

**NH Vaccine Association – Board of Directors Meeting
October 22, 2013 – 11:30 a.m. – 1:00 p.m.
Conference Room – Hinckley, Allen & Snyder
Presiding Officer: Jose T. Montero, Acting Chair**

I. Attendance. Participating in all or part of the meeting in person (P) or by telephone (T) were the following individuals:

Directors

Susan Tenney – Harvard Pilgrim Health Care (T/P)
Scott Beaudette – CIGNA (P)
David Fredenburg, M.D. (P)
Everett Lamm, M.D. (P)
Jose T. Montero, M.D. (P)
Maria Proulx – Anthem (P)
David Sky – NHID (P)

DHHS

Marcella J. Bobinsky (P)

Outside Counsel

Mark McCue, Esq. (P)

Members of the Public

Michael Goldstein, Merck (P)
Laura Condon, NVIC (P)

KidsVax.org®

Fred L. Potter (P)
Claire M. Roberge (P)
Terry Mills (P)

II. Summary of Actions Taken and/or Recommended

A. Actions Taken (votes adopted)

1. To accept 50% of the cost, not to exceed \$250,000, of the proposed Immunization Information System (IIS) presented by the DHHS as a reasonable cost of the administration of the vaccines in New Hampshire and thus an obligation of this Association for purposes of calculating NHVA assessments.
2. To set the assessment rates for the four quarters of State fiscal year 2013/14 at \$10.61 for each assessable child covered life per month and to seek to collect all four quarters on 5/15/2014 based upon assessable child covered lives reported for January through March 2014.
3. To set the assessment rates for the quarterly assessment due dates of 8/15/2014, 11/15/2014, and 2/15/2015 at \$12.96 for each assessable child covered life per month, based upon assessable child covered lives in the preceding calendar quarter.
4. To authorize and instruct Executive Director, Fred L. Potter to send the TRICARE notification letter as recommended at the meeting.

B. Follow up Task/Action Items

1. Attorney McCue will provide additional information concerning public access in advance of the next meeting.
2. Mr. Potter will write a letter to TRICARE on behalf of NHVA.

III. Minutes

Welcome and Introductions

At approximately 11:45 a.m., a quorum having been established, Acting Chair Jose T. Montero called the meeting to order. Dr. Montero briefly reviewed the agenda items and surveyed the Board for any additional items to be added to the agenda. Dr. Montero announced his need to leave the meeting at 1:00 p.m. At Dr. Montero's designation, Ms. Bobinsky will serve under the NHVA Plan of Operation as his designated representative for the remainder of the meeting.

Working Plan for Implementation of HB664 Changes

Mr. Potter gave a brief overview of where the Board left off at its October 8th meeting and the purpose for scheduling this additional meeting. In preparation for the Board to work on the assessment calculation worksheet, it was distributed over a week ago so that the directors would have an opportunity to review it and work with it prior to today's meeting. Since that date, the Assessable Child Covered Lives has gone down as a result of the carrier survey. The carrier survey, which reflected about 85% of the market, showed that the current counts are 73% in aggregate of what the New Hampshire Insurance Department 2011 survey had with that same carrier group. With the three carriers involved, the aggregate was 140,483 lives and the Department survey was 102,813 lives. The result in the calculation of this difference in the worksheet is 120,142 compared to the prior number of 164,161, which reflects a material influence on the final calculation. This is further reflected where the monthly assessment rate changes from \$9.54 to \$13.04 just by adjusting this one figure.

The assessment calculation worksheet was reviewed and discussed in detail. Each factor was reviewed individually and the Board made adjustments as members deemed appropriate. Extensive further discussion ensued.

At this point in the meeting, the Board asked Mr. McCue to report on his finding pertaining to whether NHVA could fund the Immunization Information System (IIS) project being proposed by the DHHS. Mr. McCue reported that because NHVA is a special purpose corporation formed by the legislature, it cannot conduct any activity that is outside its intended purpose. NHVA was created by the legislature in RSA 126-Q for the very narrow purpose defined as assessing Assessable Entities for the costs of vaccine in New Hampshire. NHVA cannot undertake the registry project on its own nor can it contribute to the project voluntarily as part of its mission because it's outside its corporate purpose. However, in its function to assess Assessable Entities, the statute does define costs that are covered by the assessment and included in those costs are the costs to

