriers, # of products and consumer costs) for Plan Year 2022 and beyond.

**Minutes – Commissioner’s Network Adequacy Advisory Council**

- 8) Improve data on provider availability on open/closed panels.



**Appendix:**

**Minutes from NAAC Meetings:**

March 8<sup>th</sup>, June 16<sup>th</sup>, July 21<sup>st</sup>, and September 8<sup>th</sup>

## COMMISSIONER'S NETWORK ADEQUACY ADVISORY COUNCIL

### NOTICE OF NETWORK ADEQUACY ADVISORY COUNCIL MEETING & AGENDA

The Commissioner's Network Adequacy Advisory Council will conduct a public meeting on Thursday, March 08, 2022, at 10:00 a.m. PT. Notice of the meeting was posted in compliance with Nevada's Open Meeting Law. The recording of this meeting may be viewed on the Division's website, [http://doi.nv.gov/Insurers/Life\\_and\\_Health/Network\\_Adequacy\\_Advisory\\_Council/](http://doi.nv.gov/Insurers/Life_and_Health/Network_Adequacy_Advisory_Council/)

#### **Roll Call of Members:**

##### **The following Council members were present:**

Cris Williams  
Jack Kim  
Joy Cleveland  
Thomas McCoy  
Sarah Fox  
Patrick Kelly  
Brian Knudsen

##### **The following Council members were absent:**

Howard Baron  
Jon Bilstein

##### **Division of Insurance Staff in attendance:**

Jeremey Gladstone  
Mark Garratt

#### **1. Call to Order/Roll Call**

The meeting was called to order at 10:05 a.m.

Jeremey Gladstone proceeded with the roll call and a quorum was established.

#### **2. Introductory Remarks**

Mr. Gladstone reminded the Council and public of the Council's charge which establishes the scope of the council's work and determines recommendations to the Commissioner as to what network adequacy requirements should be; monitoring and enforcement do not fall within the council's control. Regulations are available per Nevada Administrative Code under chapter 687B sections 750 to 784.

He also reminded participants that Nevada Open meeting law does apply which means that everything the council does must be done openly, must be available to the public and must be properly noticed and recorded. Meetings are recorded and available to the public; and participants were asked to identify themselves for the recording prior to speaking.

#### **3. Public Comment**

There was no public comment.

4. **Approval of the Minutes from the August 19, 2021, Meeting**

Patrick Kelly made a motion to pass meeting minutes with the correction to add him as an attendee at the August 19, 2021, meeting; seconded by Joy Cleveland. None were opposed, motion carried unanimously.

5. **Review vision and agreements**

Mr. Gladstone opened this agenda item for discussion on possible changes and to determine if any action needs to be taken. No action was taken on this item.

6. **Presentation by Ryan High, Interim Executive Director, Silver State Health Exchange**

Mr. Gladstone introduced Ryan High and informed the Council that Ryan had recently been appointed as the Executive Director of the Silver State Health Exchange. Mr. High presented enrollment data, historical carrier participation data, and other demographic and marketing information.

7. **Presentation by Carrie Embree, Governor's Consumer Health Advocate, Nevada Department of Health of Health and Human Services, Aging and Disability Services Division**

Mr. Gladstone indicated that there had been a change in the presenter for agenda item number 7 and introduced Charles Quintana, Consumer Health Advocacy Specialist, Nevada Department of Health of Health and Human Services, Office for Consumer Health Assistance (OCHA) to present. Information was presented by Charles Quintana and Khadyja Carter related to the mission of OCHA, the complaints received, the Community Advocate Program, the arbitration process under AB469, and the data reporting required under AB170. Following the presentation, Mr. Quintana addressed questions from the Council Members.

A copy of the presentation is available on the Division's website for the Network Adequacy Advisory Council under the March 8, 2022 attachments through the link provided at the top of these minutes.

