

**In The Matter Of:**  
*PUBLIC EMPLOYEES' BENEFITS PROGRAM BOARD*  
*TELEPHONIC OPEN MEETING*

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*March 3, 2020*

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*Capitol Reporters*  
*123 W. Nye Lane, Ste 107*  
  
*Carson City, Nevada 89706*

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1 PUBLIC EMPLOYEES' BENEFITS PROGRAM BOARD

2 TRANSCRIPT OF PROCEEDINGS

3 TELEPHONIC OPEN MEETING

4 TUESDAY, MARCH 3, 2020

5 CARSON CITY AND LAS VEGAS, NEVADA

6  
7  
8 The Board: LAURA FREED - Chair  
9 LINDA FOX - Vice Chair  
10 DAVID SMITH - Member  
11 TOM VERDUCCI - Member  
12 JET MITCHELL - Member  
13 CHRISTINE ZACK - Member  
14 DON BAILEY - Member  
15 MANDY HAGLER - Member

16  
17  
18 For the Board: BRANDEE MOONEYHAN  
19 Deputy Attorney General

20  
21 For Staff: LAURA RICH  
22 Interim Executive Officer  
23 Wendi Lunz  
24 Executive Assistant  
BRETT HARVEY  
Chief Information Officer  
CARI EATON  
Chief Financial Officer  
NANCY SPINELLI  
Quality Control Officer

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1 TUESDAY, MARCH 3, 2020, CARSON CITY, NEVADA

2 -oOo-

3 CHAIRWOMAN FREED: Good morning everyone. I  
4 would like to call this meeting of the Public Employees'  
5 Benefit Meeting Program Board to order.

6 Staff, would you mind calling the role.

7 MS. LUNZ: Don Bailey?

8 MEMBER BAILEY: Here.

9 MS. LUNZ: Linda Fox?

10 VICE CHAIR FOX: Here.

11 MS. LUNZ: Laura Freed?

12 CHAIRWOMAN FREED: Here.

13 MS. LUNZ: Mandy Hagler?

14 MEMBER HAGLER: Here.

15 MS. LUNZ: Leah Lamborn? Absent.

16 Jet Mitchell?

17 MEMBER MITCHELL: Here.

18 MS. LUNZ: David Smith?

19 MEMBER SMITH: Here.

20 MS. LUNZ: Tom Verducci?

21 MEMBER VERDUCCI: Here.

22 MS. LUNZ: Christine Zach?

23 MEMBER ZACH: Here.

24 MS. LUNZ: Thank you. We have a quorum.  
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1 CHAIRWOMAN FREED: Thank you.

2 Move to Agenda Item Two, just public comment.

3 Reminder that no action may be taken on any matter raised  
4 under public comment, and I'm going to limit each comment to  
5 three to four minutes so that we can get to the business, the  
6 main business on the agenda.

7 MR. ERVIN: Kent Ervin, E-r-v-i-n. I represent  
8 the Nevada Faculty Alliance, a statewide independent  
9 association of all eight NSHE institutions.

10 We have worked in power faculty to be fully  
11 engaged in our mission to help students exceed which includes  
12 retaining and recruiting our high quality faculty and a big  
13 part of that is the PEBP Benefits Program.

14 I don't have any specific recommendations for  
15 today. Good luck in your deliberations. I trust the Board  
16 to make a good decision. Thank you.

17 CHAIRWOMAN FREED: Thank you, Mr. Ervin.

18 Is there anyone else for public comment?

19 MEMBER ZACH: Yes, down south.

20 CHAIRWOMAN FREED: Okay. How about we go to Las  
21 Vegas and then we'll come back to Carson.

22 MR. UNGER: Doug Unger, UNLV Employee Benefit  
23 Advisory Committee and UNLV Faculty Senate. I just want to  
24 express my gratitude to the Board for engaging in this  
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1 process and our full confidence in the Board's expertise and  
2 deliberation in choosing the best candidate for executive  
3 director. We appreciate very much this effort and everything  
4 you're doing. So thank you very much.

5 CHAIRWOMAN FREED: Thank you.

6 MS. LAIRD: Thank you. Good morning. My name is  
7 Terri Laird, T-e-r-r-i L-a-i-r-d. I'm the executive director  
8 of Retired Public Employees of Nevada, RPEN, and we represent  
9 all public employees. Many of our members are still working  
10 and involved with PEBP on a first come -- intimate base I  
11 should say.

12 I'm speaking here today just in lieu of our lead  
13 lobbyist arriving, Marlene Lockard. She's on her way I  
14 believe. And we just want to echo kind of what Kent Ervin  
15 said. We're not here to make any recommendations, at least  
16 I'm not sure what Marlene might say. We appreciate going  
17 forward with the cooperation of PEBP and then the previous  
18 leadership at PEBP will continue, and that's really the only  
19 thing we're interested in is keeping the transparency going  
20 between all of the agencies that you work with and that we're  
21 a part of and Priscilla will probably echo the same comments.  
22 Thank you.

23 MS. MALONEY: I might surprise you, Ms. Laird.  
24 Good morning to the PEBP Board and other members of different  
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1 groups that are here. Again, yes, Ms. Laird was right.  
2 Ditto everything that Mr. Unger said, Dr. Ervin said and  
3 RPEN. We're just grateful for the process and look forward  
4 to hearing what the candidates have to say. Thank you.

5 Oh, I'm sorry. I didn't identify myself.

6 CHAIRWOMAN FREED: There you go.

7 MS. MALONEY: From, I represent the AFSCME  
8 Retiree chapter.

9 CHAIRWOMAN FREED: Okay. Thank you.

10 Is there anymore public comment down south? It  
11 looks like no.

12 All right. Then we will move to Agenda Item  
13 Three, which is PEBP Board disclosure for applicable Board  
14 meeting agenda items, and I'll hand it over to Deputy  
15 Attorney General Mooneyhan.

16 MS. MOONEYHAN: Thank you, Madam Chair. Brandee  
17 Mooneyhan with the Attorney General for the record. I'm  
18 making this disclosure on behalf of the members of the Board  
19 who are eligible for PEBP benefits which is eight of the ten  
20 members. Everybody except Ms. Zach and Mr. Verducci are  
21 eligible, and that eligibility may trigger the disclosure  
22 requirements of the Nevada ethics law, NRS Chapter 281A.

23 None of the items on the agenda today directly  
24 effect PEBP benefits, but to the extent they do effect them  
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1 indirectly, I'm making this disclosure on behalf of the Board  
2 members, and I'll allow them to add anything if they do at  
3 this time. Thank you, Madam Chair.

4 CHAIRWOMAN FREED: All right. Seeing none, we'll  
5 move to agenda Item Four. That's the consent agenda, and  
6 this is merely the approval of the action minutes from the  
7 Board's meeting of January 23rd, 2020.

8 Has everyone who was on the Board on January 23rd  
9 had a chance to review the minutes and if so, do you have any  
10 corrections or changes or anything? Okay. Hearing none, do  
11 I have a motion for approval?

12 MEMBER BAILEY: For the record Don Bailey.

13 I make a motion to approve 4-1.

14 CHAIRWOMAN FREED: Okay. Do we have a second?

15 MEMBER HAGLER: This is Mandy Hagler.

16 I'll second.

17 CHAIRWOMAN FREED: Thank you. It's been moved  
18 and seconded to approve the minutes of January 23rd. All in  
19 favor say aye.

20 (The vote was unanimously in favor of the  
21 motion.)

22 CHAIRWOMAN FREED: Any opposed say no. I'll  
23 abstain since I was not on the Board at that time. So motion  
24 carries.

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1 All right. Agenda Item Five, discussion of the  
2 recruitment process for a new executive officer for the  
3 Public Employees' Benefits Program. This is the point in the  
4 meeting where I'll say a few words about the recruitment  
5 mechanics, as well as the interview process. Because this is  
6 a Board elected or excuse me, Board appointed position  
7 approved by the Governor it's a bit different than, you know,  
8 other state jobs that might -- you know, you might be  
9 appointed after an interview.

10 So this position was posted from January 31st,  
11 2020 until February 14th pursuant to the Board's decision at  
12 its January 23rd meeting. We had three candidates respond.  
13 So no subcommittee of the Board was needed to review the  
14 applications and narrow them down. As we know, pursuant to  
15 NRS 287.0424 sub 1, the Board shall employ an executive  
16 officer subject to the approval of the Governor.

17 So any candidate that the Board would vote to  
18 appoint today will be subjected to background checks and  
19 approval of the governor before he or she is officially  
20 appointed to the executive officer position.

21 You will see on the agenda that we have three  
22 candidates to interview. However, yesterday Mr. Robert  
23 Nellis informed the Board that he was withdrawing from the  
24 process. So we only have two candidates to interview today.

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1 And so we will take those -- those candidates in the order  
2 they appear on the agenda.

3 The interview questions were distributed this  
4 morning to each member of the Board, and each question is  
5 assigned to a certain member of the Board to ask. Each  
6 candidate will be asked the same questions by the same person  
7 in the same order. Board members can follow-up questions --  
8 can ask follow-up questions or clarifying questions to better  
9 understand a candidate's response. However, Board members  
10 are not to ask totally separate questions that don't relate  
11 to the original question posed.

12 After the interviews are complete, the candidates  
13 are released from the room in which they remain during the  
14 interviews because they remain in a separate room with no  
15 access to their electronics. They might return to this room  
16 to watch the deliberations if they so choose, and the Board  
17 could request supplemental information from the candidates.

18 Again, any Board member may move to appoint one  
19 of the candidates under Agenda Item Seven subject to both  
20 background checks, reference checks and the Governor's  
21 approval. And if the Board does not vote to appoint one  
22 candidate or the other a new recruitment would be agendized  
23 for a future Board meeting.

24 So with that I'll open it up to the Board for  
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1 questions and comments.

2 MEMBER MITCHELL: Madam Chair, Jet Mitchell for  
3 the record.

4 I have a discussion item regarding candidate  
5 Michael Lynch. I'm looking at NRS 287.0424 which is the  
6 executive officer duties and functions and qualifications.  
7 And under sub point 2A is the executive officer, and I'm just  
8 reading the NRS, excuse me, be a graduate of a four-year  
9 college, university with a degree in business and  
10 administration or public administration or an equivalent  
11 degree.

12 And in Michael Lynch's resume, and I'm  
13 referencing the second page of his resume. It shows a  
14 bachelor of arts degree with no delineation as far as what  
15 specific type of degree that was earned from the University  
16 of Nevada Reno, 1992. Generally, a bachelor's of arts is not  
17 a business administration or public administration degree  
18 because generally an administration or public administration  
19 is a bachelor of science. So I wanted to add that discussion  
20 item.

21 And then also second discussion item --

22 CHAIRWOMAN FREED: Okay.

23 MEMBER MITCHELL: -- is under sub point B so  
24 number two, same NRS, is to possess five years experience in  
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1 a high level administration or executive capacity. I want to  
2 make a comment. On the actual resume of Michael Lynch, and  
3 I'm referring to page one of Michael Lynch's resume, there is  
4 no date delineation. So just on the face of the resume  
5 there's no way to see the number of years of experience of  
6 this candidate.

