

**HEALTH CARE CONSUMER PROTECTION ADVISORY COMMISSION
MINUTES OF COMMISSION MEETING
AUGUST 20, 2024**

The Health Care Consumer Protection Advisory Commission met at the Department of Justice in Concord on August 20, 2024, at 11:00 AM, according to the notice.

The members of the Commission who attended:

- Yvonne Goldsberry (Public Member and President, Endowment on Health)
- John M. Formella (Attorney General)
- Michelle Heaton and Jason Aziz (Insurance Commissioner designees)
- Melissa St. Cyr (Department of Health and Human Services)
- Representative Tim McGough (New Hampshire House of Representatives)
- Dr. Marie Ramas (Public Member)

Staff of the Commission:

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

Yvonne Goldsberry, Chair, presided. She 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 vote to accept the minutes of the last meeting.

- Motion: **That the minutes of the July 22, 2024 meeting be accepted.**
- Made by: Ms. St. Cyr
- Seconded by: Mr. Formella
- Outcome: Passed (unanimous)

The next order of business was to review the draft guidelines for what the Commission will use to evaluate Research Center proposals the Commission expects to receive from various research entities. Ms. Heaton began the discussion with a question about what the Commission sees as the framework for evaluating the proposals and rating them. The members discussed whether or not the proposals being accepted would be formal Requests for Proposals (RFPs). Mr. Formella explained that formal RFPs were not required, and that less formal proposals provide more flexibility and collaboration about what is researched and for what purposes. The idea of the center starting as a pilot program was discussed. The benefit of this would be that it would provide an understanding that if the entity chosen to start the research was not providing what was expected, the Commission would have the opportunity to pursue another entity to continue the work. The Commission has to show it exercised due diligence in selecting a proposal. Mr. McGough suggested that setting milestones would be an effective way of ensuring goals are met prior to making payments. Mr. Formella confirmed that the money would be handled as all other grants handled by the Department of Justice and that criteria and milestones would be built into it.

The members discussed the UNH Proposal. Ms. Heaton opened the discussion by suggesting the proposals should help develop policy solutions that would help fix problems

identified, not simply study them. Dr. Aziz stated the personnel seemed highly qualified for this work. Dr. Aziz suggested that the first two bullet points of the proposal were retrospective in nature and that this type of research has already been done and suggested considering more focus on the third aim. Dr. Ramas agreed that we should have action forward recommendations and to utilize regional best practices in existing research. Dr. Aziz suggested the proposal focus on the economic, social, and public health impacts of the community from these transactions, and potential workforce implications as well. There was discussion on how agencies can help inform policy solutions given each distinct authority and access to information. Mr. Formella highlighted the value and great importance for this because of DOJ's confidential investigations. Dr. Ramas stated there are both micro and macro impacts to consumers that we should try to analyze. Dr. Goldsberry also suggested that the proposal be more specific and help inform state departments. Mr. McGough pointed out that the percentage of indirect costs needed to be reevaluated as 33% seem inflated.

Ms. St. Cyr queried as to what should be expected in proposals and if the entities submitting proposals would be told what the Commission's expectations were. Mr. Formella clarified that initially the Commission should expect the proposals to be broad and more about the capabilities of the researchers, and that the Commission would be more specific with what it wanted to know later. Dr. Aziz suggested that they should state the categories of study and that it should delineate impact relating to the epidemiology of the population and effects on health outcomes. Ms. Heaton suggested that in reviewing proposals, the Commission should consider whether the personnel have the right experience to accomplish the deliverables, they have the appropriate resources (i.e., computer software for data analytics, etc.) and can provide a reasonable timeline. After further discussion about what should be requested in proposals and how the Commission would evaluate them, it was noted that the Research Center Proposal Guidelines prepared by the Attorney General's office would be revised and a more formal draft provided to the members at the next meeting for discussion prior to UNH presenting.

Dr. Goldsberry reminded those in attendance that the next meeting of the Commission is scheduled for September 16, 2024. There being no further business to come before the meeting, Dr. Goldsberry announced that the meeting was adjourned.