

**HEALTH CARE CONSUMER PROTECTION ADVISORY COMMISSION
MINUTES OF COMMISSION MEETING
JULY 22, 2024**

The Health Care Consumer Protection Advisory Commission met at the Department of Justice in Concord on July 22, 2024, at 11:00 AM, according to the notice.

The members of the Commission who attended:

- John M. Formella (Attorney General)
- DJ Bettencourt (Insurance Commissioner)
- Melissa St. Cyr (Department of Health and Human Services)
- Senator Regina Birdsell (New Hampshire Senate)
- Representative Tim McGough (New Hampshire House of Representatives)
- Dr. Marie Ramas (public member)

Staff of the Commission:

- Christine L. Rioux (Investigative Paralegal, Consumer Protection and Antitrust Bureau)

Those who appeared before the Commission:

- Jason Aziz (Director of Health Economics, NH Insurance Department)

At this initial official meeting, Mr. Formella presided. He called the meeting to order at approximately 11:05 AM. Members of the Commission and others in attendance introduced themselves. The Commission's first order of business was to review the reason for the Commission's existence, its duties, and initial priorities. The legislature established the Health Care Consumer Protection Trust Fund because of hospital mergers within the state. The money in this Fund must be dispersed for the benefit of New Hampshire health care consumers.

The purpose of the Commission is to consult with and advise the Attorney General regarding the proper administration and management of the Fund. Expenditures from the fund must be approved by the Commission and the Governor and Council.

Over the next ten years, \$10 million will be deposited in this fund because of the Exeter Hospital and Beth Israel Hospital merger. This money must be expended in accordance with the judgment that approved the merger. That judgment requires priority be given to disbursements to developing a health care market research entity or program to conduct studies and publish information regarding the impact of health care provider consolidation in the New Hampshire health care delivery system.

If the money cannot be used for this purpose, or a required approval cannot be obtained, the money must be used for a purpose consistent with the goal of studying, preserving and/or enhancing competition, access, and quality in the New Hampshire health care market.

The Commission's next order of business was to nominate and elect a Chair and Vice-Chair of the Commission.

- Motion: **That Yvonne Goldsberry, a public member, and President of the Endowment for Health, who could not be in attendance, would be Chair.**
- Made by: Mr. Bettencourt
- Seconded by: Dr. Ramas
- Outcome: Passed (unanimous)

- Motion: **That Representative Tim McGough would be Vice-Chair.**
- Made by: Ms. Birdsell
- Seconded by Mr. Bettencourt
- Outcome: Passed (unanimous)

Mr. Formella brought the Commission's attention to a proposal by Bradley Herring, PhD, McKerley Professor of Health Economics at the University of New Hampshire to create the UNH Center for Studying Healthcare Markets. Members discussed that the proposal was just received last Thursday by most and that more time is needed to review it. Mr. Formella suggested a date be set for UNH to present to the body in September. Mr. Bettencourt and Mr. McGough also made suggestions that the commission also extend invitations to other entities that may be interested in making proposals. Dr. Ramas suggested that getting data from neighboring states, particularly Maine and Vermont, would be helpful. Dr. Ramas also suggested data and cost analysis by different demographics would be helpful to the proposal. Mr. Formella invited all in attendance to reach out to other entities for proposals and that all should be allowed to present to the Commission.

Mr. Aziz gave a presentation concerning the NH Insurance Department's oversight in New Hampshire's healthcare market. He explained how the Department conducts data collection and provides this information to consumers on its website. Mr. Aziz pointed out that one of the goals for the Department is to provide transparency with an eye toward helping reform healthcare costs. Using interactive dashboards on the Department's website, consumers can see where their facilities rank in costs.

Following the presentation, members discussed the phenomenon of New Hampshire residents traveling to Boston hospitals for outpatient care and reasons why this may be happening. Dr. Ramas suggested that the Commission may want to look at the issue of improving medical coding which is linked to data collection. Poor coding can skew data, and in her experience, coding is often not accurately related to some medical conditions.

Mr. Formella reminded those in attendance that the next meeting of the Commission is scheduled for August 20, 2024. There being no further business to come before the meeting, Mr. Formella announced that the meeting was adjourned.