7 I did look at the additional information from  
8 Michael Lynch which was the information said -- that was  
9 dated February 14th. And in the body of that document,  
10 Michael Lynch makes the statement I also have over seven  
11 years of experience as a deputy commissioner of insurance.  
12 So it is delineated in an additional document, but I wanted  
13 to just make a note on the face of the resume there would be  
14 no way if -- if as a person reviewing this candidate. I  
15 would not be able to see from the resume that the minimum  
16 qualifications were met.

17 CHAIRWOMAN FREED: Thank you, Ms. Mitchell. I  
18 would suggest that under the, in the deliberations under  
19 Agenda Item Seven, you might pose the question to Mr. Lynch  
20 if he's in the room what was your degree in. I think that  
21 would, unless Ms. Mooneyhan pokes me and tells me that's a  
22 terrible thing to do, I would suggest that is the kind of  
23 supplementary information the Board might seek.

24 MEMBER MITCHELL: So, Madam Chair, as a point of  
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1 order, would that be when I'm -- you said when I'm asking the  
2 question?

3 CHAIRWOMAN FREED: No. That would be under  
4 Agenda Item Seven.

5 MEMBER MITCHELL: Supplemental.

6 CHAIRWOMAN FREED: Deliberations of the Board.  
7 The discussion and possible action regarding the appointment,  
8 okay.

9 MEMBER MITCHELL: Thank you.

10 CHAIRWOMAN FREED: Anything else? Any other  
11 questions, okay.

12 MEMBER ZACH: Madam Chair?

13 CHAIRWOMAN FREED: Yes.

14 MEMBER ZACH: Christine Zach in the south. I  
15 seem to be at a disadvantage being down here. I don't see  
16 anyone from the PEBP staff, and I don't believe I have a list  
17 of questions.

18 I did have some comments about the same candidate  
19 as Ms. Mitchell of Michael Lynch. What I received in my  
20 Board packet was more of a summary style resume. I don't  
21 have a clear understanding of exactly where Michael Lynch  
22 worked except where it appears in summary format. I don't  
23 have a clear understanding of where he is currently working,  
24 and there seems to be some inconsistency with him having  
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1 worked for one of the largest trade organizations in the  
2 state or the largest. I don't know what that is.

3 And then I had one other comment and concern that  
4 one of his listed references is with an organization with  
5 which PEBP contracts, and so I just wanted to put that on the  
6 record. That was a bit, it just seemed a bit odd to me.

7 CHAIRWOMAN FREED: All right. Thank you,  
8 Ms. Zach. I will see about getting you the questions. Do  
9 you happen to have your laptop with you that we can e-mail a  
10 soft copy of the questions?

11 MEMBER ZACH: Yes, I do. I thought I saw an  
12 e-mail that the documents would be available here at the day  
13 of the meeting but, again, I don't see anyone from PEBP  
14 staff.

15 CHAIRWOMAN FREED: Okay.

16 MEMBER ZACH: I don't have them.

17 CHAIRWOMAN FREED: Well, we can take -- we'll  
18 have to recess for a couple of minutes while PEBP staff goes  
19 and retrieves the first candidate from their -- from the room  
20 where they are staying right now. So in that time we'll see  
21 if we can't work on getting you your questions, but if all  
22 else fails I'll ask the question that was assigned to you. I  
23 apologize, Ms. Zach.

24 Okay. With that --  
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1                   MEMBER ZACH: Obviously, you're new to the role  
2 but, Madam Chair, it's been sort of a continuing issue with  
3 that said up here in the south that we don't have the same  
4 information or sometimes the same availability to speak. So  
5 I appreciate today that you've been acknowledging me and also  
6 the public comment from the south. Thank you.

7                   CHAIRWOMAN FREED: Okay. You're welcome.

8                   All right. With that I think with no more  
9 comments from the Board I think we'll move to Agenda Item  
10 Six, and I will ask PEBP staff to bring in Mr. Lynch, our  
11 first interviewee.

12                  MR. LYNCH: Good morning.

13                  CHAIRWOMAN FREED: Good morning. Good morning,  
14 Mr. Lynch. So the way this is going to work is that there's  
15 a set series of questions for both candidates. They are the  
16 same questions and they have been assigned to various members  
17 of the Board. We will kind of go around the panel and they  
18 know which questions they are going to ask. So I will let  
19 Mr. Verducci start it off.

20                  MEMBER VERDUCCI: Tom Verducci for the record.

21                  Good morning, Mr. Lynch.

22                  MR. LYNCH: Good morning.

23                  MEMBER VERDUCCI: Could you please describe your  
24 qualifications as they relate to the provisions of NRS 287  
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1 regarding the minimum qualifications of the executive  
2 officer.

3 MR. LYNCH: If I need to push the button.

4 CHAIRWOMAN FREED: Please do.

5 MR. LYNCH: So I got about a 25-year background  
6 in negotiating health benefit programs as well as workers'  
7 comp. I started in workers' comp, and I ended up as the CEO  
8 of the largest trade organization in the state, and we  
9 successfully negotiated and formed the largest association  
10 out-plan and longest running out-plan in the State of Nevada  
11 which, of course, was made obsolete by the Affordable Care  
12 Act as people understand.

13 But at that time we were working, if people  
14 remember the Kennedy Kassebaum Act and putting caps on  
15 breaking up for preexisting conditions, and the most  
16 significant I think component of our program was that we  
17 allowed for sole proprietors. We were able to successfully  
18 build them into a group plan which is what I think at that  
19 time and I'm very proud of was pretty successful.

20 I'm also one of the longest serving deputy  
21 commissioners of insurance responsible for solvency  
22 regulation, as well as overseeing the life and health for P&C  
23 components of the division. I've served under four  
24 commissioners. And during my tenure we implemented Nevada's  
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1 version of the Affordable Care Act.

2 I also, and I'm not happy to say, but was also  
3 responsible for the oversight of the eventual shutdown of the  
4 co-op, the cooperative health program that was formed with  
5 federal dollars, and but it unfortunately didn't work in  
6 Nevada, but we did work very closely together for two years  
7 essentially running a health insurance company. So I feel  
8 like that would make me qualified.

9 MEMBER VERDUCCI: Yes. As a follow-up to that.

10 MR. LYNCH: Uh-huh.

11 MEMBER VERDUCCI: NRS 287 requires a four-year  
12 degree in either business or public administration. And in  
13 reviewing the resume I do see you have a four-year degree in  
14 a bachelor of arts.

15 MR. LYNCH: Yes.

16 MEMBER VERDUCCI: I'm looking for a similar  
17 degree that would qualify you in terms of the four-year  
18 business or public administration.

19 MR. LYNCH: And I appreciate that question.  
20 Absolutely, as I understand it, it's a combination of  
21 education and experience. So I do have an academic  
22 background but I also have a long professional history.

23 CHAIRWOMAN FREED: This is Laura Freed for the  
24 record.

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1           Let me just jump in here. Can you tell us what  
2 your bachelor of arts is in?

3           MR. LYNCH: English literature.

4           CHAIRWOMAN FREED: Got it. Thank you.

5           Okay. The next question was assigned to me.  
6 This is kind of a long one. If I need to repeat it just  
7 holler at me. The position of PEBP executive officer  
8 statutorily receives direction from the PEBP Board, is  
9 accountable for the PEBP budget, has obligations to plan  
10 participants and is also responsible for the PEBP staff. How  
11 would you create a positive working environment in the agency  
12 and develop a plan design that addresses stakeholder needs  
13 and wishes in a market with continued cost increases?

14          MR. LYNCH: I'm going to answer this question  
15 kind of in reverse. So let us talk about out-counts. A lot  
16 has evolved when it comes to the provision of healthcare, and  
17 the days of just going to see the doctor, getting your  
18 pharmacy needs met and that tends to be the end of the care.  
19 That's the gist of it.

20          Nowadays I think, and I've been involved in the  
21 private sector quite a bit in this. I think behavioral  
22 health is really the pathway to be successful and there's two  
23 sides to this. You can look at it from the public side,  
24 state employees. We want them to be healthy. We want them

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1 to be productive, and we want to retain them, and you need to  
2 get the most of your dollars by keeping them healthy, happy,  
3 productive.

4           It's no longer just saying go to the doctor, get  
5 some pills and go back to work. It is creating an  
6 environment of behavioral health, and studies, national  
7 studies continually keep showing that that's the direction  
8 that everybody is going. And that's driven by the private  
9 sector because companies like Ford Motor Company, Coca-Cola,  
10 everybody, they want to keep their employees working,  
11 healthy, happy and productive, but I think that philosophy  
12 also applies to state employees too.

13           So you need to start planning for benefits that  
14 include behavioral health components that can be metabolic.  
15 That can be behavioral, I mean addiction, sleep disorder.  
16 They can be a great many things, but you need to actually  
17 proactively address those issues to avoid costs, long term  
18 costs for healthcare and keep your employees productive and  
19 happy.

20           I do need to go back now. The earlier part of  
21 the question.

22           CHAIRWOMAN FREED: You need me to repeat it?  
23 Okay. The position of PEBP executive officer receives  
24 direction from the PEBP Board.

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1 MR. LYNCH: Right.

2 CHAIRWOMAN FREED: Is accountable for the PEBP  
3 budget, has obligations to plan participants and also is  
4 responsible for the PEBP staff. How would you create a  
5 positive working environment in the agency and develop a plan  
6 that addresses stakeholder needs and wishes in a market with  
7 continued cost increases.

8 MR. LYNCH: For the stakeholders, I mean a lot of  
9 that is technology driven, creating. And I'm -- I'm an old  
10 timer. I would go back to a pager if I could. You know,  
11 social media, there are -- there are applications people can  
12 access to create an environment that allows the members to  
13 communicate, to share their thoughts and to also reach out  
14 when they need help and that is -- I may not be the best  
15 advocate for that because I don't -- I've never looked at  
16 Facebook, okay, I don't know. But it is part of the world we  
17 live in, and you need to create that access for those  
18 stakeholders, those members to be able to share what they  
19 need to know, what they are asking for and be able to respond  
20 to them.

21 On a positive environment in the workplace is I  
22 have a very fundamental, very simple approach and it comes  
23 from my military background. It's -- it's my job to provide  
24 the tools and the opportunity for everyone and the  
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1 organization to be successful. That's really the fundamental  
2 backbone, but there's also and, again, like I said, it comes  
3 from my military background. There's another side of that  
4 coin. Everybody is accountable and they have to perform and  
5 they have to be held accountable.

6 If I can give them an opportunity, the tools to  
7 be successful then there's no other excuse. You should be  
8 able to succeed. If you're not then you knock on my door and  
9 you tell me what you need, and I'll do what I can within the  
10 rules and within the boundaries of what is accessible to  
11 provide that to them.

12 But I've -- you know, I've been a public sector  
13 manager. I've been a private sector manager, and really at  
14 the end of the day I take pride in creating upward mobility  
15 for everybody that works for me.

16 MEMBER BAILEY: Mr. Lynch?

17 MR. LYNCH: Yes, sir.

18 MEMBER BAILEY: My question to you would be  
19 describe your experience managing an organization that relies  
20 on heavy enlarged database.