8. **Presentation by M. Tabor Griswold, PhD, Director, Health Workforce Research, University of Nevada, Reno School of Medicine.**

Dr. Griswold presented data on the Health Workforce Supply in Nevada and the implications for network adequacy. Dr. Griswold's presentation highlighted factors impacting health workforce supply and demand, factors which have impacted the workforce, employment trends pre and post COVID, workforce shortages throughout Nevada, Nevada's workforce compared to national averages, and recommended strategies which could aid Nevada's workforce shortage. The presentation was followed by a question and answer session between Dr. Griswold and the Council members.

A copy of the presentation is available on the Division's website for the Network Adequacy Advisory Council under the March 8, 2022 attachments through the link provided at the top of these minutes.

9. **Presentation by Division of Insurance, Jeremy Gladstone, Assistant Chief Examiner, Life and Health.**

Mr. Gladstone gave a presentation providing an overview of network adequacy in Nevada and the various components that impact the standards and requirements. The presentation included

the standards for plan year 2022 and outlined proposed changes to the CMS network adequacy standards which include changes to time and distance, essential community providers, and appointment wait times. The final piece of the presentation addressed data related to provider denial letters submitted to the Division. Following the presentation Mr. Gladstone addressed questions from Council members.

10. Discussion, Deliberation, and Potential Direction by Council Regarding Network Adequacy Standards for Plan Year 2024.

The Council members discussed potential concerns related to access and network adequacy as it related to the Council's recommendations for plan year 2024. Some of the topics of discussion were Behavioral Health hospitals, licensing/credentialing, and the difficulty of setting 2024 standards when 2023 standards have not been finalized.

11. Discussion on Plan Year 2024 meetings. **(For possible action)**

The Council discussed future meeting dates and tentatively set the following dates for future meetings: June 16, 2022, July 21, 2022, August 25, 2022, and September 8, 2022. Division staff were tasked with confirming these dates and sending out the final proposed dates after the meeting.

12. Public Comment. **(May include general announcements by Council Members)**

There was no public comment.

13. Adjournment.

The Meeting adjourned at 11:56 a.m.

Respectfully submitted,  
Jeremey Gladstone

This Webex meeting recording and previous complete recordings of past Council meetings can be found on the Division's website

[http://doi.nv.gov/Insurers/Life\\_and\\_Health/Network\\_Adequacy\\_Advisory\\_Council/](http://doi.nv.gov/Insurers/Life_and_Health/Network_Adequacy_Advisory_Council/)

## COMMISSIONER'S NETWORK ADEQUACY ADVISORY COUNCIL

### NOTICE OF NETWORK ADEQUACY ADVISORY COUNCIL MEETING & AGENDA

The Commissioner's Network Adequacy Advisory Council will conduct a public meeting on Thursday, June 16, 2022, at 10:00 a.m. PT. Notice of the meeting was posted in compliance with Nevada's Open Meeting Law. The recording of this meeting may be viewed on the Division's website, [http://doi.nv.gov/Insurers/Life\\_and\\_Health/Network\\_Adequacy\\_Advisory\\_Council/](http://doi.nv.gov/Insurers/Life_and_Health/Network_Adequacy_Advisory_Council/)

#### **Roll Call of Members:**

##### **The following Council members were present:**

Cris Williams  
Jack Kim  
Joy Cleveland  
Thomas McCoy  
Sarah Fox  
Patrick Kelly  
Howard Baron  
Jon Bilstein

##### **The following Council members were absent:**

Brian Knudsen

##### **Division of Insurance Staff in attendance:**

Jeremey Gladstone  
Audrey Kessler

#### **1. Call to Order/Roll Call**

The meeting was called to order at 10:02 a.m.

Jeremey Gladstone proceeded with the roll call and a quorum was established.

#### **2. Introductory Remarks**

Mr. Gladstone reminded the Council and public of the Council's charge which establishes the scope of the council's work and determines recommendations to the Commissioner as to what network adequacy requirements should be; monitoring and enforcement do not fall within the council's control. Regulations are available per Nevada Administrative Code under chapter 687B sections 750 to 784.

