

## Universal Health Care Commission meeting summary

November 30, 2021  
Health Care Authority  
Meeting held electronically (Zoom) and telephonically  
1:00 p.m. – 3:00 p.m.

**Note:** this meeting was video recorded in its entirety. The recording and all materials provided to and considered by the commission is available on the [Universal Health Care Commission webpage](#).

### Members present

Vicki Lowe, Chair  
Dave Iseminger  
Senator Emily Randall  
Estell Williams  
Jane Beyer  
Joan Altman  
Representative Joe Schmick  
Kristin Peterson  
Representative Marcus Riccelli  
Mohamed Shindane  
Nicole Gomez  
Stella Vasquez

### Members absent

Senator Ann Rivers  
Bidisha Mandal  
Karen Johnson

### Call to order

Vicki Lowe, Commission Chair, called the meeting to order at 1:02 p.m.

### Agenda items

#### Welcoming remarks

Ms. Lowe welcomed the members of the Commission to the first meeting. Ms. Lowe provided an overview of the agenda and discussed commission members' roles and responsibilities and the work of the commission.

#### Presentation: About the Commission: legislation and history

Mich'l Needham, Chief Policy Officer at the Health Care Authority, presented an introduction to the Universal Health Care Commission and its history, including the information on the Universal Health Care Work Group. In 2019, the Washington State Legislature passed House Bill 1109 which created a work group to provide



recommendations on how to create, implement, maintain, and fund a universal health care system. In January 2021, the work group submitted its final report and recommendations to the Legislature.

The Legislature then passed Senate Bill 5399, which established the Universal Health Care Commission based on both the work group's recommendations and advocacy of this work by the public. One of the goals of the Commission is to create immediate and impactful changes in the health care access and delivery system in Washington. Additionally, the Commission must prepare the state for the creation of a health care system that provides coverage and access for all Washington residents through a unified financing system once the necessary federal authority has become available.

The legislative charge of SB 5399 was also outlined. By November 1, 2022, the Commission will submit a report and recommendations to the Legislature and the Governor and post them on the Health Care Authority's (HCA) website. After November 1, 2022, the Commission will continue to identify ways to implement recommendations and structural changes to prepare the state for a transition to a universal health care financing system. By November 1, 2023, and annually thereafter, the Commission will submit annual reports and recommendations to the Legislature and the Governor. The Commission's work is ongoing as constituted in legislation and does not have an end date to its work.

The makeup of the Commission was outlined. Members include the Office of the Insurance Commissioner (OIC), Health Care Authority (HCA), Washington State Department of Health (DOH), Washington Health Benefit Exchange (HBE), Office of Equity, Legislative members from each caucus (4), and six members appointed by the Governor with knowledge of health care coverage, access, and financing, including at least one consumer representative and one Tribal government representative.

The following are goals laid out by legislation: 1) meet every other month to review opportunities to increase access to health care services and health coverage, reduce health care costs and health disparities, improve quality, and prepare for transition to a unified health care financing system, and 2) develop a strategy for implementing changes. To achieve these goals, the Commission will summarize past efforts, examine data and reports, assess the state's current preparedness, and develop recommendations for the Legislature.

### Presentation: Open public meetings training

Katy Hatfield, an Assistant Attorney General (AAG) with the Office of the Attorney General, Government Enforcement and Compliance Division, provided open public meetings training. After receiving this training today, each member of the Commission must complete refresher training at intervals of no more than four years. The Commission is subject to Washington's Open Public Meetings Act (OPMA) of 1971, requiring the governing body of a public agency to be open to the public to make government affairs more open, accessible, and responsive. The courts interpret the OPMA liberally, except for when there are grounds for maintaining confidentiality, such as executive sessions.

Several terms were defined, including "public agency," "governing body," "action" and "final action," "meeting," "regular meeting," and "special meeting." It was noted that while a meeting occurs when a governing body takes any action, *final action* is not necessary for a meeting to take place. It was also noted that passive receipt of emails does not constitute participation in a meeting. Caution was urged in *replying all* to an email, as replying all to an email could be considered participation in a meeting.

