

Idaho Immunization Assessment Board  
Board Meeting Minutes – Approved 1/14/2011  
Monday, December 6, 2010  
Department of Insurance

**Board Members Present:**

- Richard Rainey, M.D. – Regence BlueShield of Idaho – Chair
- Jack Myers – Blue Cross of Idaho – Vice Chair
- Pat Armstrong – Idaho Sand and Gravel
- Christine Hahn, M.D. – Department of Health & Welfare
- Josh Sears – AmeriBen/IEC Group
- Rep. Jeff Thompson – Idaho House (via teleconference call)
- Ted Epperly, M.D. - Family Practice Residency
- Sen. Melinda Smyser – Idaho Senate
- Bill Deal, Director DOI
- Gina Mulkey - WinCo Foods

**Others Present:**

- Shad Priest, Deputy Director DOI
- Gina McBride – DOI
- Sandy Metro – DOI
- Dr. Tom Rand – Immunization Policy Board
- Mitch Scoggins - Immunization Program Manager (H&W)
- Susan Livengood – DOI
- Naoko Weigelt - DOI

**Call to Order:** Chairman Rainey called the meeting to order at 1:38 p.m.

Director Deal introduced Gina Mulkey (WinCo Foods), who has agreed to serve on the Board.

**Approval of Minutes from 10/25/10 meeting:**

**MOTION:** Mr. Armstrong moved that the minutes of the meeting of 10/25/10 be approved. The motion was seconded by Mr. Sears. The motion passed on a voice vote.

**Old Business**

**Status of proposed legislation** – The Chairman began the discussion by reviewing proposed legislation for the 2011 legislative session. The first proposed revision is that the Board be allowed to compensate a provider to administer the program. The second proposed revision is to allow the Board to consult with other bodies for information. The third proposed revision deals with the selection of vaccines to be used in the program. There was no controversy with the first two proposed revisions, but the third (selection of vaccines) generated some opposition. He referred to a meeting held by Senator Cameron on 11/17 to discuss these legislative proposals. There were representatives from Blue Cross, Regence, DOI, Health & Welfare, IMA, the Governor's office, pharmaceutical manufacturers and Legislative Services offices, among others. The Chairman noted that PPACA has requirements for coverage of ACIP-recommended vaccines. This has led to using PPACA required and ACIP recommended terminology interchangeably. The Chairman noted there had been some opinions expressed that PPACA standards should be used instead of ACIP, even though at this point in time, the standards were the same.

Deputy Director Shad Priest presented his draft legislative language. He noted that he had taken the language verbatim from PPACA. It is language taken from federal law, not just regulation. He believes the language is clear and uniform. Dr. Hahn agreed with Mr. Priest that PPACA matches federal law exactly.

Mr. Myers noted that carriers are required to pay assessments for the purchase of vaccines determined by the Board. PPACA requires carriers to cover certain vaccines. Currently, PPACA sets ACIP recommended vaccines as the vaccines for which coverage is required, but that specific PPACA requirement could change in the future. He believes that PPACA-specific standards would prove more fluid and adaptable. He presented another version of the draft legislation, written by Steve Tobiason, legal counsel of Blue Cross. His changes represent a standard taken directly from PPACA.

Dr. Rand noted that this program needs a consistent standard, not one that varies over time.

Mr. Sears noted a problem not addressed in the draft legislation dealing with grandfathered versus non-grandfathered plans. He also expressed concern about a possible time lag.

Dr. Epperly, had attended the 11/17 meeting; and said that a great deal of progress had occurred during that meeting. He felt that the stakeholders had come to an agreement that ACIP should be the standard. For the Board to disregard that recommendation would mean that the stakeholders concerns and compromises had not been valued. He believes that the department's legislative language is most reflective of the decision reached by the stakeholders.

Mr. Armstrong asked if the Board was required to take a position at this time and if this could be solved by the Legislature. Director Deal noted that any legislation presented during the session was presumed to be supported by the sponsoring agency. It is important to make a decision now on this issue so that the Board could present a unified position.

Dr. Hahn said that there is currently no difference in using either PPACA or ACIP language. If PPACA changes from using the ACIP recommended standard in the future, the difference could be resolved legislatively. This statute sunsets in 2 ½ years in any case, so it isn't a matter of an indefinite time period.