He also reminded participants that Nevada Open meeting law does apply which means that everything the council does must be done openly, must be available to the public and must be properly noticed and recorded. Meetings are recorded and available to the public; and participants were asked to identify themselves for the recording prior to speaking.

#### **3. Public Comment**

There was no public comment.

4. **Approval of the Minutes from the March 8, 2022, Meeting**

Jack Kim made a motion to approve meeting minutes; seconded by Patrick Kelly. None were opposed, motion carried unanimously.

5. **Presentation by Corie Nieto, Director of Telehealth Services, Nevada Health Centers**

Mr. Gladstone introduced Corie Nieto and informed the council that Corie has presented to the council in a past meeting related to Telehealth services. Corie explained some telehealth services being provided at Nevada Health Centers like cart-based telehealth and school-based telehealth along with multiple data charts. Corie also touched on some new ways Nevada Health Centers are looking to monitor patients from home. Following the presentation, Corie addressed questions from the Council Members.

A copy of the presentation is available on the Division's website for the Network Adequacy Advisory Council under the June 16, 2022 attachments through the link provided at the top of these minutes.

6. **Presentation by Division of Insurance, Jeremy Gladstone, Assistant Chief Examiner, Life and Health.**

Mr. Gladstone gave a presentation based on data and information requested by the Council. The presentation included data on the uninsured population in Nevada and Plan Year 2023 Network Adequacy Standards with a comparison between Nevada Network Adequacy Standards and CMS Network Adequacy Standards. Mr. Gladstone addressed questions throughout and following his presentation from Council members.

7. Discussion, Deliberation, and Potential Direction by Council Regarding Network Adequacy Standards for Plan Year 2024.

The Council members discussed potential concerns related to access and network adequacy as it related to the Council's recommendations for plan year 2024. Some of the topics of discussion were wait times, along with time and distance by county, adding specialties to 2024 Network Adequacy, having an adequate amount of emergency rooms that are in network to prevent consumers getting out of network bills, narrowing down what is considered a stand-alone emergency room/hospital to determine if we have an adequate amount of in network emergency rooms, and tracking access to care concerning provider work force.

8. Discussion on Plan Year 2024 meetings. **(For possible action)**

Mr. Gladstone confirmed the previously set dates for future meetings: July 21, 2022, August 25, 2022, and September 8, 2022. Data/Information requests were reviewed with Council members and included:

- The Medicaid eligibility drop-off and what outreach is being done to address that population
- What outreach is done to educate Nevadans on what insurance options are available
- A breakdown of network adequacy based on the PY2023 CMS standards
- Data on growth and trends in contracted providers
- Data on telehealth usage
- Information on SB5 Data Dashboard.

A discussion was had about the usual timeline of events necessary to meet the September reporting requirement.

9. Public Comment. **(May include general announcements by Council Members)**

There was no public comment.

10. Adjournment.

The Meeting adjourned at 11:49 a.m.

Respectfully submitted,  
Audrey Kessler

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## COMMISSIONER'S NETWORK ADEQUACY ADVISORY COUNCIL

### NOTICE OF NETWORK ADEQUACY ADVISORY COUNCIL MEETING & AGENDA

The Commissioner's Network Adequacy Advisory Council will conduct a public meeting on Thursday, July 21, 2022, at 10:00 a.m. PT. Notice of the meeting was posted in compliance with Nevada's Open Meeting Law. The recording of this meeting may be viewed on the Division's website, [http://doi.nv.gov/Insurers/Life\\_and\\_Health/Network\\_Adequacy\\_Advisory\\_Council/](http://doi.nv.gov/Insurers/Life_and_Health/Network_Adequacy_Advisory_Council/)

#### **Roll Call of Members:**

##### **The following Council members were present:**

Cris Williams  
Jack Kim  
Sarah Fox  
Patrick Kelly  
Howard Baron  
Jon Bilstein  
Brian Knudsen

##### **The following Council members were absent:**

Joy Cleveland  
Thomas McCoy

##### **Division of Insurance Staff in attendance:**

Jeremey Gladstone

#### **1. Call to Order/Roll Call**

The meeting was called to order at 10:04 a.m.