21 MR. LYNCH: Well, that's a pretty easy one for  
22 me. We have about -- well, in my tenure with the division of  
23 insurance, about 75,000 agents and brokers, 3,500 licensed  
24 insurers and we have to communicate with all 50 states that  
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1 they may be doing business in. They -- you know, these  
2 agents and brokers don't just resign. They do business if  
3 they work for farmers or travelers or whomever. They work in  
4 maybe all 50 states. And we had to create a platform that  
5 allowed, well, all 50 states plus DC. I forget to say that  
6 because they count too. And, I mean, it was a challenge and  
7 it evolved, and I was there at a time when technology was  
8 really evolving. I mean, I went from, you know, the fax  
9 machines to creating a nationwide database and participating  
10 in that creation to share that data and information.

11 Because for example, an insurer may be writing  
12 business in all 50 states and DC, and it may be in Alabama  
13 they have a problem. How do we all know? How do we all  
14 participate in holding them accountable and regulating them  
15 so we don't have a problem in Nevada down the road. And so,  
16 yes, it was a significant robust and evolving program, you  
17 know, that I take some pride being a part of.

18 MEMBER BAILEY: Would that include insurance  
19 underwriters?

20 MR. LYNCH: Well, underwriting is done in-house,  
21 so to speak. So it's not evolving activity, only in the  
22 sense that you know rates and forms are regulated. So if  
23 you're looking at the underwriters that is -- that is more  
24 art than science and it is regulated activity, but you

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1 definitely communicate and there are standards that are  
2 promulgated to -- to create best practices, but I'm not aware  
3 of a universal database for underwriting except for the  
4 actuarial standards that are out there.

5 MEMBER BAILEY: Okay. Thank you.

6 MR. LYNCH: Of course.

7 MEMBER SMITH: Good morning. David Smith for the  
8 record.

9 Mr. Lynch, please describe your experience with  
10 healthcare cost containment measures.

11 MR. LYNCH: I think I kind of hit on that  
12 earlier. When you talk containment you're talking  
13 utilization and the old philosophy was wellness, and I don't  
14 even say that it's old. I mean, but promoting wellness,  
15 behaviors, standards, you know, the best one, I loved working  
16 for the state when we got our Fitbits, you know, and -- and  
17 I'm pretty -- I'll say this for the record, I think some  
18 people cheated but the -- nowadays it is a completely  
19 different paradigm.

20 There are modalities of behavioral health  
21 treatment that mitigate metabolic health issues, addiction  
22 issues, sleep issues, lifestyle issues that right now the FDA  
23 is looking at and people are evaluating that will be out  
24 there in the public and available very soon and I think that

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1 is the -- that's the direction you need to go. It's -- this  
2 may sound trite, but it's how you live your life, not just  
3 how we treat you when you're not feeling well, and that's how  
4 you contain those costs.

5 And in my private sector experience I will tell  
6 you I'm a very entrepreneurial person. And I think for the  
7 State of Nevada, I'm -- you know, born and raised here. I  
8 want to control costs too, but the goal is to just make  
9 people healthy. That's how you contain those costs.

10 MEMBER SMITH: Thank you.

11 CHAIRWOMAN FREED: The next question was assigned  
12 to Ms. Zach, but I am not sure if she has her questions and  
13 soft copy yet. So I'll give her a chance to pose the  
14 question from the south if she has them. If not, I'll throw  
15 it to Vice Chair Fox.

16 MEMBER ZACK: Madam Chair, Christine Zach for the  
17 record.

18 I've been diligently checking my e-mail and I  
19 have not received those questions.

20 CHAIRWOMAN FREED: All right. My apologies. We  
21 will do the best we can to get you those as fast as possible.  
22 So I'll throw it to Vice Chair Fox.

23 VICE CHAIR FOX: Good morning. Linda Fox for the  
24 record.

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1 MR. LYNCH: Good morning.

2 VICE CHAIR FOX: Give an example of how you have  
3 adjusted your leadership style when an objective was not  
4 being met or you were having difficulty persuading someone to  
5 your point of view.

6 MR. LYNCH: A specific individual or maybe as a  
7 group or how would you like me to address that?

8 VICE CHAIR FOX: I think either would be okay.

9 MR. LYNCH: When -- when I was hired by the  
10 division of insurance there's a team within the division that  
11 had been struggling very much and it -- and so they brought  
12 me in to kind of -- one of the tasks I was given was to get  
13 this squared away. And what I found was people were bright,  
14 good at their jobs and they were unhappy, and they were kind  
15 of treated, and this may be an esoteric kind of analogy.

16 States have to meet these national accreditation  
17 standards to be able to regulate insurance on a state by  
18 state basis. If you lose that accreditation you basically  
19 lose your ability to lawfully regulate insurance, and this  
20 section was responsible for that, financial solvency  
21 regulation of insurance, and I got there, and I was -- I was  
22 struck by, you know, these smart people, good at their jobs  
23 and why were they unmotivated and unhappy?

24 And really what it came down to was, you know,  
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1 there are 83 employees at the division of insurance, at least  
2 in my time, and this is the only section that was looked at  
3 by another agency and -- and was found lacking. Well,  
4 everybody else, you know, legal staff, the other folks looked  
5 down on them because they thought they failed, and I was  
6 lucky when I was hired by Scott Kipper, commissioner of  
7 insurance at that time, to say look, we're one team. We are  
8 a whole team. It's not you can't just carve these people out  
9 and treat them and judge them differently, and I stood up for  
10 them. I made my case for them. I -- I would like to think I  
11 empowered them to be successful, but I also communicated to  
12 everyone else you can't do this. You can't treat people  
13 differently. Within an organization it's one team.

14 And I coached football for 11 years. So I kind  
15 of do look at this of it kind of it takes everybody. So that  
16 was -- that was a tough -- that was a tough time and it was a  
17 tough challenge to overcome, but luckily we were able to be  
18 one very successful, which changed everything. And, two,  
19 sort of get everybody to buy in and that accreditation  
20 responsibility wasn't just these people's responsibility.  
21 It's everybody's responsibility.

22 So that was I think an interesting challenge. It  
23 was -- it wasn't the most pleasant thing I've ever dealt  
24 with, but I'm very proud how it came out. I don't know if

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1 that answered the question.

2 VICE CHAIR FOX: I think so. Thank you.

3 MEMBER MITCHELL: Good morning. Jet Mitchell for  
4 the record.

5 For the last two jobs you've been at, take me  
6 through, one, when you left why did you leave. And, two,  
7 when you joined the next one, why did you choose it?

8 MR. LYNCH: Okay. So going back two jobs would  
9 be a -- would be the division, and I think at the time it  
10 just -- Commissioner Richardson was really and to her credit  
11 wanted to sort of shake things up. And I was, you know, the  
12 old hand. I worked for four commissioners, you know, seven  
13 other deputy commissioners.

14 And what was really not, I don't want to say  
15 frustrating, what was tough was that the problem was the  
16 timing of those changes in commissioners always resulted in  
17 me. I was the person with the institutional knowledge,  
18 creating the budgets, and we only got one BDR and the last  
19 one I did was 187 pages long. It just got -- you know, it  
20 just got old.

21 And so I think she had some good people in line  
22 that she wanted to put in place and so I -- you know, I -- it  
23 was my time to go. That's kind of how I felt. I wasn't -- I  
24 wasn't -- if you go to work and you're not happy and you're  
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1 not enjoying what you're doing and you feel like you're in  
2 the way, I think that was -- it was my time to go.

3 Then the next job I did that was private  
4 consulting, and basically I just I helped form an insurance  
5 company. It's up. It's running. And my -- my role was to  
6 get it up and running and that was -- I wasn't -- it was  
7 never intended for me to be there for the long term and  
8 that's where I'm at now.

9 MEMBER MITCHELL: A follow-up question. So the  
10 last two roles you referred to, the division and private  
11 consulting, can you -- since on the resume I didn't see the  
12 dates, can you please give dates of those two.

13 MR. LYNCH: I left the division in November of  
14 2016. And I'm technically still consulting but to be candid  
15 my role has wound down.

16 MEMBER MITCHELL: So the dates -- what were the  
17 dates of the division and the dates of the private  
18 consultation? What were -- just bracket both of those for  
19 me.

20 MR. LYNCH: So November 2016. Then I went to  
21 work about February of 2017, maybe March.

22 VICE CHAIR FOX: Linda Fox for the record.

23 Describe your goals during your first six months,  
24 12 months and 24 months if you are selected for the position.

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1           MR. LYNCH: That's a great question. I would  
2 actually expect you all to tell me my goals because I don't  
3 necessarily know what you need, and I think the first six  
4 months is to establish rapport and create, hopefully foster a  
5 very positive working environment. I'm assuming 12 months  
6 would be, well, so we would have to BDR and budget process  
7 between then and now within 12 months. So those probably  
8 would be my biggest goals, fostering. The Board's policy as  
9 far as what legislative advocacy needs to be done, as well as  
10 budget preparation.

11           And in 24 months, I would -- I would hope I have  
12 an organization of 34 very happy employees, a successful  
13 plan, and if I had to pick something to be idealistic, I  
14 would really like to see some innovative changes as far as  
15 health benefits goes as far as including things like  
16 behavioral health, and I know I said that a lot today.

17           VICE CHAIR FOX: Thank you.

18           CHAIRWOMAN FREED: This is Laura Freed for the  
19 record.

20           Tell us about a time when you made a significant  
21 mistake in your work, how you corrected it and what you  
22 learned from the experience.

23           MR. LYNCH: This is -- this is going to get off  
24 of the dealing with healthcare for a moment, but I've been a  
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1 lobbyist for many many years. And I -- I was the CEO of the  
2 Builders Association of Northern Nevada. There was about 750  
3 builders, contractors, developers, and if people are  
4 familiar, everybody owns a house, right. And in Nevada the  
5 construction defect laws are unique, to say the least, and we  
6 formed a coalition, and we went to the legislature. Chapter  
7 40 is where the law is, and we came up with a plan, and at  
8 that time, you know, the economy was booming. So everybody  
9 thought the sky was the limit, and we kind of made a deal  
10 with all of the stakeholders involved, and, you know, that  
11 includes trial lawyers, homeowners's associations, those  
12 types of folks.

13           And what we gave up was it's called the statute  
14 of repose and there used to be a time limit, ten years. You  
15 had ten years, and we gave that up because everybody thought,  
16 you know, the economy was going like this and everybody was  
17 happy. And then a year goes by, everything changes and what  
18 we gave up was, you know, basically we allowed for, you know,  
19 a timeless period to challenge or to make a claim.

20           A lot of people got hurt. It cost our local  
21 jurisdictions a lot of money because what happened was the  
22 valuations and the homes went down so bad. You know, the tax  
23 roles went down so bad. I mean, it really. It hurt schools.  
24 It hurt kids. It hurt everybody. And, you know, luckily we  
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1 were able to go back and successfully reverse that but, yeah,  
2 at that time had it been more forward thinking I might  
3 have -- I might have fought harder, but.

4 CHAIRWOMAN FREED: Can you clarify what session  
5 of the legislature you gave up the statute of repose and when  
6 it was reinstated in NRS?