**MOTION: Dr. Epperly moved that the Board accept the legislative language in the draft proposed by Deputy Director Priest. (An excerpt is noted below). Mr. Sears seconded the motion. Motion carried by a show of hands.**

**"41-6006 ASSESSMENTS. (2)..The annual assessment shall be calculated to provide funding that, at a minimum is expected to be sufficient to cover the administrative costs of the board and fund the purchase of vaccines for program eligible children that have in effect a recommendation from the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention on the date the board makes its assessment determination."**

**Review of presentation to 11/22/10 Health Care Task Force Meeting** – The Chairman noted that his comments to the Health Care Task Force are included simply to provide the Board with information about his presentation. Members of the Board who had attended the Task Force meeting agreed that it was an excellent presentation and commended the Chairman.

### **Reports**

**Update of survey and billings, including Tri Care update** – Sandy Metro presented an accounting of the latest receipts to the Board (a copy is attached). She noted that there were still a few carriers who had not submitted their assessments. She noted that there were 3 carriers who had declined to participate, and Mr. Sears inquired as to the reason for this. Mr. Myers noted that they were Blue Cross affiliates located in other states, and they felt that they were not subject to the laws/rules of Idaho. Because each Blue Cross is licensed individually in each

state, and is subject to that state's laws, their justification is that Idaho has no jurisdiction over them. Mr. Myers said that he was attempting to convince them to comply with this requirement.

Mr. Armstrong inquired about the status of Tri Care. Ms. Metro said that she had had some contact with Tri Care with no resolution to date. Tri Care's standard policy is to pay after service is rendered, so the concept of pre-payment (assessment) to the DOI (not a carrier) is not in their usual procedure. The state of Washington is experiencing the same problem and they are considering a legislative solution. There is also some confusion since many Tri Care insured obtain service through armed forced facilities and/or private facilities.

**Financial update from DHW** – Dr. Hahn announced that she would be sending this information by email.

Dr. Hahn introduced Mitch Scoggins, who is the new Immunization Program Manager for the Department of Health & Welfare.

**Review of 2011 draft survey and cover page (electronic)** – Ms. Metro noted that this information was already presented to the Board at an earlier meeting. Any changes requested at that meeting have been incorporated into the current electronic survey and cover page. The birth date change has been made, as requested. The Chairman requested that she email this information to the members of the Board.

**Preparation of funding for the HPV vaccine** – The Chairman noted that there has appeared to be Board consensus that any future surplus of funds collected from assessments could be applied to adding the HPV vaccine as a fund-purchased vaccine. Dr. Rand suggested that an effective date of 7/1/11 would be optimal because it would allow providers to deplete stocks before this requirement went into effect. Dr. Hahn also agreed that such advance notice is important. Mr. Myers inquired about what the cost of adding HPV vaccine would be. Drs. Rand and Hahn said that hard figures would be difficult at this point. Dr. Hahn agreed to bring an estimate of this cost to the next Board meeting.

Mr. Armstrong noted that HPV can also be given to males. Dr. Rand said that this is a "gray" area for ACIP. That body had designated HPV for males as "permitted" ("a permissive recommendation"), meaning that HPV "may" be given to males. Dr. Rand noted that there are some potential benefits to males, but the effect on cancer was less pronounced. Dr. Hahn noted that very few males had received the HPV vaccine to date. She suggested that this could be a topic for the next Board meeting.

The Chairman noted that future Board meetings could address several issues relative to the HPV vaccine – expenses for HPV vaccine in 2011-2012, permitted male vaccinations in addition to recommended female vaccinations, and whether PPACA requires coverage of ACIP-permitted male vaccinations.

**Provider Education** – the Chairman noted that information must be readily available to all those involved in this program. He suggested that it should be posted on the website. Director Deal said that the Department incorporates this type of information into Department newsletters which are sent to interested parties. Dr. Hahn said that her office also sends out notices addressing these issues.

**Website page directed to carriers** – The Chairman suggested a single page should be dedicated to explaining the duties of the Board, and the nature of the survey. A link from this page could be directed to another website with frequently asked questions and answers. Ms. Metro said that she would welcome any comments or suggestions to improve the website.

**New Business** – none

**Other Business** - none

**Next Meeting** - The next meeting will be Friday, January 14 at 8:00 a.m. at the Department of Insurance.

Ms. Metro suggested that the Board attempt to standardize their meeting days, i.e. pick a specific day of the week for their meetings. There was a general consensus that this would be a good idea.

**MOTION: Mr. Armstrong moved that the meeting adjourn. Mr. Myers seconded the motion. The MOTION passed on a voice vote.**

**Adjournment** – The meeting adjourned at 3:24 p.m.

Minutes by Teresa Jones, DOI.  
Revised by Chair Rich Rainey, RBSI