the state of purchasing, distributing, and administering vaccines to children throughout the State of New Hampshire, less any federal contribution. New Hampshire is the only state in the nation without an IIS. The system is clearly designed to enhance the administration of vaccines. After reviewing the program, the CDC literature, and Medicaid regulations, Mr. McCue feels it is fair to conclude that it clearly is within the purview of the cost of administration that the state will incur and, therefore, can be included in the assessment base to the extent allowed by NHVA's Board. Instead of requiring NHVA to accept the cost estimate of obligating services, it obligates the Association to estimate the cost. As part of that estimation, NHVA would still receive information from the DHHS, have a discussion, and make an estimate of the cost that would be incurred by the state, absent other sources such as grants in the upcoming year and include that in the assessment calculation as a separate item within the total cost of vaccine administration. Once DHHS proposes the total cost of the IIS to the Board, then the Board can determine the percentage attributable to the NHVA. Further discussion ensued.

At this point in the meeting, Ms. Bobinsky stepped in as Dr. Montero's designee for the remainder of the meeting.

It was the sense of the Board that NHVA entertain the idea of funding half of the registry costs, but not to exceed \$250,000 in the first year and \$150,000 in the second year, in addition to the vaccine costs. Ms. Tenney went on the record as stating that as much as Harvard Pilgrim supports the idea of a registry, at this point in time, it does not support the additional cost of the program as part of the assessment to be imposed by NHVA.

Upon motion duly made by Dr. Fredenburg and seconded by Dr. Lamm, by majority vote it was

VOTED: To accept 50% of the cost, not to exceed \$250,000, of the proposed Immunization Information System (IIS) presented by the DHHS as a reasonable cost of the administration of the vaccines in New Hampshire and thus an obligation of this Association for purposes of calculating NHVA assessments.

The Board then, upon discussion, made additional changes to the assessment setting worksheet factors.

Upon motion duly made by Dr. Fredenburg and seconded by Mr. Beaudette, it was unanimously

VOTED: To set the assessment rates for the four quarters of State fiscal year 2013/14 at \$10.61 for assessable child covered life per month and to seek to collect all four quarters on 5/15/2014 based upon assessable child covered lives reported for January through March 2014.

VOTED: To set the assessment rates for the quarterly assessment due dates of 8/15/2014, 11/15/2014, and 2/15/2015 at \$12.96 for each assessable child covered life per month, based upon assessable child covered lives in the preceding calendar quarter.

Old Business

Mr. Potter reported that TRICARE has now advised they duly recognize the claim to the states of Washington and Idaho with respect to their obligation to fund childhood vaccines under these state programs. They have not made a final determination, but they have recognized it and are working on it. They have indicated that any other state seeking to have universal childhood vaccine assessments paid by TRICARE needs to notify them as well. Mr. Potter has written a letter to TRICARE on behalf of the Maine Vaccine Board stating their belief that TRICARE is obligated to make payments with respect to Maine residents. TRICARE earlier this week acknowledged receipt of this letter. Mr. Potter urged NHVA to write a similar letter for New Hampshire as soon as possible. This is not a legislative matter, this is TRICARE recognizing that this state asserts that child covered lives should be paid for out of the TRICARE benefit plan.

Upon motion duly made by Ms. Bobinsky and seconded by Dr. Lamm, it was unanimously

VOTED: To authorize and instruct Executive Director, Fred L. Potter to send the TRICARE notification letter as recommended at the meeting.

Public Comment

Ms. Tenney opened the meeting for public comment. Ms. Condon posed a question regarding the anticipated cost of child vaccines. Ms. Tenney requested that for purposes of maintaining this time as a comment period only, that she submit all questions to the NHVA administrator in writing off line.

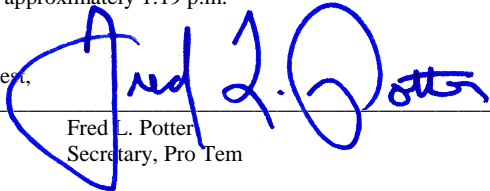
Upon motion duly made by Mr. Sky and seconded by Ms. Bobinsky, it was unanimously

VOTED: To adjourn.

There being no further business or public comment, the meeting adjourned at approximately 1:19 p.m.

A true record.

Attest,


Fred L. Potter
Secretary, Pro Tem