7 MR. LYNCH: It was 2005 or 2003. I apologize.  
8 And then it was -- it was replaced after I left the builders  
9 I think in 2013 or '15. It probably was 2013, okay.

10 CHAIRWOMAN FREED: And can you tell us what you  
11 learned from that experience.

12 MR. LYNCH: I think the lesson there is how do  
13 you anticipate future consequences. How can you be more  
14 proactive looking forward, you know, and maybe not to get too  
15 excited about taking advantage of a good economy.

16 CHAIRWOMAN FREED: Okay.

17 MR. LYNCH: And everybody was very excited, let  
18 me tell you.

19 MEMBER HAGLER: Good morning. Mandy Hagler for  
20 the record.

21 MR. LYNCH: Good morning.

22 MEMBER HAGLER: Tell us about a time where you  
23 were tasked with implementing significant program or policy  
24 change despite resistance from others. What specific actions

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1 did you take to accomplish the task and overcome the  
2 resistance.

3 MR. LYNCH: I think this, and I'm going to try  
4 and tie things to my state service. The 2009 Legislature  
5 converted the division of insurance from a general fund  
6 agency to an enterprise agency, and I am a strong advocate  
7 for that. And nobody wanted to do it because, you know, the  
8 division creates about 300 million dollars in tax revenue,  
9 and we get a little piece of that to operate on.

10 And I was advocating for, look, we can create a  
11 structure of fees that we live on and as things go up and go  
12 down, we live within our means and nobody wanted it. It  
13 passed. But, I mean, the legislature wanted it. Nobody on  
14 our side wanted it.

15 And what actually ended up happening and what  
16 proved to be the case was we can be very successful and,  
17 again, it's my entrepreneurial experience. We can be  
18 successful. We can live within our means and generate  
19 revenue and regulate the industry and do very well. I mean,  
20 at that time -- I mean, in 2009 we were the only state  
21 agencies that -- we didn't have to do furloughs. We were  
22 mandated to them but we could have -- we could have afforded  
23 not to. We could still travel. We could still send people  
24 to training.

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1 I mean, we had a very successful revenue stream  
2 and it took -- I think it took, you know, that biennium,  
3 2009, 2010 to get people to see this is actually how -- how  
4 you want to do things in my opinion but it was -- yeah, it  
5 was not -- it wasn't the easiest sale.

6 MEMBER HAGLER: Thank you.

7 MR. LYNCH: Luckily the legislature wanted it so  
8 that made it easy.

9 MEMBER SMITH: David Smith for the record.

10 Ethics are a key factor for leaders in public  
11 service. Tell us about a time when your ethics were  
12 challenged at work and how you dealt with it. What  
13 specifically will you do to ensure high ethical standards in  
14 the Public Employees' Benefits Program and the protection of  
15 the public trust.

16 MR. LYNCH: I look at it in two ways. Ethical  
17 behavior is -- it's who you are, and it only gets challenged  
18 when you're put in a position of somebody asking to do  
19 something that you don't think is right, and you have to just  
20 have the fortitude to say I can't do that. It's hard. It's  
21 very hard. You know, we -- I've dealt with issues where life  
22 will be easier if you did this, if everybody just agreed and  
23 went along with something. But you have to at the end of the  
24 day decide I agree it's easier. I agree it would make life  
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1 easy for everybody and nobody is going to care but I will  
2 care.

3 MEMBER SMITH: This is David Smith for the  
4 record. Can you give us a specific example.

5 MR. LYNCH: Well, I can give you kind of an odd  
6 example and it came about that conversion to an enterprise  
7 fund versus a general fund agency and, you know, we had a lot  
8 of people that were questioning our budgeting and fretting  
9 over where we were going to end up financially and they --  
10 they -- I was directed to recommend increasing fees at that  
11 time.

12 And, you know, I basically had to say I can't --  
13 I can't do that. It's not right. It's not good for the  
14 industry. It's not good for consumers. It's not good for  
15 the State of Nevada. I know it would make life easy for  
16 everyone, but I genuinely just can't do it. I can't support  
17 it. I mean, if they told me to do it then they would just do  
18 it. So, yeah, that was a little bit of a crisis of  
19 conscience where I just had to decide, you know, what is  
20 right versus what is easy and luckily we stayed the course,  
21 and we did what was right and, you know, it felt right to me.

22 VICE CHAIR FOX: Linda Fox for the record.

23 Currently PEBP provides a consumer driven health  
24 plan option health maintenance organization in Southern  
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1 Nevada and exclusive provider organization in Northern  
2 Nevada. What other plan offerings should the State consider  
3 and how might you fund those offerings?

4 MR. LYNCH: That is -- that's the golden  
5 question. I honestly think there's -- there's two approaches  
6 and right now you kind of have a challenge of carriers and  
7 providers and what they are willing to offer.

8 I honestly without -- and with all due respect,  
9 Ms. Fox, without knowing the details, it would be very hard  
10 for me to craft a plan that might be more cost effective here  
11 at the table. There are -- there are opportunities, but I  
12 can't tell you who's going to be willing to write a contract  
13 next year.

14 I do think there's more competitiveness in the  
15 market for providers, and I think that's a good thing, but  
16 there's also a lot -- a lot of providers are opting for open  
17 network contracts and that's expanding, and so maybe there is  
18 a way to pool those open network providers, but then  
19 basically you're just creating the same thing, you know,  
20 you're just sort of recreating the wheel that way.

21 But I just went through this experience the other  
22 day with my son. His doctor is now no longer accepting  
23 insurance. It's just -- it's just a pay for provider  
24 service. There are opportunities there, and it takes

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1 creativity and negotiation skills and imagination to maybe  
2 create something from those open provider networks, but I  
3 couldn't honestly tell you how I could do that right now.

4 CHAIRWOMAN FREED: If she has the questions, I'll  
5 throw it back to Ms. Zach in the south.

6 MEMBER ZACK: Thank you Madam Chair. Christine  
7 Zach for the record.

8 So the official question is if the Governor  
9 approves your appointment when are you available to start?  
10 And I have a follow-up question because I don't have a copy  
11 of your resume. Where are you currently working?

12 MR. LYNCH: Right now I work independently. I'm  
13 a consultant for a group of reinsurers. They -- they do  
14 reinsurance for self-funded health plans, and so I'm just  
15 independent at this moment.

16 But, like I say, I've kind of wound down my  
17 involvement there because we successfully started up the  
18 enterprise we were hoping to create. And, you know, I knew  
19 that day would come, and so I'm available -- I would -- I  
20 mean, I would probably say whenever you need me.

21 MEMBER ZACK: Thank you.

22 CHAIRWOMAN FREED: All right. That is the end of  
23 our fixed questions. So the wrap-up is what questions would  
24 you like to ask this Board.

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1 MR. LYNCH: I have one question I would really  
2 like to ask is how as a board of directors do you evaluate  
3 the performance of the director that you're hoping to hire?

4 CHAIRWOMAN FREED: Before I answer my own -- on  
5 my own hook, I'll throw it out to the members of the Board  
6 who have been sitting here for a while. Anyone? Okay,  
7 Mr. Verducci?

8 MEMBER VERDUCCI: Yes, Tom Verducci for the  
9 record.

10 Once a year we do evaluate the performance of the  
11 executive officer, and we take a look at how well you manage  
12 the finances in the program, how well you manage the  
13 relationships with the advocacy groups. We look at the  
14 general spirit within the PEBP department and how well you  
15 would handle legislative issues, how well you prepare for the  
16 meetings and in addition to the written preparation how well  
17 you verbalize before the meetings with Board members and the  
18 advocacy groups. I think that's the best measure of  
19 performance.

20 MR. LYNCH: I appreciate that. Thank you.

21 Is that a trick question?

22 CHAIRWOMAN FREED: No, it's a legit question. I  
23 would echo Mr. Verducci's comments. To that I would say one  
24 of the things that PEBP had some struggles with recently is  
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1 making sure that we get the projection of medical trend, RX  
2 trend correct, and that we have -- that the state subsidies  
3 that are budgeted match those trend projections where we are  
4 with actuarially determined reserves, as well as excess  
5 reserves. So, you know, for my own self I'm looking for an  
6 executive officer that has a very strong financial background  
7 and, again, echoing what Mr. Verducci said about where are we  
8 in the fiscal health of the plan, how we got here and where  
9 do we go from here in the State's budgeting process, and how  
10 does the executive officer communicate that to all of the  
11 stakeholders. So that's not just the Board. It is the  
12 active employees, the retired employees, the Medicare  
13 participants, folks on the Medicare Exchange, legislative  
14 money committees. So I hope that helps a bit.

15 MR. LYNCH: May I ask one more?

16 CHAIRWOMAN FREED: Sure.

17 MR. LYNCH: And that is a pretty daunting task.

18 CHAIRWOMAN FREED: Uh-huh.

19 MR. LYNCH: I'm assuming you have resources  
20 either contracted or staff resources that help make those  
21 projections.

22 CHAIRWOMAN FREED: Uh-huh.

23 MR. LYNCH: But it also, I would look at as an  
24 executive officer my role is to fulfill your goals and, you  
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1 know, that is -- that's like tuning an instrument every time  
2 you play it.

3 CHAIRWOMAN FREED: Uh-huh.

4 MR. LYNCH: So I'm assuming those resources are  
5 available.

6 CHAIRWOMAN FREED: Public Employees' Benefits  
7 Program has an actuary under contract. Aon and additionally  
8 there is a chief financial officer who reports to the  
9 executive officer. So the executive officer, the CFO,  
10 probably the operations officer to a certain extent works  
11 very closely with Aon to see what is going on with claims  
12 costs in -- in each group and then each coverage tier within  
13 that group. As well as Aon projects the actuarial determined  
14 reserves so incurred but not paid, as well as catastrophic or  
15 rate stabilization reserves.

16 MR. LYNCH: Which Aon office do you actively work  
17 with?

18 CHAIRWOMAN FREED: Denver.

19 MR. LYNCH: Okay. I would suppose that that  
20 would be it. I just want to say thank you very very much for  
21 the opportunity to come here and meet with you and learn  
22 about the Board, what you do and I appreciate this  
23 opportunity. Hopefully, you know, I can be of some value to  
24 you, and with that I say thank you very much.

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1 CHAIRWOMAN FREED: Thank you for your time,  
2 Mr. Lynch. We appreciate it.

3 Okay. Board members, we'll take a brief recess  
4 while we switch out our candidates.

5 (Whereupon, a brief recess was taken.)

6 CHAIRWOMAN FREED: Okay. Is everyone back.

7 Good morning, Ms. Rich. So the way this will  
8 work is we have a set -- set group of questions and they have  
9 been assigned to various Board members. So we'll just go  
10 around the panel. If you need us to repeat the longer ones  
11 please just pause and just say that again, and I will let  
12 Mr. Verducci start it off.

13 MEMBER VERDUCCI: Tom Verducci for the record.  
14 Good morning, Ms. Rich.

15 MS. RICH: Good morning.

16 MEMBER VERDUCCI: Could you please describe your  
17 qualifications as they relate to the provisions of NRS 287  
18 regarding the minimum qualifications of the executive  
19 officer.