Any member of the public may attend the meetings of the governing body of a public agency and the agency cannot establish conditions of attendance. Cameras and tape recorders are permitted unless disruptive. Though not



required, if a governing body allows public comment, they have the authority to limit the time of speakers to a uniform amount and can limit the topics speakers may address. Reasonable rules of conduct can be set. The OPMA provides a procedure for remedying situations where a meeting is being interrupted. There are requirements to record meeting minutes, though no format is specified by law. Minutes of all regular and special public meetings must be promptly recorded and open to public inspection. Violating the OPMA subjects' members to penalties including nullification of actions taken, civil penalties, and an award of costs and attorney fees to the person alleging an OPMA violation.

Some portions of the OPMA have been modified due to COVID-19 and the issuance by the Governor of Proclamation 20 28 which prohibits in-person public meetings and waives and suspends certain OPMA laws. On January 15, 2021, the Legislature passed Senate Concurrent Resolution 8402, extending the emergency proclamation until the termination of the state of emergency, or until rescinded, whichever occurs first. The most significant modification to the OPMA allows agencies to hold open public meetings without requiring a physical location.

### Review of draft charter and operating procedures:

Mandy Weeks-Green, Coverage and Market Strategies Manager at the Health Care Authority, reviewed the Commission's draft charter and operating procedures. It was noted that the Commission will possibly vote on the charter at the Commission's next meeting in January 2022. Members with comments or questions regarding the draft charter should email Ms. Weeks-Green by December 17, 2021.

In the draft charter, the *Vision, Mission, and Commission's Charge* sections, were developed from the legislation (SB 5399) that created the Commission, as was the subsection on *Membership and Terms*. The *Members' Responsibilities* subsection is in part informed by other boards and commissions such as the Health Care Cost Transparency Board, and in part by the legislation. The subsection, *Principles*, utilizes the legislation to create a foundation for adopting and making recommendations. Expectations of Commission members and of their interactions with other Commission members and the public can be found in the *Operations* section.

### Review of draft charter and operating procedures:

The 2022 meeting schedule was shared with the Commission. There is only one Commission meeting during Legislative Session, after which the Commission will meet bi-monthly.

### Public Comment

Ms. Lowe called for verbal and written (via the Zoom chat) comments from the public.

Jeff Silverman remarked that he enjoyed Ms. Hatfield's presentation on the OPMA. (Written)

Commission member Representative Marcus Riccelli, Washington State House of Representatives, 3<sup>rd</sup> Legislative District, commented that the February 25 Commission meeting during legislative session may be a conflict for Commission members who are also members of the Legislature. (Verbal)

Paul Oldenkamp asked whether there would be an opportunity to submit written comments. (Written)

Commission member Nicole Gomez, Co-founder of Alliance for Health Washington, posted the Commission's website link. (Written)



Tamarra Henshaw, Executive Assistant, Policy Division at the Health Care Authority, posted Mandy Weeks-Green's email contact information. (Written)

Commission member Representative Marcus Riccelli clarified that February 25 is the policy cutoff for the Opposite House during legislative session and though there is no floor action, committees may be busy. (Written)

Marcia Stedman stressed the importance of HCA's applying for federal waivers as part of the Commission's legislative charge. (Verbal)

Jeff Silverman, a computer expert, offered his services to the Commission for technical matters. (Verbal and written)

Kelly Powers remarked that the vision and mission statement outlined in the Commission's draft charter did not align with the original bill. She suggested that during the January Commission meeting, those concepts of universality and affordability be stressed, as well as making clear the difference between access to coverage and access to care. (Verbal and written)

Jeff Silverman provided his email contact information. (Written)

Maureen Brinck-Lund noted the importance of differentiating between access to coverage and access to health care, and the importance of including health care workforce in the access and coverage discussions. (Verbal)

Jeff Silverman stressed the importance of differentiating between access to coverage and access to health care. (Written)

Sarah Weinberg stressed the importance of differentiating between access to coverage and access to health care. (Written)

Dave Iseminger, Commission member and Director of the Employees and Retirees Benefits Division at HCA, reminded members of the public to use discretion when providing personal or contact information as it will be part of the public record. (Verbal)

Dr. Sarah Weinberg described the work of the Blue-Ribbon Commission on Health Care Costs and Access (2006) and that none of their recommendations (final report, 2007) were implemented. She advised the Commission to read their final report (state of Washington's website) to learn from that Commission's mistakes, and suggested interviewing Representative Eileen Cody who was a member of that Commission. (Verbal)

Commission member Nicole Gomez posted to the chat a link to the final report from the Blue-Ribbon Commission on Health Care Costs and Access. (Written)