Jeremey Gladstone proceeded with the roll call and a quorum was established.

#### **2. Introductory Remarks**

Mr. Gladstone reminded the Council and public of the Council's charge which establishes the scope of the council's work and determines recommendations to the Commissioner as to what network adequacy requirements should be; monitoring and enforcement do not fall within the council's control. Regulations are available per Nevada Administrative Code under chapter 687B sections 750 to 784.

He also reminded participants that Nevada Open meeting law does apply which means that everything the council does must be done openly, must be available to the public and must be properly noticed and recorded. Meetings are recorded and available to the public; and participants were asked to identify themselves for the recording prior to speaking.

#### **3. Public Comment**



There was no public comment.

4. **Approval of the Minutes from the June 16, 2022, Meeting**

Patrick Kelly made a motion to approve meeting minutes; seconded by Howard Baron. None were opposed, motion carried unanimously.

5. **Review vision and agreements**

Mr. Gladstone opened this agenda item for discussion on possible changes and to determine if any action needs to be taken. No action was taken on this item.

6. **Presentation by Janel Davis, Chief Operations Officer, Silver State Health Insurance Exchange**

Mr. Gladstone introduced Janel Davis, who introduced Katie Charleson as SSHIX's new Communication Officer. Janel gave an update on the ARPA Subsidy Extension, Medicaid transition plans and expressed SSHIX's goals to spread awareness to consumers with the help of all the on-exchange carriers through social media, mailings, ads, web-based information and much more. Ryan High with the Silver State Health Insurance Exchange added some information about Medicaid, Medicaid denials and Nevada Health Link referrals concerning consumers. During the presentation, Janel and Ryan addressed questions from the Council Members.

A copy of the presentation is available on the Division's website for the Network Adequacy Advisory Council under the July 21, 2022, attachments through the link provided at the top of these minutes.

7. **Presentation by Division of Insurance, Jeremy Gladstone, Assistant Chief Examiner, Life and Health.**

Mr. Gladstone gave a presentation based on data and information requested by the Council. The presentation included data on the CMS Plan Year 2023 standards and provided data estimating the adequacy of carriers in the Nevada market should these standards be adopted. Mr. Gladstone noted that the inclusion of Clark and Washoe counties in a plan's service area will heavily weigh on the adequacy of a network. Mr. Gladstone also discussed information on SB5 and telehealth utilization in the individual and small group markets. Mr. Gladstone addressed questions throughout and following his presentation from Council members.

8. **Discussion, Deliberation, and Potential Direction by Council Regarding Network Adequacy Standards for Plan Year 2024.**

The Council members discussed potential concerns related to access and network adequacy as it related to the Council's recommendations for plan year 2024. Some of the topics of discussion were raising the ECP standard from 30 percent to 35 percent and to emphasize in the final report possible actions by the state to build the provider work force, including, nurses.

Jack Kim made a motion for the following recommendation for plan year 2023: To move the Essential Community Provider standard from 30% to 35% and to emphasize in the Council's report the importance of the state addressing work force shortages in urban and rural areas regarding nurses and providers.

The motion was seconded by Howard Baron, and it passed unanimously by all members present.

9. Discussion on Plan Year 2024 meetings. **(For possible action)**

The Council discussed the timeline and the finalization of the Council's report which must be submitted by the September 15, 2022.

10. Public Comment. **(May include general announcements by Council Members)**

There was no public comment.

11. Adjournment.

The Meeting adjourned at 11:11 a.m.