20 MS. RICH: So for the record Laura Rich.

21 The -- I believe the minimum qualifications are  
22 you -- you must have a four-year degree or in a business  
23 capacity or something closely related. I do have a masters  
24 of business administration which I just finished actually a  
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1 couple of months ago. So I'm very proud of that. I also  
2 have a bachelor's degree that is not directly related to  
3 business. I originally went to college to become a teacher  
4 and obviously didn't go that direction.

5 So I ended up working in the healthcare capacity.  
6 I started out with aging disability services which brings me  
7 to the second part of that which is the experience that I  
8 have gained throughout those -- throughout that time. I  
9 believe you have to have five years of experience in a  
10 healthcare background, healthcare, something related to that  
11 risk management background. I do have a background in that.

12 I started out at aging disability services where  
13 I went from wanting to teach to spending my days in nursing  
14 homes, which I really really appreciated that job. I learned  
15 a lot about Medicaid, Medicare and -- and just healthcare in  
16 general in those facilities, especially in that population.

17 And then I transitioned over to Medicaid where I  
18 then just enhanced that knowledge and experience of, you  
19 know, the Medicaid program and federal rules and regulations  
20 and things like that related to healthcare.

21 And then I transitioned to the Silver State  
22 Health Insurance Exchange which was right at the time  
23 where -- when the Affordable Care Act was rolled out. Many  
24 of you might remember that was a very rocky time, but we were  
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1 charged with implementing the Affordable Care Act, and so I  
2 got to know healthcare pretty -- I got -- I had to or I had  
3 the experience of being able to understand everything related  
4 to the Affordable Care Act and the rules and regulations and  
5 the implementation of that, and so there's a lot of things  
6 today that, you know, are -- come as a result of that.

7 After the Silver State Health Insurance Exchange  
8 I went over to PEBP and have been the operations officer  
9 there since where I think between those two positions I do  
10 have the qualifications in that management capacity of  
11 healthcare administration.

12 MEMBER VERDUCCI: Thank you. Very complete  
13 answer.

14 CHAIRWOMAN FREED: The position -- this is Laura  
15 Freed for the record.

16 The position of PEBP executive officer  
17 statutorily receives direction from the PEBP Board, is  
18 accountable for the PEBP budget, has obligations to plan  
19 participants and is also responsible for the PEBP staff. How  
20 would you create a positive working environment in the agency  
21 and develop a plan design that addresses stakeholder needs  
22 and wishes in a market with continued cost increases?

23 MS. RICH: So that's actually a very good  
24 question. I think ultimately the PEBP Board, as well as the  
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1 executive officer has a fiduciary responsibility to the  
2 program. So there's always an obligation to balance the  
3 priorities of members and what members need and what members  
4 want.

5 CHAIRWOMAN FREED: Uh-huh.

6 MS. RICH: With the -- the financial limitations  
7 that come with state government.

8 CHAIRWOMAN FREED: Uh-huh.

9 MS. RICH: And so there's always -- in healthcare  
10 it's a constant changing landscape. So you're constantly  
11 having to reassess and reevaluate the programs, the benefits,  
12 the cost -- costs involved in those -- in that landscape and  
13 so there's -- there's opportunities to evaluate what is it  
14 that will enhance the program but lower costs at the same  
15 time. And I think there's plenty of opportunities, as we've  
16 seen in the past, where there's definitely benefits out there  
17 that will improve either access or coverage or, you know, the  
18 member experience with healthcare that also reduce costs to  
19 the program.

20 It's not always a -- if you're going to improve  
21 something for the members it's going to come at a cost. I  
22 think there are definitely opportunities to reduce costs  
23 while improving the -- the benefit design and member  
24 experience. So it's just a matter of looking for those

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1 opportunities and finding those programs and finding those --  
2 those different benefit changes that can -- that can  
3 accomplish that but, again, it's always a balance.

4           You're looking at, you know, different groups of  
5 members that we -- that, you know, we look at covering,  
6 right. So we have got the retirees and we have active  
7 employees. There's a balance between those as well. There's  
8 definitely a different focus from the retiree population than  
9 there would be on the active side as well. So there's a  
10 constant balance, but I believe there's opportunities to --  
11 to find that balance and to achieve an improvement in the  
12 program while not raising the cost of the program.

13           CHAIRWOMAN FREED: Thank you.

14           MEMBER BAILEY: For the record Don Bailey.

15           Ms. Rich, would you describe your -- this is a  
16 loaded question. Would you describe your experience managing  
17 an organization with a large database. You're already there.

18           MS. RICH: That's prior to being interim  
19 executive officer I was the operations officer at PEBP. I've  
20 been the operations officer for a little over four years now.  
21 One of the biggest undertakings that I had coming into that  
22 role was I remember on, I believe it was day two I asked our  
23 IT officer at the time why in the world are we operating with  
24 paper forms. And it was -- I was told there's no other way.

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1 We have to operate. This is the only way. We have to have  
2 an original bar code form and it must come into PEBP via the  
3 snail mail system. And I thought there's got to be a better  
4 way. There has to be a better way than this.

5 And so I -- there's been a lot of work that has  
6 been done in those few years to get to that point. But  
7 actually yesterday we launched a paperless system. Part of  
8 that was upgrading the -- the system on the back end that  
9 maintains the data and the eligibility rules and the system  
10 that not only members use but staff uses as well. And so  
11 I'm -- I've had very extensive experience on that side. I  
12 feel like I became a joke for a while there that I was -- I  
13 became an IT person overnight because I had to. There was  
14 the transition and the relationship we had with our vendor  
15 really required constant oversight from PEBP and still does.  
16 So I've had very intimate knowledge of the system and the  
17 database.

18 MEMBER BAILEY: Thank you.

19 MEMBER SMITH: Good morning. David Smith for the  
20 record.

21 Describe your experience with healthcare cost  
22 containment measures.

23 MS. RICH: So for the record Laura Rich.

24 We have at PEBP looked at constantly assessing  
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1 different cost containment measures. I can't take credit for  
2 a lot of these. This was, you know, a lot of the -- the  
3 previous executive officer implemented these, but it was I  
4 think the staff as a whole that worked together on doing the  
5 research and in looking at different opportunities that this  
6 goes back to, you know, where can we improve benefits and  
7 reduce costs and so we've done that in the past.

8           We have implemented different mechanisms to where  
9 we are continuing to offer the services, the same coverage  
10 and the same services. We're steering people to higher  
11 quality and lower cost services through different programs so  
12 we did that with our hip and knee surgeries. We have also  
13 implemented Healthcare Blue Book which is a tool that helps  
14 participants become better consumers and look for higher --  
15 higher quality, lower cost services and be able to shop for  
16 services. There's been -- there's been plenty of programs  
17 like that.

18           I'll be presenting one which we touched on in  
19 January but the Save-On program which does reduce the -- it  
20 leverages those co-pay assistant dollars from manufacturers  
21 and then reduces the cost, the out-of-pocket cost to members  
22 to zero. And so there's -- there's many different  
23 opportunities that we've had and we're still looking into.  
24 There's a few others on the table that I would like to look  
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1 into. Some of them, you know, have been brought up to either  
2 by, you know, Board members. I've had vendors also bring  
3 some options up as well. These all need to be vetted and  
4 obviously, you know, looked at extensively, but there's many  
5 options out there on the table right now.

6 CHAIRWOMAN FREED: If Ms. Zach in Las Vegas has  
7 the questions I'm going to let her take question number five.

8 MEMBER ZACK: Thank you, Madam Chair. Christine  
9 Zach for the record.

10 Ms. Rich, can you please give an example how you  
11 have adjusted your leadership style when an objective was not  
12 being met or you were having difficulty persuading someone to  
13 your point of view.

14 MS. RICH: Let me think about that. So I'm going  
15 to go back in the day. I actually had, it was one of my  
16 first positions. I was thrown into a position leading a  
17 staff of eight people. And when I was offered the job I was  
18 warned that the group was a very challenging group and that I  
19 would be challenged as a supervisor, and being a fairly new  
20 supervisor, new to the division at the time, it was going to  
21 be a challenge, and so it definitely was. There was some  
22 personalities and issues within the group and the staff.

23 There was a point in time where I had to take  
24 some measures and -- and write someone up, and I had the  
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1 conversation with this person and we did, we discussed it and  
2 my boss came in and the conversation changed. It was -- it  
3 went from a conversation of how can we make this better to  
4 why did you do this? And so quickly her tone changed, and I  
5 took her side afterwards and had an additional conversation  
6 with the staff member and said, you know, let's -- let's  
7 figure out what we can do to accommodate your -- your problem  
8 and to meet the goals of -- of the agency and of the unit  
9 itself.

10                   And so in the end she actually thanked me for  
11 writing her up. It was actually my last day on the job  
12 there. She thanked me. She called me the next day at my new  
13 job and thanked me for writing her up and thanked me for one  
14 of the options was to take advantage of the courses offered  
15 through the division of human resource management on conflict  
16 management, and she really appreciated that and thought that  
17 it was -- it made her understand what she did wrong versus  
18 and how she could improve versus the -- in the past things  
19 had been handled differently for her. So it was the first  
20 time that she actually had been receptive to that kind of  
21 counseling.

22                   And so I think I have used that approach because  
23 it worked so well. I've continued to use it throughout my  
24 career where, you know, sometimes the belittling is much less  
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1 effective than having a face-to-face conversation on a, you  
2 know, equal scale and addressing issues at hand versus the --  
3 the approach of consequences, right.

4 So did that answer your question?

5 MEMBER ZACK: Yes. Thank you, Ms. Rich. I  
6 appreciate the detailed example from your professional  
7 career.

8 MEMBER MITCHELL: Hi. Good morning. Jet  
9 Mitchell for the record.

10 Ms. Rich, for the last two jobs you've been at  
11 take me through when you left why did you leave, one.

12 MS. RICH: Okay.

13 MEMBER MITCHELL: Two, when you joined the next  
14 one why did you choose it.

15 MS. RICH: Okay. So my previous job was the  
16 Silver State Health Insurance Exchange. That's an  
17 interesting story because I actually had the opportunity  
18 there. I had an offer at the Silver State Health Exchange to  
19 be the operations manager there.

20 And I also had the opportunity to or the offer to  
21 be the operations officer at PEBP. I knew that if I remained  
22 at the Silver State Health Insurance Exchange I was going to  
23 have it easy. I knew the job. I knew that it was on  
24 autopilot, and I knew that I probably wouldn't have to work  
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1 eight-hour days if I didn't have to, at least for the  
2 foreseeable future. That didn't interest me because I -- I  
3 didn't -- I need a challenge. I needed something that was --  
4 that I was going to learn from. That I was going to, you  
5 know, feel like I would grow my professional career, and so I  
6 chose to come to PEBP.

7           And the other reason for that too is the previous  
8 executive officer was -- he had come from Silver State Health  
9 Insurance Exchange and we had worked really well together in  
10 the past, and he was the operations officer at the time, and  
11 so we worked so well together that I -- I wanted to continue  
12 that relationship and work as his operations officer. I  
13 think there was a level of trust there and that was very  
14 important to me too that I had that relationship with the  
15 person that I would be working for. So there was definitely,  
16 and I know I made the right decision.