Vicki Lowe (Chair) proposed starting Commission meetings with public comment. (Verbal)

Kelly Powers agreed with having public comment at the beginning of a meeting for better participation. (Written)

Commission member Dave Iseminger asked for clarification on whether the Commission will take public comment at the end of meetings unless action is being taken, in which case public comment would precede the action being taken. (Verbal)

Mandy Weeks-Green (HCA), clarified that public comment could precede any action being taken. (Verbal)



Vicki Lowe (Chair) asked for input on whether public comment should be open at the beginning of a meeting and/or precede any action being taken. (Verbal)

Commission member Nicole Gomez agreed that public comment being open at the beginning of a meeting could help members of the public to submit comments if a meeting ended early. (Verbal)

Commission member Representative Marcus Riccelli agreed that if the agenda becomes available ahead of the meeting, it would be okay that public comment precedes action being taken but suggested that it be for a specific period. (Verbal)

Jen Nye inquired as to whether written comments would be part of the public record. (Written)

Vicki Lowe (Chair) and Katie Hatfield confirmed that comments in the chat would be part of the public record. (Verbal)

Mandy Weeks-Green (HCA) confirmed that any comments submitted to the Commission's email address will be distributed to the Commission. (Verbal)

Jeff Silverman asked whether public comments could be given via the Zoom chat during the meeting. (Written)

Paul Oldenkamp asked whether Zoom settings could be changed to allow participants to save the Chat. (Written)

Tamarra Henshaw (HCA) remarked that she captures all comments from the chat and sends them to Mandy for dissemination to the Commission. (Verbal)

Jeff Silverman remarked that he used the USPS to send a letter to Bob Ferguson. (Written)

Bonnie Morris asked that the Commission's email information be posted in the Zoom Chat. (Written)

Hal Stockbridge asked comments posted in the chat after the meeting can be viewed by the public and asked for the URL for the page that will display public comments. (Written)

Kathryn Lewandowsky thanked the Commission for their participation and work and expressed hope that this work will be beneficial to citizens of Washington. (Written)

Jeff Silverman posted a link to the procedure to saving a Chat. (Written)

Leni Skarkin remarked that members of the public cannot save links, etc. in the Chat. (Written)

Mandy-Weeks Green (HCA) posted the Commission's email contact information to the Chat. (Written)

Consuelo Echeverria asked what is being done to ensure outreach to and engagement with rural communities with limited access to broadband, and refugee and immigrant communities with limited digital literacy. (Verbal and written)

Vicki Lowe (Chair) asked for further comment on the vision and mission statements of the draft charter. (Verbal)





Deana Knudsen, Hospital Commissioner, Hospital District No.2, stressed the importance of HCA obtaining federal waivers for the Commission's work, as the 1993 Health Coalition was discontinued due to inability of getting ERISA waivers. She stressed that the Commission's mission should be carefully worded so that it does not limit changes to being incremental. (Verbal)

Commission member Kristen Peterson, Deputy Secretary for Policy and Planning, Washington State Department of Health, agreed that the vision statement could be written to be more aspirational to include the idea of wellbeing, and to reflect the intent of the bill to address health disparities and provide access to all Washingtonians. (Verbal)

Commission member Nicole Gomez wants to ensure that the mission statement includes the health care workforce. (Verbal)

Tamarra Henshaw (HCA) posted the Commission's email address and the link to Zoom meeting information and recordings. (Written)

Commission member Jane Beyer, Senior Health Policy Officer, Office of the Insurance Commissioner, asked for the Commission principles to be revised to include the development of each annual report, rather than just the report due on November 1, 2022. Ms. Beyer also suggested that the term "practical" be revised, especially given the focus of the Commission on equity. (Verbal)

Commission member Dave Iseminger suggested using numbers instead of bullets in the charter. (Verbal)

Jeff Silverman gave a commendation to everyone for a nice meeting. (Written)

Paul Oldenkamp provided the procedure for enabling participants to save the chat. (Written)

Marcia Stedman urged the Commission to view the Universal Health Care Workgroup's timeline to serve as a guide for their work. (Verbal)

### Adjournment

Meeting adjourned at 2:48 p.m.

### Next meeting

Tuesday, January 4, 2022

Meeting to be held on Zoom

2:00 p.m. – 4:00 p.m.