Respectfully submitted,  
Audrey Kessler

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## COMMISSIONER'S NETWORK ADEQUACY ADVISORY COUNCIL

### NOTICE OF NETWORK ADEQUACY ADVISORY COUNCIL MEETING & AGENDA

The Commissioner's Network Adequacy Advisory Council will conduct a public meeting on Thursday, September 8, 2022, at 10:00 a.m. PT. Notice of the meeting was posted in compliance with Nevada's Open Meeting Law. The recording of this meeting may be viewed on the Division's website, [http://doi.nv.gov/Insurers/Life\\_and\\_Health/Network\\_Adequacy\\_Advisory\\_Council/](http://doi.nv.gov/Insurers/Life_and_Health/Network_Adequacy_Advisory_Council/)

#### **Roll Call of Members:**

##### **The following Council members were present:**

Howard Baron  
Cris Williams  
Jack Kim  
Joy Cleveland  
Thomas McCoy  
Sarah Fox  
Patrick Kelly

##### **The following Council members were absent:**

Brian Knudsen  
Jon Bilstein

##### **Division of Insurance Staff in attendance:**

Jeremey Gladstone  
Audrey Kessler

#### **1. Call to Order/Roll Call**

The meeting was called to order at 10:02 a.m.  
Jeremey Gladstone proceeded with the roll call and a quorum was established.

#### **2. Introductory Remarks**

Mr. Gladstone with the Division of Insurance (Division) reminded the Council and public of the Council's charge which establishes the scope of the council's work and determines recommendations to the Commissioner as to what network adequacy requirements should be; monitoring and enforcement do not fall within the council's control. Regulations are available per Nevada Administrative Code under chapter 687B3750

He also reminded participants that Nevada Open meeting law does apply which means that everything the council does must be done openly, must be available to the public and must be

properly noticed and recorded. Meetings are recorded and available to the public; and participants were asked to identify themselves for the recording prior to speaking.

### **3. Public Comment**

There is no public comment.

### **4. Approval of the Minutes from the July 21, 2022, Meeting**

Howard Baron made a motion to approve meeting minutes; seconded by Sarah Fox. None were opposed, motion carried unanimously.

### **5. Discussion, Deliberation, and Potential Direction by Council Regarding Network Adequacy Standards for Plan Year 2024.**

Jeremy Gladstone opened agenda item requesting any further discussion for Plan Year 2024. No discussion from the Council was had, Jack Kim recommended moving onto Agenda item #6 with agreement from the rest of the Council.

### **6. Review, revise, and approve final Report Plan Year 2024 recommendations.**

Jeremy Gladstone explained the updates made to the Report since being sent out to the Council after the prior meeting, specifically those edits requested by Jack Kim. The Council was addressed individually for any thoughts concerning the draft. Howard Baron made a motion to approve, seconded by Jack Kim. None were opposed, motion carried unanimously.

### **7. Discussion of future meetings .**

Jeremy Gladstone discussed the next Network Adequacy Advisory Council meeting to potentially be held in March if 2023 and advised that the Division would reach out for possible dates.

- Howard Baron referenced Jack Kim's addition to the PY2024 report and requested information be presented on whether telehealth can be considered in Network Adequacy Standards and agreed it should be on the agenda.
- Jack Kim requested a legislative update on bills that may impact the Council and Network Adequacy.
- Joy Cleveland requested an update on the No Surprise Bill Act and the impact it may have on Network Adequacy from a market view.
- Howard Baron made an additional request for an update pertaining to legislation passed to improve workforce data collection.
- Patrick Kelly noted the Patient Protection Committee is looking at a bill that prohibits corporations from employing physicians which would impact Network Adequacy and requested that the Division report on that topic.
- Mr. Gladstone also indicated that he could get updates on the all payor's claim database and the public option

### **8. Public Comment.**

There was no public comment.

**10. Adjournment.**

The Meeting adjourned at 10:20 a.m.

Respectfully submitted,  
Audrey Kessler

This Webex meeting recording and previous complete recordings of past Council meetings can be found on the Division's website

[http://doi.nv.gov/Insurers/Life\\_and\\_Health/Network\\_Adequacy\\_Advisory\\_Council/](http://doi.nv.gov/Insurers/Life_and_Health/Network_Adequacy_Advisory_Council/)

DRAFT