17           I don't remember the second part of that  
18 question.

19           MEMBER MITCHELL: It was when you joined the next  
20 one, why did you choose it?

21           MS. RICH: Okay. I did answer it. Thank you.

22           MEMBER MITCHELL: Yes. Thank you.

23           VICE CHAIR FOX: Good morning. Linda Fox for the  
24 record.

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1           Describe your goals during your first six months,  
2 12 months and 24 months if you are selected for this  
3 position.

4           MS. RICH: So without letting the cat out of the  
5 bag too much, knowing what is to come, there's definitely --  
6 there's some challenges in the foreseeable future. We've got  
7 some -- definitely there are rates that we're going to need  
8 to address probably at this next Board meeting and cost, cost  
9 containment and trends. And so I think in, you know, the  
10 immediate future it's definitely looking at what can we do  
11 and I've already been doing this, what can we do to minimize  
12 this impact on members and the cost of this impact on members  
13 and the state in general too. So that's probably the most  
14 immediate concern.

15           In the next 12 months I would say that one of the  
16 things, I attended Budget Kickoff last -- last week. And one  
17 of the things that was mentioned at Budget Kickoff was the --  
18 the goal of this administration, and the goal of this  
19 administration is to form a more child and family centered  
20 government and state and the -- the ask was if there was  
21 anything that agencies were going to request it needed to tie  
22 to the strategic goal, to that strategic goal. So I think in  
23 the next 12 months that is something that, you know, between  
24 the Board and the executive officer we need to collectively  
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1 come up with how do our strategic goals align with the goals  
2 of this administration.

3           Within 24 months there's definitely room for  
4 reassessing our plan and our plan design in looking at  
5 whether maybe the CDHP is something that we need to change,  
6 to enhance, to maybe replace. The CDHP was implemented at a  
7 time when it was -- the state was in a financial crisis mode  
8 and it was -- it was a different landscape back then,  
9 different healthcare landscape, health scare apparently,  
10 yeah, that's true too.

11           It was a different landscape at the time. And so  
12 maybe this is something that we need to start evaluating and  
13 maybe looking at it and seeing if it's still appropriate for  
14 our membership and maybe it still is. Maybe we need to go  
15 think about coming up with a different plan, a separate plan.  
16 I know there's been some talk about maybe a middle level  
17 plan, introducing something that's not high deductible plan.  
18 It's not the HMO, somewhere in the middle. So there's  
19 different options to start looking at.

20           I don't know what the answer is yet. I think it  
21 would take a lot of actuarial analysis and research, but I  
22 think that's definitely something we need to start looking at  
23 as a program within the next 24 months.

24           **CHAIRWOMAN FREED:** Tell us about a time when you  
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1 made a significant mistake in your work, how you corrected it  
2 and what you learned from that experience.

3 MS. RICH: So I'll go back to the Silver State  
4 Health Insurance Exchange. As many of you know it was a very  
5 very rocky rollout. I was -- I was hired originally as the  
6 quality assurance officer at the Silver State Insurance  
7 Health Exchange right before it rolled out, right before  
8 these state exchanges rolled out. It was being the quality  
9 assurance officer at that time was no fun.

10 We had -- you all know what happened, not just in  
11 Nevada but nationwide. We -- the rollout did not go as  
12 planned. In Nevada we had a vendor who did not come through  
13 and as a result we had a lot of problems on that exchange. I  
14 as the quality insurance officer had the pleasure, duty of  
15 dealing with constituent complaints and all of the -- elected  
16 official, elected representatives, their offices and their  
17 staff trying to work through thousands and thousands of  
18 complaints, and I was the one in that leadership position.

19 While I was not the, you know, in the leadership  
20 position of rolling out that program, there were definitely a  
21 lot of lessons that we learned through that rollout and what  
22 we did wrong and how the decisions early on impacted the  
23 decisions later on. There was a lack of oversight. There  
24 was a lack of collaboration. A lot of different agencies

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1 were working in silos versus working together on a much, you  
2 know, it was a big big project, and it was something that  
3 needed collaboration and instead we were working in silos.  
4 There was no project management oversight, things like that.

5 And so leadership at this Silver State Health  
6 Insurance changed at the time, and I was promoted and we,  
7 myself and actually the previous executive director of PEBP,  
8 Damon Haycock, we managed to take those lessons learned  
9 throughout the first rollout and transition to a hybrid. We  
10 were one of the first states that went this direction to a  
11 hybrid exchange on to the federal platform, and it went very  
12 smoothly.

13 We from the beginning made sure that every agency  
14 was on board. We had weekly steering committee meetings. We  
15 had the Governor's office on board. We had division of  
16 insurance, HHS, every Monday morning we had a group of, you  
17 know, 30 people in an office making sure that everything  
18 stayed on track and that all stakeholders were heavily  
19 involved and communicated to.

20 So I think that was, although it was a mistake on  
21 round one, I feel like it was a humongous learning  
22 opportunity for me and what not to do in the future.

23 MEMBER HAGLER: Good morning. Mandy Hagler for  
24 the record.

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1           Tell us about a time when you were tasked with  
2 implementing a significant program or policy change despite  
3 resistance from others. What specific actions did you take  
4 to accomplish the task and overcome the resistance.

5           MS. RICH: So I'll give an example of the process  
6 change that we implemented and rolled out yesterday. One of  
7 the -- like I said, the agencies that report to PEBP, any new  
8 hires, any terminations, anything coming from any state  
9 agency or local government was coming in on paper. This was  
10 a process that was used for years and years and years and  
11 years.

12           So when we decided to change it, there was -- I  
13 knew there was going to be pushback from, eternally from  
14 staff who have been there forever and ever and are used to a  
15 certain process and are used to a certain way of doing  
16 things, and change is not -- typically people are not very  
17 accommodating to change. You've got to be a special person  
18 to just say yes, please change things for me.

19           So there's -- and this was a very significant  
20 change. People are going from filling out a paper to now  
21 they have got to go on-line and log in and they have got to  
22 fill things out in a different way than they are used to. We  
23 have between 100 and 200 agency reps throughout the state,  
24 throughout state offices, throughout local government offices  
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1 that we had to coordinate with in order for all of them to  
2 get on board and to understand the process and understand the  
3 change.

4 We start -- recognizing this we started out early  
5 and reached out to a lot of these agency reps and said, hey,  
6 you know, we're going to do a webinar. We would like your  
7 feedback. We would like your opinion. We would like you to  
8 be part of this process. This is what we're developing and  
9 we need your help. By asking for their ask, you've now got  
10 them interested. They now have a level of ownership in the  
11 final product, and so it helps the agency as well. It helps  
12 the vendor develop the product, the final product. So we did  
13 that.

14 And once the product was developed and we  
15 internally with staff felt like it was working as it should,  
16 we reached out to these agency reps and again asked them for  
17 their input and asked them for their help to test. And not  
18 only did we get good feedback from them, they also got  
19 training and early training and they were able to, you know,  
20 really give us a good idea of how they use it as the end  
21 user. And yesterday was the first day. So it's still a  
22 little too early to tell, but I'm happy to say that there  
23 were no big issues yesterday, so.

24 MEMBER SMITH: David Smith for the record.  
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1           Ethics are a key factor for leaders in public  
2 service. Tell us about a time when your ethics were  
3 challenged at work and how you dealt with it. What  
4 specifically will you do to ensure high ethical standards in  
5 the Public Employees' Benefits Program and the protection of  
6 the public trust.

7           MS. RICH: So this is public now, and I can  
8 probably share it in a public meeting. When I first started  
9 at PEBP and it was literally three months into -- into my  
10 tenure at PEBP, we had a staff member at the time who was --  
11 who I witnessed receiving a gift and it was from a party who,  
12 vendor who had an open RFP at the time, and so and it was a  
13 fairly expensive gift. And, you know, here I am a new  
14 employee to PEBP and what do I do? Do I report this? Do I  
15 not report this? How do I go about doing this? So obviously  
16 it was reported and that person is no longer working here.  
17 It was difficult for me at the time because, again, I was a  
18 new staff member here and but it was -- I had to do the right  
19 thing. So that was probably one of the harder ethical  
20 decisions that I've made.

21           I think what is important is that the executive  
22 officer be transparent. I think as a public servant you need  
23 to. It's your duty to be transparent. It is not the  
24 executive officer's duty to spin the story. I think that  
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1 presenting the facts, presenting the -- the solid data and  
2 research to support either an opinion or a recommendation is  
3 very important, but that transparency is vital because  
4 without transparency, you no longer have credibility and you  
5 can lose -- you can lose credibility, you know, with the  
6 legislature, with other agencies and ultimately you lose  
7 support if you don't have credibility.

8           So I think that that is important and also in  
9 order to -- in order for the Board to be able to steer the  
10 organization and the agency in the right direction and to  
11 provide, you know, recommendations and policies, there needs  
12 to be that -- that -- the ability of the executive officer  
13 needs to or a trait of the executive officer needs to be  
14 transparency, and it needs to be that -- he or she needs to  
15 be the person that the Board can trust for information and  
16 for data and research so that the Board can make sound  
17 decisions and policies.

18           VICE CHAIR FOX: Linda Fox for the record.

19           Currently PEBP provides a consumer driven health  
20 plan option, a health maintenance organization in Southern  
21 Nevada and an exclusive provider organization in Northern  
22 Nevada. What other plan offerings should the state consider  
23 and how might you fund those offerings?

24           MS. RICH: So I sort of touched on that earlier.  
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1 It's hard to come up here and say this is what we should do  
2 because I don't think that anyone can come up to the table  
3 and -- and give an opinion without research and analysis and  
4 actuarial review of -- of their suggestion.

5 But, like I said, I think that the time has come  
6 to where we need to evaluate whether the CDHP is still  
7 something that is appropriate. It may still be appropriate.  
8 But the CDHP or high deductible plans in general were  
9 developed and implemented back during the time of the  
10 recession. And the goal of a high deductible plan was to  
11 make or encourage members to be better consumers of  
12 healthcare, not just in Nevada but across the country when  
13 these high deductible plans were implemented.

14 Research has shown that that has not been the  
15 case, that it is not making members better consumers, and the  
16 reason why is because healthcare is expensive or expensive,  
17 complicated and is -- healthcare is or insurance itself is  
18 very complicated. People don't understand it. It gets --  
19 it's over their head until they have to use it, and so the  
20 high deductible plan can become a little complex, and now  
21 you -- you add some facts that now they have to become better  
22 shoppers. Well, it's hard to become a better shopper and if  
23 you don't understand the system how would you go about doing  
24 it?

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1           Even if you do understand the system, sometimes  
2 it's -- it's very difficult. I recently took and my daughter  
3 to, we did a -- we did a telemedicine appointment. She had a  
4 rash on her face and it turns out that it just is a -- it's a  
5 pretty common rash that especially kids get probably from  
6 make-up or, you know, whatever. So she got a prescription  
7 for it.

8           I went to go pick up the prescription and it was  
9 \$120 for an antibiotic which I thought was crazy for -- for  
10 that, and so I got back to the office. I know how to shop  
11 for -- I know how to price my medication. So I got back to  
12 the office and I looked, and my medication should not have  
13 been \$120. It should have been 73, at least that's what the  
14 pricing toll was showing.

