

# State Employee Advisory Commission and Public-School Advisory Commission Minutes

October 24, 2023

The Arkansas State Employee Advisory Commission and Public-School Employee Advisory Commission met for a Special Meeting on Tuesday, October 24, 2023, at 10:00 a.m.

**ASE Commission Members Present:**

**Ronda Walthall**

**Jerry Jones**

**Cynthia Dunlap**

**Bruce Maloch**

**Marty Casteel**

**PSE Commission Members Present:**

**Billy Jackson**

**Julie Bates**

**Others Present:** Grant Wallace, Director of EBD; Amanda Land, Deputy Director of EBD; Jay Bir, EBD; Denise Flake, EBD; Janella Deville, EBD; Skochu Fields, EBD; Cindy Monterozza, EBD; Jessica Patterson, TSS; Jennifer Davis, TSS; Sylvia Landers, Colonial Life; Trey Gardner, EBRx; LeeAnna Graham, EBRx; Kristin Belew, EBRx; Sherry Bryant, EBRx; Dr. Jill Johnson, UAMS; Jake Goll, Navitus; Sidney Keisner, Linda Powell, Nima Nabavi, Jessica Akins, Alix Stephens, Marissa Keith, Debbie Rogers, Emilie Monk, Stephen Carroll, Derrick Smith, Clay Patrick, Leo Hauser, Lori Bowen, Richelle Brittain, Cassandra Mendenhall, Takisha Sanders, and 4 others.

## **Call to Order**

Meeting was called to order by Chairman Cynthia Dunlap and announced there was a quorum for the PSE and ASE Commissions.

### **1. Navitus Amendment: Grant Wallace**

Director Grant Wallace said EBD has some updated terms and conditions and definitions from the RFP and the BAFO to make the contract with Navitus more operationally prudent. Language around payments and data security has been updated with more current language regarding these topics.

Bruce Maloch asked about reimbursement rates and the comparison of reimbursement rates with Medicare and Medicaid and if there is anything the Commission could do to make certain those rates stay close with Medicaid or Medicare. Director Wallace answered saying he did not want to change anything in the RFP or BAFO because he felt it may violate something with those and open it up for a total review. He also said he has spoken with Legislative leadership and believes a conversation around the issue needs to be had with the Legislature and how they want to proceed. He said the RFP was clear on the goals and outcomes it was trying to achieve and if there are any changes that need to be made it will need to originate from the EBD Oversight Committee and the Arkansas Legislative Council.

Julie Bates pointed out the document they had was not a red line, so it was hard to tell what had been adjusted and asked if the only changes being made were around security. Director Wallace answered saying there was not a way to red line this document. He said it is not all brand new, but the terms are better defined and it is not a red line and this is all additional language that will be laid over the RFP and in the BAFO. He added it supplements and compliments vague language in those documents.

Bates asked if the definition of “formulary” was changed. Director Wallace answered it was not, but it was a clarifying definition. He added the new document added days and a timeline on how payments were going to be handled, whereas it was not mentioned in the previous documents.

Jerry Jones asked for clarification that anything was changed but this is just shoring up meanings of things about security and payment. Director Wallace confirmed that is what the new document is doing.

Jones asked about when the Commission can start addressing the pharmacy reimbursement concerns. Director Wallace said he expected that to be a conversation during the November ALC meeting. Jones also asked if the Commission would have any input in that conversation. Director Wallace said it would have to come before the Commission but explained if ALC directed EBD to do something, then it would have to go through the process of approval and it could be brought up in the December Commission meeting.

Cynthia Dunlap asked about language mentioning the failure to make funds available and if that language is something different than normal state contracts since the document said Navitus would immediately cease providing services. Director Wallace said that Navitus is a pass-through the process works both ways. Navitus is sending all the pharmacy bills to EBD and EBD is paying them as timely as possible. If EBD does not meet the deadlines it would trigger other payment options like an escrow or any other method of payment. He did say he does not expect it would automatically shut off and EBD would have to trigger several other deadlines being missed for that to happen.

Dunlap asked if there is language addressing that EBD is subject to state appropriation. Director Wallace said that is already in the RFP.

Billy Jackson asked if the drug plan also is covering those under the UnitedHealthcare plan. Director Wallace answered this is only for Health Advantage members.

Bates said she understands Director Wallace’s position on the reimbursement rates discussion, but she is hesitant to vote on an amendment where there may be more changes coming after that discussion. She asked Director Wallace if he has any concerns about executing this document knowing there is still the looming conversation about reimbursement rates. Director Wallace said he did not and said these issues were the operational ones that need to be taken

care of and can be much easier than other issues and he does not want larger issues holding up smaller ones that can go through the process more quickly.

Billy Jackson moved to approve the amendment document, Jerry Jones seconded. **Motion Passed.**

## **2. Other Business**

Cynthia Dunlap adjourned the meeting until the regularly scheduled meeting, which is set for November 14, 2023 at 10:00AM.