15           So I have the ability to go back to our PDM and  
16 say why? What happened here? If I didn't work at PEBP, I  
17 would not have that ability. And so it is -- I thought to  
18 myself the other day how many people are experiencing this?  
19 I rarely have to use my health insurance but when I do, I  
20 seem to always, you know, come across an issue, and but I  
21 know how to solve it. Most people do not. And so I think  
22 this is something that we need to look at because I think  
23 healthcare has become -- health insurance and healthcare has  
24 become very complex for the average person. So I definitely

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1 think that it is something that as a program as a Board we  
2 need to start looking at.

3 CHAIRWOMAN FREED: I believe Ms. Zach has the  
4 next question from the south.

5 MEMBER ZACK: Christine Zach for the record.

6 So the question is phrased, if the Governor  
7 approves your appointment when are you available to start  
8 doesn't seem very applicable since you are the interim  
9 executive officer. So I'm going to take the liberty of  
10 tweaking that question and ask you about your relationship  
11 with the Governor's office and how you communicate with the  
12 Governor staff because I think that's vitally important for  
13 an executive officer of PEBP.

14 MS. RICH: So previous to this administration  
15 PEBP did have a very good working relationship with the --  
16 with the Governor's office and specifically the chief of  
17 staff at the Governor's office. Since the transition to the  
18 new administration there hasn't been a relationship not to  
19 say it was good or bad, but the relationship has not been  
20 quite established yet. I think maybe PEBP has just been  
21 under the radar which is probably good, and so the  
22 relationship hasn't really been established quite yet.

23 However, the Governor's office did reach out to  
24 me recently on an issue regarding retirees. They had some --  
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1 some complaints regarding the Medicare retirees and I did  
2 have some discussions regarding that, that issue, and I did  
3 fill them in, and we had a very good, I feel like a very good  
4 discussion about it, and there was some talk about maybe  
5 getting together in the future and working together,  
6 collaborating to resolve this issue because I know it is an  
7 issue that I wanted to resolve for a while. So the fact that  
8 it was brought to the now Governor's radar is good.

9 So that being said, I have -- I feel like I have  
10 a good working relationship with everybody in the state. I  
11 think I've established a good reputation. I worked for the  
12 state for almost 11 years now and I think in that time, you  
13 know, I developed a very very good relationship with  
14 everybody I've worked with.

15 Back at the Silver State Health Insurance  
16 Exchange when I was dealing with all of the constituent  
17 complaints and dealing with at the time Harry Reid's office,  
18 I worked very closely with his staff and on one visit, I  
19 didn't realize who I was working with within his staff, but  
20 we went out to DC and actually met with Harry Reid and his  
21 staff and realized quite quickly that I was not -- I was not  
22 speaking to her. I was not coordinating with the, you know,  
23 administrative assistants in his office. I was dealing  
24 directly with his upper level staff that were very very

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1 heavily involved in -- in the constituent issues, and he was  
2 as well. I was very impressed with the amount of information  
3 and knowledge he had on what was actually happening in  
4 Nevada.

5 So I think that I've done a really good job and I  
6 have a good -- you know, I've established a good reputation  
7 throughout the state and good relationship. So I have no --  
8 no doubt that I could do that with the Governor's office as  
9 well.

10 MEMBER ZACK: Thank you.

11 CHAIRWOMAN FREED: All right. That's the end of  
12 the formal questions. So our final question is what  
13 questions would you like to ask this Board?

14 MS. RICH: Well, I do actually have one question.  
15 One of the -- the last executive officer when he was hired  
16 and I think Mr. Bailey is probably the only one that would  
17 remember this.

18 MEMBER BAILEY: Long ago.

19 MS. RICH: He was tasked with at the time culture  
20 was important at PEBP, and so the Board asked him to --  
21 basically he was tasked with the duty of improving the  
22 culture at PEBP. I don't think that's a problem anymore. I  
23 think that we have really done a really good job of improving  
24 the culture at PEBP.

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1                   But I'm interested to know in what this Board  
2 thinks. I mean, we've got all new Board members since that  
3 time. What this Board would like the executive officer to  
4 focus on and what is important to them.

5                   CHAIRWOMAN FREED: Board members? Don't  
6 everybody speak at once.

7                   MEMBER BAILEY: For the record Don Bailey.

8                   I think what this Board would like to do is  
9 continue the relationship that we had with the prior director  
10 and stay on the same avenue and at the same pace we've been  
11 on and that's improving benefits for our members, being  
12 active or being retired. We have a lot of retired people out  
13 there now and naturally I lay heavily on that because I'm one  
14 of them.

15                   But, I mean, I think that's important to keep  
16 that motion going with all our members and our partners, you  
17 know, RPEN, the other union reps, keep that up because I  
18 think we've established a pretty good relationship, and I  
19 think it needs to be continued and always looking for better  
20 prices and particularly with pharmaceuticals. That's a big  
21 problem right now.

22                   MS. RICH: Okay.

23                   VICE CHAIR FOX: Linda Fox for the record.

24                   I agree with everything Mr. Bailey said. In  
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1 addition, I would say innovation. We're looking for  
2 innovation as well.

3 MEMBER MITCHELL: Jet Mitchell for the record.

4 As a new Board member, I will show my patient  
5 advocacy roots by saying I'm balanced that you touched in  
6 your interview on the balance of interest, which I think is  
7 incredibly on point and pertinent balancing the cost,  
8 balancing what benefits are available, and I would say  
9 balancing what patients need, what our members need, what the  
10 lives need with the cost containment but showing my advocacy  
11 roots to say particularly for the most vulnerable patients,  
12 the high claimant patients that would make it very visible,  
13 both offering them quality of care and cost containment, so  
14 that's important.

15 Additionally, as you had touched on with  
16 Governor's office continuing that relationship, continuing to  
17 foster relationships with the Governor's office and the state  
18 constituents would be incredibly important from my point of  
19 view. Thank you.

20 CHAIRWOMAN FREED: This is Laura Freed for the  
21 record.

22 And since we're showing our roots I guess I'll  
23 show my better root. This will be a shock to everyone. For  
24 -- for me, like you, I attended Budget Kickoff last week.

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1 Like you, I heard the message of flat budgeting. It's  
2 pertinent for my agency. It's pertinent for PEBP. So, you  
3 know, we talk a good deal about decreasing costs, yet  
4 improving plan design or improving offerings. That's like  
5 the unicorn of healthcare for us in our self-funded plan.  
6 And so for me I'm going to be exploring how we -- how we set  
7 the next budget for '22 and '23 to make sure that we budget  
8 significantly for trend and we don't -- we try not to  
9 transfer too many costs to the participants, even, you know,  
10 mindful that you have a budget cap and yet ensure the  
11 stability of the plan such that there's not rate shock. Rate  
12 shock is always concerning when I was in my previous job  
13 watching PEBP. So I guess -- I guess that's what I would say  
14 for myself.

15           You know, the question of is the CDHP good for  
16 the future? And I find myself concerned with, you know, both  
17 message we received from the Governor's finance office, all  
18 of us in the executive branch agencies, as well as the  
19 looming specter of COVID-19. And I was thinking yesterday,  
20 oh, gosh, I wonder if we're going to have some high cost  
21 claimant from COVID-19 hospitalization cases and I don't how  
22 much the plan can afford that.

23           So, I mean, I quickly start spinning out the  
24 budget eventualities. So I'll be looking for some options to  
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1 get through this biennium and set us up on a stable footing  
2 for the next biennium.

3 Okay. With that, thank you so much for your  
4 time. We appreciate it. And you're welcome to stay in the  
5 room as we move to the second agenda item, and the PEBP staff  
6 can go get the first candidate and we can move on the agenda  
7 to the deliberation portion of the agenda. So I'll take just  
8 a couple of minute recess while staff retrieves the other  
9 candidate.

10 (Whereupon, a brief recess was taken.)

11 CHAIRWOMAN FREED: All right. Board members call  
12 the meeting back to order and we're moving to Agenda Item  
13 Seven, discussion and possible action regarding appointment  
14 of the executive officer. Both candidates are in the room.  
15 I would like to say you don't have to be in the room. If you  
16 wish to remain you're absolutely free to. This is, of  
17 course, a public meeting but if you remain we might ask you  
18 for additional information. So I commend you both on your  
19 bravery because it's a little bit of a weird thing to sit  
20 there while the interview panel deliberates about whom to  
21 choose if anyone.

22 So with that, I would open it up to any questions  
23 from the Board. Shall we take them one at a time or do you  
24 want to just free form it? I didn't want to impose any sort  
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1 of restrictions on the Board's thoughts or deliberation  
2 process. All right then, then I suggest we take them in the  
3 order in which we interviewed them.

4 Mr. Lynch, one of the -- one of the Board's  
5 concerns was that your resume was in a functional format  
6 rather than a chronological format. For the Board's  
7 edification would you recap the last -- the period that you  
8 were deputy insurance commissioner and then the firms you've  
9 worked for since then, please.

10 MR. LYNCH: Of course. And thank you. So I  
11 started at the division in 2009, worked through 2016, and  
12 then I went to work in the private sector, basically  
13 consulting for insurers, forming alternative risk commercial  
14 insurance programs and that's -- I continue to do that to  
15 today.

16 CHAIRWOMAN FREED: And are you -- are you  
17 self-employed or are you with a firm or?

18 MR. LYNCH: I'm basically a 1099 employee with a  
19 specific group.

20 MEMBER VERDUCCI: Tom Verducci for the record.  
21 What is your job right now? What do you actually do? What  
22 is your daily routine and is it in the format of a lobbyist  
23 or reading through the resume I was trying to determine what  
24 your title was and what you do. If you could maybe elaborate  
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1 on that for a moment that would be very helpful.

2 MR. LYNCH: Of course. I held the title of  
3 executive vice president for a group that manages small  
4 commercial insurers, Paragon Risk Management Services, and  
5 that was for a period of time was a salaried position with  
6 them because of just sort of my personal preference, migrated  
7 into being a consultant, and I'm actually an approved, and  
8 this is going to sound odd because people don't know what  
9 captive insurance is. I'm a captive insurance manager. So  
10 and that's an approved and that's basically what I do.

11 But I was really retained to start up a few  
12 entities which are up and running and my role as far as  
13 getting them formed, getting them approved, getting them  
14 capitalized has kind of come to an end. So now I just do as  
15 requested work. I don't know if that answers your question  
16 or not. So right now I'm no longer a salaried employee. I'm  
17 a 1099 employee. I mean, I'm paid by my work.

18 MEMBER VERDUCCI: Thank you very much.

19 CHAIRWOMAN FREED: All right. I'll describe the  
20 approach that I took in scoring, if you will, as --

21 MEMBER ZACK: Pardon me, Madam Chairman,  
22 Chairwoman. I'm sorry. I had a follow-up question.

23 CHAIRWOMAN FREED: Sure. Go ahead, Ms. Zach.

24 MEMBER ZACK: Thank you.

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1           So, Mr. Lynch, as a former chief for staff  
2 officer for a national healthcare company, I'm actually very  
3 familiar with captive insurance companies. So when you say  
4 that you're a manager does that mean that you set up the  
5 companies and then work in a fiduciary capacity for their  
6 captives? Are those captives located offshore? Are they  
7 workers' comp? What type of risk is involved?

8           MR. LYNCH: The two main areas I worked in, and  
9 this is basically I was retained for the formation, approval  
10 and then establishing the ongoing management for those  
11 captive insurers. They are all domestic. None of them are  
12 offshore, and they dealt primarily with self-funded health  
13 insurance programs for large employers and cannabis risk,  
14 quite frankly. We did a lot of agricultural risk.

15           MEMBER ZACK: Thank you. So then do you serve as  
16 the manager of an LLC? Are you serving as an officer? You  
17 mentioned managing so I'm just curious.

18           MR. LYNCH: We're retained. We're retained to  
19 just do the establishment and the ongoing management,  
20 basically overseeing the service providers, the attorneys,  
21 actuaries, accountants, regulatory compliance, those types of  
22 things, not actually physically involved or fiducially  
23 involved in the insurance entity itself.

24           MEMBER ZACK: Thank you. That answers my  
          CAPITOL REPORTERS (775)882-5322

1 question.

2 CHAIRWOMAN FREED: Okay. No more follow-ups from  
3 you, Ms. Zach? I just want to make sure before.

4 MEMBER ZACK: No. Thank you, Madam Chairwoman.

5 CHAIRWOMAN FREED: Okay. Thanks. So if the  
6 Board doesn't have anymore sort of specific informational  
7 requests, okay, I thought I would start it off by going  
8 through the way that I scored as we went through the  
9 questions for each candidate. In so many interviews that  
10 I've done, I kind of kept a mental score of one through five  
11 in terms of was the question answered, was there a specific  
12 example or story told that illuminates something about the  
13 candidate's experience or tells me something about their  
14 personality and their leadership style.

15 And I -- I have to say that I -- overall when you  
16 talk about the net score I scored Ms. Rich higher. I don't  
17 know if the Board members have anything that they were doing  
18 similarly themselves because I haven't discussed any of this  
19 with any of you in order to keep the process as -- keep the  
20 process' integrity intact, but that's my feeling.

21 VICE CHAIR FOX: Linda Fox for the record.

22 So I did also add a note that Ms. Rich's  
23 responses were more thorough. And I thought there was only  
24 one question that was very specific that -- so I understand

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1 she has the advantage of having served in this role already,  
2 but there was really only one question where I thought might  
3 have made it more challenging. I think that's number 11.  
4 But the other questions I thought were -- were completely  
5 answerable by anybody, and even so I felt like her responses  
6 were much more thorough and completely thorough. Yes, that's  
7 my comment.

8 CHAIRWOMAN FREED: Ms. Mitchell?

9 MEMBER MITCHELL: Jet Mitchell for the record.

10 To expound or to continue the line that Linda Fox  
11 began on, my notes for Laura Rich's interview, I had a  
12 two-part comment or I made two -- my notes had two parts, one  
13 preparedness for interview, the documents submitted clearly  
14 articulated the relative experience and in the interview  
15 articulated the relevant NRS as related to minimum  
16 qualifications.

17 The second part of my notes was the interview and  
18 that was to dovetail on the comment that Ms. Fox made was  
19 that Ms. Rich clearly described relevant experience,  
20 articulated examples to support skills and experience needed  
21 for the role, concise yet thorough information, shared  
22 knowledge of issues of goals, demonstrated effectiveness both  
23 in past situations and in providing roadmaps for future  
24 programs and opportunities.

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1                   And for the two-part analysis that I did said  
2 both the preparedness and the interview answers were on  
3 point, thorough and fully aligned with the ideal candidate  
4 for the role. So I did that two-part analysis.

5                   CHAIRWOMAN FREED: Okay. Thank you.

6                   MEMBER BAILEY: For the record Don Bailey.

7                   I scored the same way as the Chair did, one  
8 through five and --

9                   CHAIRWOMAN FREED: Okay.

10                  MEMBER BAILEY: -- I found that Ms. Rich was the  
11 stronger candidate, particularly in all her answers. Again,  
12 to echo Jet, her answers were very thorough, in fact, very  
13 knowledgeable, particularly for some of the new Board members  
14 because it brought us all up-to-date.

15                  Mr. Lynch I am not too sure prepared very well  
16 for this particular interview.

17                  CHAIRWOMAN FREED: All right. Thank you.

18                  Mr. Verducci?

19                  MEMBER BAILEY: Yes. Tom Verducci for the  
20 record.

21                  I want to point out that Ms. Rich had a very  
22 complete resume. She spoke very clearly, and I would trust  
23 her to be the executive officer in the leadership role, and I  
24 think she did a very good job in demonstrating her ability to  
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1 do so today.

2 CHAIRWOMAN FREED: Thank you.

3 I promise I won't put each one of you on the  
4 spot. If you don't want to say anything you don't have to.

5 MEMBER HAGLER: This is Mandy Hagler for the  
6 record.

7 I would just like to echo the comments from the  
8 Board. I felt like Laura Rich was much more expansive on her  
9 answering to the questions. It didn't leave a lot of  
10 vagueness for the Board members to know her experience and  
11 kind of her vision that she sees leading PEBP in the future.  
12 And so I would agree that I have trust in Laura's ability to  
13 be able to do the position.

14 MEMBER SMITH: And David Smith for the record.

15 I'm glad that we went through the process of an  
16 interview, and I know it's very difficult to do a public  
17 interview, but it let's the Board, as well as anybody else  
18 looking at the program know exactly what we're looking at in  
19 selecting an executive officer, and I do believe as well that  
20 Laura Rich is clearly well qualified for the position and  
21 would be the best candidate.

22 And if it's permitted I would like to make a  
23 motion.

24 CHAIRWOMAN FREED: It is absolutely permitted.  
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1 So Member Smith has moved to appoint Laura Rich executive  
2 officer. I'm assuming subject to the requisite reference  
3 check, background check and approval from the Governor under  
4 the statute.

5 MEMBER SMITH: That's correct.

6 CHAIRWOMAN FREED: All right. Do I have a  
7 second?

8 MEMBER MITCHELL: Jet Mitchell for the record.

9 MEMBER ZACK: Madam Chairwoman.

10 CHAIRWOMAN FREED: All right. I'll give it --  
11 I'll let Ms. Zach make the second if she wishes.

12 MEMBER ZACK: I would, and I would like to add  
13 that not only is Ms. Rich well qualified, she's overqualified  
14 for the position, and I appreciate the detail of responses  
15 and the just very specific examples and details that she  
16 provided.

17 I second the motion to appoint Ms. Rich as  
18 executive, permanent executive officer of PEBP rather than  
19 interim.

20 CHAIRWOMAN FREED: All right. It's been moved  
21 and seconded. Any discussion on the motion? Hearing none,  
22 I'll call the question. All in favor please signify by  
23 saying aye.

24 (The vote was unanimously in favor of the  
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1 motion.)

2 CHAIRWOMAN FREED: Any opposed nay. The motion  
3 carries.

4 All right. Again, thank you, both of you. I  
5 just don't think I could be in your shoes doing a public  
6 interview. Thank you both.

7 Congratulations, Ms. Rich. Pending the, all of  
8 the other stuff, as the Board share would fault me to  
9 officially extend you the offer so I will be happy to do so,  
10 and that is Agenda Item Seven.

11 All right. So we will move to Agenda Item Eight  
12 which is second public comment, and I'll limit it to three or  
13 four minutes per person, and I'll start in Vegas. If there  
14 is anyone in the south who wishes to make public comment  
15 please come to the table.

16 MEMBER ZACH: Madam Chairwoman, we have no public  
17 comment in the south.

18 CHAIRWOMAN FREED: Okay. Thank you. All right.  
19 Carson.

20 MS. MALONEY: Good morning, Madam Chairwoman. It  
21 occurred to me as I was listening this morning, the AFSCME  
22 retirees haven't formally welcomed you to this position. We  
23 look very much forward to working with you, and we're  
24 thrilled for Ms. Rich. We feel that she's going to be a

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1 wonderful person to interact with, and we're just looking  
2 forward to do doing that so thank you.

3 CHAIRWOMAN FREED: State your name for the  
4 record.

5 MS. MALONEY: I'm sorry. This is the second time  
6 this morning. Priscilla Maloney a with the AFSCME Retiree  
7 Chapter. Thank you.

8 CHAIRWOMAN FREED: Thank you.

9 MR. ERVIN: Kent Ervin, E-r-v-i-n, with the  
10 Nevada Faculty Alliance.

11 I would like to ditto what Ms. Maloney said. I  
12 would like to thank both candidates, Mr. Lynch for  
13 participating in this process. I think the process is  
14 important that, you know, we advocated earlier to have this  
15 public process. It puts on the record what's available. It  
16 is awkward. I personally don't like the public interview  
17 process and, you know, but that's what we have to work with  
18 at the open meeting law.

19 We've been very pleased so far working with now  
20 soon to be Executive Officer Rich. So far she's been very  
21 communicative and we're happy.

22 And also, Ms. Freed, we're hoping to have more  
23 communication with you and with the entire Board as we move  
24 forward and just on that note, I was -- I listened into the  
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1 Budget Kickoff, and I think there are things that we can  
2 really do for a family and child centered PEBP program, some  
3 of which don't cost extra money, and so I look forward to  
4 working on that with all of you. Thank you.

5 MS. LOCKARD: Good morning. For the record my  
6 name is Marlene Lockard representing RPEN.

7 And I would just like to on behalf of RPEN offer  
8 thank you to this committee for hearing our request to put  
9 out an announcement for the position and to interview those  
10 that had responded, and we appreciate also the transparency  
11 and just thank you.

12 CHAIRWOMAN FREED: All right. That takes care of  
13 public comment.

14 Do we have a motion for adjournment?

15 MEMBER BAILEY: So move.

16 CHAIRWOMAN FREED: Thank you, Mr. Bailey.

17 All right. So with that we are adjourned. I'm  
18 assuming everybody says aye.

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1 STATE OF NEVADA, )  
2 CARSON CITY. ) ss.

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I, KATHY JACKSON, Official Court Reporter for the State of Nevada, Public Employees' Benefits Program Board, do hereby certify:

That on Tuesday, the 3rd day of March, 2020, I was present for the Public Employees' Benefits Program, Carson City, Nevada, for the purpose of reporting in verbatim stenotype notes the within-entitled public meeting;

That the foregoing transcript, consisting of pages 1 through 79, is a full, true and correct transcription of my stenotype notes of said public meeting.

Dated at Carson City, Nevada, this 11th day of March, 2020.

KATHY JACKSON, CCR  
Nevada CCR #402

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|--|--|--|--|--|
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**PUBLIC EMPLOYEES' BENEFITS PROGRAM BOARD  
TELEPHONIC OPEN MEETING**

**March 3, 2020**

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**PUBLIC EMPLOYEES' BENEFITS PROGRAM BOARD  
TELEPHONIC OPEN MEETING**

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**PUBLIC EMPLOYEES' BENEFITS PROGRAM BOARD  
TELEPHONIC OPEN MEETING**

**March 3, 2020**

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**PUBLIC EMPLOYEES' BENEFITS PROGRAM BOARD  
TELEPHONIC OPEN MEETING**

**March 3, 2020**

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